

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on March 5, 2013, at the Borough School District Administration Building, 501 N. Gulkana Street, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Larry DeVilbiss.

**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 (*Deputy Mayor*)(*attended telephonically*)  
Mr. Steve Colligan, Assembly District No. 4  
Mr. Darcie K. Salmon, Assembly District No. 5  
Mr. Jim Colver, Assembly District No. 6 (*entered telephonically at 6:10 p.m.*)  
Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk  
Mr. John Moosey, Borough Manager  
Mr. George Hays, Assistant Borough Manager  
Mr. Nicholas Spiropoulos, Borough Attorney  
Ms. Brenda J. Henry, Assistant Clerk  
Ms. Tammy Clayton, Finance Director  
Ms. Shaune O'Neil, Public Works Director  
Ms. Eileen Probasco, Planning and Land Use Director  
Mr. Dennis Brodigan, Emergency Services Director  
Ms. Patty Sullivan, Public Affairs Director  
Mr. Don Dyer, Economic Development Director  
Mr. Eric Phillips, Community Development Director  
Mr. Raymond Nix, Resource Specialist  
Ms. Sharon Huckins, Administrative Secretary

**III. APPROVAL OF AGENDA**

Mayor DeVilbiss stated that if there was no objection, that he would like to move the veto to immediately following motion to amend something previously adopted.

There was no objection noted.

Assemblymember Keogh requested to take up motion to amend something previously adopted and the veto immediately following audience participation.

Mayor DeVilbiss queried if there was any objection.

There was no objection noted.

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

#### **IV. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mr. Jay Dearborn, a member of the audience.

#### **V. MINUTES OF PRECEDING MEETINGS**

- A. Regular Assembly Meeting: 02/05/13
- B. Special Assembly Meeting: 02/19/13
- C. Regular Assembly Meeting: 02/19/13

Mayor DeVilbiss inquired if there were any corrections to the regular meeting minutes of February 5, 2013, the special meeting minutes of February 19, 2013, or the regular meeting minutes of February 19, 2013.

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

#### **VI. REPORTS/CORRESPONDENCE**

##### **A. AGENCY REPORTS**

- 1. Reports from cities

##### Wasilla City

Mr. Bert Cottle, Deputy Administrator:

- related that at the upcoming March 11, 2013, Wasilla City Council meeting there will be legislation providing for the sale of the Meta Rose Square; and
- stated that there will also be two ordinances addressing funding for the City's share of funding for the new library.

- 2. Matanuska-Susitna Borough School District

*(There was no report provided.)*

##### **B. COMMITTEE REPORTS**

- 1. Joint Assembly/School Board Committee on School Issues

Assemblymember Woods:

- related that the site selection results were presented;
- opined that the planning process is working well;
- noted that soil testing is occurring in order to determine where the best location is on the site for positioning the schools;
- stated that water testing is being conducted as well; and
- spoke to discussion that occurred regarding the possibility of expanding the reserve fund, which concerned him.

## 2. Assembly Public Relations

Assemblymember Keogh:

- stated that since the last meeting a number of concerned citizens have contacted him regarding the disrespectful behavior that was directed at a member of the audience who had provided public testimony;
- noted that being an elected official sometimes means that we have to hear comments that we do not agree with; and
- spoke to the need to be respectful of the public.

Mayor DeVilbiss advised that these comments would be appropriate for Assembly comments at the end of the meeting.

## C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

Mr. Moosey:

- noted that the State Legislature is working on capital budgets;
- stated that they will be concentrating on oil and gas issues this week;
- spoke to the recent joint Borough and Anchorage Port Commission meeting;
- opined that it went well and was the first joint meeting of the Commission's in over 10 years;
- related that it is intended to have additional joint meetings regarding Cook Inlet issues; and
- introduced Mr. Ken Walch who would be making a presentation this evening.

Mr. Ken Walch provided a presentation regarding unpaved rural roads in the Borough.

## D. ATTORNEY COMMENTS

Mr. Spiropoulos:

- related that the 9<sup>th</sup> Circuit Court of Appeals has denied the request for an emergency injunction, regarding the rail extension law suit;
- noted that two of the appellant's have taken interlocutory appeal, which means that it is an appeal of the ruling that the trial court made regarding the challenge of the Corp permit, before the trial its self has concluded;

- stated that two of three judges assigned have experience with this case, as they were on the panel that heard the first request for injunction;
- advised that the case is still pending in District court here in Alaska;
- noted that this is now the third request for injunction;
- advised that while the litigation is pending with no injunction, that the work can continue;
- spoke to legal opinions that were requested regarding Assembly Members; and
- stated that unless someone objects and claims privilege, that they will become public records.

Mayor queried if there was any objection to the documents becoming public records.

There was no objection noted.

#### E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the proposed budget meetings schedule;
- stated that there was a request for Mr. Neil Fried to make a presentation regarding demographics and economics in the Borough for March 19, 2013;
- advised that his presentation is expected to be approximately 15 minutes; and
- queried if the body would like to schedule the proposed meetings.

Mayor DeVilbiss queried if there was any objection to the proposed budget meeting schedule and having Mr. Fried present at the March 19, 2013, meeting.

There was no objection noted.

Ms. McKechnie:

- stated that if the dates do not work, that the schedule can be changed;
- spoke to the recent Open Meetings Act training and Parliamentary Procedure training that was conducted by the Clerk's Office and the Attorney's Office; and
- noted that it was very well attended.

#### F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
  - a. Board RSA Board of Supervisors: 11/01/12, 11/26/12
  - b. Caswell FSA Board of Supervisors: 11/14/12
  - c. Emergency Medical Services Board: 10/03/12
  - d. Enhanced 911 Advisory Board: 11/13/12
  - e. Library Board: 01/21/12, 08/18/12, 10/20/12, Resolution Serial No. 12-01, 12-02
  - f. Parks, Recreation, and Trails Advisory Board: 10/22/12
  - g. Port Commission: 11/19/12, Resolution Serial No. 12-009
  - h. Trapper Creek RSA Board of Supervisors: 08/08/12

2. Community Council Minutes:
  - a. Chase Community Council: 04/19/12
  - b. Glacier View Community Council: 10/25/12
  - c. Meadow Lakes Community Council: 08/08/12, 09/12/12, 10/10/12, 12/12/12
  - d. Point McKenzie Community Council: 11/01/12, 12/13/12

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

#### G. INFORMATIONAL MEMORANDUMS

*(There were no informational memorandums presented.)*

### VII. UNFINISHED BUSINESS

*(There was no unfinished business.)*

### IX. SPECIAL ORDERS

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

*(There were no persons to be heard.)*

#### B. PUBLIC HEARINGS (Three minutes per person.)

1. Resolution Serial No. 13-033: A RESOLUTION REMOVING A BOARD MEMBER FROM THE ANIMAL CARE AND REGULATION BOARD. *(Sponsored by Mayor DeVilbiss)*
  - a. IM No. 13-048

Mayor DeVilbiss opened the public hearing.

The following persons spoke in support of Resolution Serial No. 13-033: Ms. Angelena Marsh and Ms. Char Avril.

The following persons spoke in opposition to Resolution Serial No. 13-033: Ms. Betty Vehrs, Ms. Carolyn Johnson, Ms. Victoria Naegele, Ms. Cathy Hummel, Ms. Judy Price, Mr. Paul Bratton, Mr. Bill Wood, Ms. Marli Holder, Ms. Glenda Smith, Dr. Judy Mastellar, and Ms. Rhonda Weinrick.

Assemblymember Woods:

- thanked Ms. Weinrick for explaining her position;
- stated that he thought he heard her say that she values animals more than people; and
- queried if that was true.

Ms. Weinrick stated that there are no bad animals, just bad owners.

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

MOTION: Assemblymember Salmon moved to adopt Resolution Serial No. 13-033.

Mayor DeVilbiss:

- stated that he requested that the legislation come forward;
- noted that he appointed her to the Board;
- stated that this request for removal has nothing to do with any other issue other than her behavior;
- related that quasi-judicial process is what is learned while on the Board;
- related that if one listens to the audio that there is no question as to the words that were spoken and the tone in which they were spoken;
- stated that boards cannot function properly when there is such bad behavior of its members;
- advised that should she be removed, that he has no problem appointing another rescue representative to the Board; and
- stated that the legislation is in the packet and that a copy of the letter from the Animal Care and Regulation's Chair letter in supporting the removal is in the red folders.

Discussion ensued regarding:

- that the request for removal of Ms. Weinrick is not related to issues that occurred at the shelter in December;
- whether or not this type of thing has ever occurred in the past;
- that a request for transcripts of the hearings originally came from the Chair in September, but due to the election it was delayed;
- that there is not a problem filling vacancies on the Animal Care and Regulation Board;
- whether or not there is training for quasi judicial board members;
- that the Chair of the Board had discussed the processes of the Board with Ms. Weinrick on more than one occasion;
- that there is always an attorney at appeal hearings;
- the opinion that the member should not be removed;
- that "removal for cause" is defined solely by the Assembly; and
- that animal issues are very emotional.

VOTE: The motion failed with Assemblymember Colver in support.

*(The meeting recessed at 7:23 p.m. and reconvened at 7:35 p.m.)*

2. Ordinance Serial No. 13-033: AN ORDINANCE APPROVING AN APPROPRIATION OF \$200,000 FROM THE WEST LAKES FIRE SERVICE AREA FUND BALANCE, FUND 249 TO FUND 405, PROJECT NO. 45244, TO ALLOW FOR THE PURCHASE OF A FIRE TRUCK FOR THE WEST LAKES FIRE SERVICE AREA.

- a. Resolution Serial No. 13-034: A RESOLUTION APPROVING THE AMENDED BUDGET FOR PROJECT NO. 45244, TO ALLOW FOR THE PURCHASE OF A FIRE TRUCK FOR THE WEST LAKES FIRE SERVICE AREA.

(1) IM No. 13-050

Mayor DeVilbiss 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 Halter moved to adopt Ordinance Serial No. 13-033 and Resolution Serial No. 13-034.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 13-034: AN ORDINANCE AMENDING PORTIONS OF MSB 3.28, SPECIAL ASSESSMENTS; AS IT RELATES TO THE CREATION OF NATURAL GAS DISTRIBUTION LINE LOCAL IMPROVEMENT DISTRICTS.

*(Sponsored by Assemblymember Keogh)*

- a. IM No. 13-064

Mayor DeVilbiss opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 13-034: Mr. John Vinduska and Ms. Sherri Jackson

The following persons spoke in opposition to Ordinance Serial No. 13-034: Mr. Mike Coons, Dr. Bruce Hess, Mr. Joel Miner, Mr. Douglas Beaty, and Mr. Bill Lund.

The following person spoke in opposition to the creation of local improvement districts: Ms. Helen Munoz.

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

MOTION: Assemblymember Keogh moved to adopt Ordinance Serial No. 13-034.

Assemblymember Keogh:

- noted that he lives in an area where there will not be natural gas for a very long time;
- related that the effective date of the legislation is June 1, 2013, which would not affect current local improvement districts (LID's) requests;
- provided a history of when the percentage needed to create LID's was changed;
- stated that due to the ongoing rancor regarding LID's that he invited several industry experts and residents to a meeting to discuss what could be done to improve the process;
- opined that it was a good meeting and it was appreciated that there was discussion that there needed to be fairness in the process;

- stated that he had requested the Attorney get a legal opinion regarding LID boundaries;
- advised that as the process goes now an LID includes everyone in the area, even if they do not want it;
- stated that having a non-contiguous boundary does not cause an issue for raising the threshold; and
- opined that having a non-contiguous boundary would be a better way to go so that residents are not forced into LID's that they have no desire for.

Mayor DeVilbiss queried if Assemblymember Keogh was going to amend the legislation to include non-contiguous.

Assemblymember Keogh:

- related that the legal opinion advises that a contiguous boundary is not required now;
- opined that in light of the legal opinion, he sees no reason to amend the legislation;
- stated that he has advised the Manager that the administrative change should be made; and
- noted that he would like to inform people in advance that a contiguous boundary is not required.

Assemblymember Halter:

- stated that he would like to see the legislation amended if the process will go to non-contiguous;
- opined that by raising the requirement to 75 percent would virtually kill the opportunity for anyone to have natural gas within this type of system;
- further opined that it is a voluntary system and does not agree that the Borough is imposing anything on anyone;
- spoke in favor of getting as much natural gas to as many households as possible to reduce costs;
- spoke to concerns that someone who did not want to participate in an LID, wanting to be added after it is completed; and
- stated that he would like to see a process created that would be fair to everyone.

Discussion ensued regarding:

- the desire to postpone the legislation;
- how to create a fair process for everyone involved;
- the opinion that a threshold of 75 percent is not germane if an LID can be non-contiguous;
- concerns that that the creation of LID's is heading toward a more onerous process which could be more complicated;
- concerns that if the process is changed too drastically that LID's will not be financeable;
- the possibility of voting down the legislation and coming back with an alternative; and
- the best date to postpone the legislation to.

**MOTION:** Assemblymember Colligan moved to postpone Ordinance Serial No. 13-034 to a time certain of May 21, 2013.

**VOTE:** The motion to postpone to a time certain passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke in opposition of a possible Mayoral veto of Resolution Serial No. 13-015: Mr. Mel Grove and Mr. Mike Erickson.

The following persons spoke in support of a veto of Resolution Serial No. 13-015: Mr. Tom Bergie and Ms. Elizabeth Friedman

The following person spoke to concerns with developing the Jim Creek parcel: Ms. Cathy Hummel.

The following persons spoke in opposition to the Jim Creek parcel being motorized and to concerns with the use of firearms in the Jim Creek parcel: Ms. Linda Shue and Mr. John Shue.

The following persons spoke to the need for uniform regulations in the Jim Creek parcel: Mr. Dane Crowley and Mr. Earl Lackey.

The following person spoke to the need for a regional wastewater and septage system: Ms. Helen Munoz.

The following person spoke to concerns with the lack of boundary markers in the Jim Creek parcel and to the need for information that would show users where the shooting areas are: Mr. Kenny Barber

The following persons spoke in opposition to using firearms in the Jim Creek parcel and in opposition to the possible mayoral veto: Ms. Britt Lively and Mr. Gregory Nilsson.

The following person thanked the Assembly for not removing Ms. Weinrick from the Animal Care and Regulation Board: Ms. Betty Vehrs.

The following person thanked the Assembly for not removing her from the Animal Care and Regulation Board and to concerns with the use of firearms in the Jim Creek parcel: Ms. Rhonda Weinrick

The following person thanked the Assembly for postponing Ordinance Serial No. 13-034: Mr. Mike Coons.

The following person spoke in opposition to banning the use of firearms in the Jim Creek parcel: Mr. Todd Clark.

The following person spoke to concerns with Ordinance Serial No. 13-038: Ms. Krista Maciolek.

*(The meeting recessed at 9:05 p.m. reconvened at 9:29 p.m.)*

C. OTHER NEW BUSINESS

1. MOTION TO AMEND SOMETHING PREVIOUSLY ADOPTED

- a. Resolution Serial No. 13-015: A RESOLUTION ADOPTING THE JIM CREEK MOTORIZED MASTER PLAN. *(Requested by Assemblymember Colver)*
- (1) IM No. 13-044

MOTION: Assemblymember Colligan moved a primary amendment to Resolution Serial No. 13-015 and the Jim Creek Master Plan, which was previously adopted on February 5, 2013, by striking the “Be It Further Resolved” clause and in the plan that reads: “In accordance with standard Borough parks rules and practices, no discharge of firearms shall be allowed in the Jim Creek Parcel” and inserting in its place “No discharge of firearms shall not be allowed on the Jim Creek parcel except for lawful hunting in accordance with State and Federal rules and regulations and the Knik River Public Use Area - 11AAC96.016(b) and (c).”

Assemblymember Keogh queried if it is the citation in its entirety or if it is specific to a single section.

Assemblymember Colligan stated that it is the citation in its entirety.

Assemblymember Keogh:

- noted that the plan was adopted at the last meeting;
- spoke to the growth rate in the Butte area and that the Jim Creek parcel will be naturally affected by that;
- stated that the Jim Creek parcel is the gateway to the Knik River Public Use Area (KRPUA);
- related that there are areas in the KRPUA where shooting is allowed;
- stated that the parcel is Borough land, with no mandate that the guidelines for the KRPUA be enacted;
- noted that the Borough could restrict firearm use if that is something the body chooses to do;
- agreed that the boundaries of the Jim Creek parcel need to be marked;
- opined that from the perspective of firearm safety, it is irresponsible to allow the use of firearms;
- spoke to his history of firearm education and certification;
- noted that there are areas adjacent to the parcel that allow hunting; and
- spoke in opposition to the amendment.

Assemblymember Halter:

- related that he has reviewed the use restrictions imposed by the State;
- spoke to the restrictive language that allows the discharge of firearms;
- noted the areas that are restricted; and
- opined that due to the restrictive language enforcement will not be an issue.

VOTE: The primary amendment passed with Assemblymember Keogh opposed.

## VIII. VETO

- A. Resolution Serial No. 13-015: A RESOLUTION ADOPTING THE JIM CREEK MOTORIZED MASTER PLAN. (*Veto filed by Mayor DeVilbiss on February 15, 2013.*)
  - 1. IM No. 13-044

Mayor DeVilbiss queried if there was any objection to withdrawing the veto.

There was no objection noted.

## D. CONSENT AGENDA

### 1. RESOLUTIONS

- a. Resolution Serial No. 13-036: A RESOLUTION APPROVING THE AMENDED SCOPE OF WORK FOR THE SETTLERS BAY AT CROCKER CREEK FISH PASSAGE PROJECT, PROJECT NO. 30112, TO INCLUDE BUDDY CREEK NEAR MONTANA CREEK, GOOSE CREEK AT CAMEO DRIVE, AND COTTONWOOD CREEK TRIBUTARY AT REDOUBT DRIVE FISH PASSAGE PROJECTS, PROJECT NO. 30114
  - (1) IM No. 13-069

### 2. ACTION MEMORANDUMS

- a. AM No. 13-030: APPROVAL OF CONTRACT AMENDMENT NO. 8 TO PND ENGINEERS, INC. IN THE AMOUNT OF \$34,629 FOR ADDITIONAL DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION FOR THE BRIDGE REPLACEMENT PROJECTS DESIGN, PROJECT NO. 09-079.
- b. AM No. 13-031: AUTHORIZATION TO ENTER INTO THE 2013 COOPERATIVE AGREEMENT WITH THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF FORESTRY, IN AN AMOUNT NOT TO EXCEED \$100,000 FOR WILDFIRE FUEL REDUCTION.
- d. AM No. 13-033: AWARD OF BID NO. 13-081B TO WESTERN CONSTRUCTION AND EQUIPMENT, LLC. IN THE CONTRACT AMOUNT OF \$173,255 FOR FISH PASSAGE IMPROVEMENT PROJECT AT KATAHDIN STREET AT BUDDY CREEK.
- e. AM No. 13-034: AWARD OF BID NO. 13-088B TO SCOGGIN EXCAVATING, LLC. IN THE CONTRACT AMOUNT OF \$186,861.84 FOR FISH PASSAGE IMPROVEMENT ON CAMEO DRIVE AT GOOSE CREEK.
- f. AM No. 13-035: APPROVE UTILITY RELOCATION COSTS TO MATANUSKA TELEPHONE ASSOCIATION IN THE AMOUNT OF \$127,017.73 FOR LANARK DRIVE AND BROCTON AVENUE UPGRADES, PROJECT NO. 30048.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

c. AM No. 13-032: APPROVAL OF CONTRACT AMENDMENT NO. 2 TO McCOOL CARLSON GREEN IN THE AMOUNT OF \$219,919 FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR VALLEY PATHWAYS SCHOOL.

MOTION: Assemblymember Salmon moved to adopt AM No. 13-032.

Assemblymember Arvin:

- spoke to concerns with contract amendments;
- opined that the increases in the costs of the design should be borne by the contractor; and
- queried why the contract amendment is necessary.

Mr. Moosey:

- stated that the original intent was to use the same design as the Susitna Valley High School;
- related that during the process, the School District had requested the design change;
- advised that due to the changes the costs increased;
- noted that the School District Administration determined it was not the design that they wanted interior wise; and
- advised that the change was not driven by the contractor.

Discussion ensued regarding:

- that the delivery of education at Valley Pathways is different than conventional schools;
- design changes that have value;
- what was missed, and who missed it, regarding spatial areas dictated by the State;
- that the changes were requested by the School District rather than the State;
- the possibility of postponing the legislation;
- concerns with the elimination of applied learning classes;
- that Valley Pathways does not have applied learning classes in their curriculum;
- concerns with the construction budget; and
- the number of projects that the contractor has brought in on budget.

VOTE: The motion passed without objection.

MOTION: Assemblymember Salmon moved to suspend the rules and extend the meeting past 10 p.m. and not to exceed 10:30 p.m.

VOTE: The motion passed without objection.

**X. NEW BUSINESS**

**A. INTRODUCTIONS (For public hearing – March 19, 2013, School District Administration Building)**

1. Ordinance Serial No. 13-035: AN ORDINANCE AUTHORIZING A PIPELINE EASEMENT ACROSS BOROUGH-OWNED REAL PROPERTY FROM THE SHIP DOCK TO CENTRAL ALASKA ENERGY, LLC, LEASEHOLD FOR TANK FARM AND TRUCK RACK OPERATIONS (MSB006551P).
  - a. Ordinance Serial No. 13-036: AN ORDINANCE AUTHORIZING AMENDMENT NO. 1 TO THE FAIR MARKET VALUE LEASE OF BOROUGH-OWNED REAL PROPERTY TO CENTRAL ALASKA ENERGY, LLC, FOR TANK FARM AND TRUCK RACK OPERATIONS (MSB006551).
    - (1) IM No. 13-028
    - (2) IM No. 13-029
2. Ordinance Serial No. 13-037: AN ORDINANCE APPROVING A SPECIAL MANAGEMENT ZONE BE DESIGNATED WITHIN THE OPERABLE FOREST LAND IN THE PARKS HIGHWAY AND RABIDEUX CREEK NATURAL RESOURCE MANAGEMENT UNITS FOR THE PURPOSE OF A FOREST EDUCATION AND IMPROVEMENT STUDY AREA, AND TO SUPPLY WOOD FOR THE SUSITNA VALLEY HIGH SCHOOL CORD-WOOD FIRED HEAT SYSTEM, AND TO ENSURE HEALTHY FOREST MANAGEMENT PRACTICES ARE FOLLOWED AS PRESCRIBED IN THE NATURAL RESOURCES MANAGEMENT UNITS PLAN (MSB006743).
  - a. IM No. 13-070

Ms. McKechnie read the above legislation into the record.

**MOTION:** Assemblymember Salmon moved to introduce the legislation as read into the record by the Clerk and set the public hearings for March 19, 2013.

**VOTE:** The motion passed without objection.

**B. MAYORAL NOMINATIONS AND APPOINTMENTS**

**1. VACANCY REPORT**

Mayor DeVilbiss requested the following confirmations:

Borough Area Schools Site Selection Committee  
Matthew Beck  
Sarah Welton  
Debby Retherford  
David Cheezum

Emergency Medical Services Board  
Lynn Moore  
Joint Assembly/School Board Committee on School Issues  
Sarah Welton  
Debby Retherford  
Local Emergency Planning Committee  
Bryen Bartgis  
Louis Friend  
Wasilla-Lakes FSA No. 130  
Benjamin Cottle

Mayor DeVilbiss made the following recommendations:

Health and Social Services Board  
William Tull  
Historical Preservation Commission  
Bethany Buckingham-Follett  
Labor Relations Board  
Asbury "Butch" Moore  
Gregory Pugh  
Greater Butte RSA No. 26  
Lucy Kledbesadel

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

Assemblymember Keogh recognized Mr. Benjamin Cottle's service to the Borough.

VOTE: The motion passed without objection.

D. REFERRALS (For referral to the Planning Commission for 90 days or other date specified by the Assembly)

1. Ordinance Serial No. 13-038: AN ORDINANCE AMENDING MSB 15.39, BOARD OF ADJUSTMENT AND APPEALS. *(Sponsored by Mayor DeVilbiss and Assemblymember Colver)*

a. IM No. 13-003

MOTION: Assemblymember Salmon moved to refer Ordinance Serial No. 13-038 to the Planning Commission for 90 days.

VOTE: The motion passed without objection.

## XI. RECONSIDERATION

*(There was no reconsideration presented.)*

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

Assemblymember Salmon

- stated that he is leaving town and will return March 16; and
- related that he is travelling back east for his parents 70<sup>th</sup> wedding anniversary.

**MOTION:** Assemblymember Salmon moved to support completion of the evaluation and engineering report on the unpaved low volume road test site, and further encourage administration to make available as part of the evaluation and report effort, engineering staff from the Borough Public Works Department, to work with Mr. Walch to complete this effort.

Assemblymember Woods:

- spoke to the high volume of road projects that are going on;
- opined that the Borough could be low on engineers due to those projects; and
- queried if there will be staff available to meet this need.

Mr. Moosey:

- advised that Borough engineers are extremely busy working to move road projects forward;
- related that he has a competent staff member in mind that will take a fair look at the project; and
- stated that he will speak to the staff and report back to the Assembly.

Assemblymember Keogh:

- stated that he appreciates Mr. Walch's effort; and
- related that he thought the Transportation Advisory Board (TAB) rejected the unpaved rural roads project.

Mayor DeVilbiss:

- noted that TAB did reject the project, as did the Local Road Service Area Advisory Board; and
- stated that this is a test project that we are taking responsibility for by doing the testing on our own.

Assemblymember Halter:

- spoke to concerns that there will be costs associated with staff time; and
- queried if the Big Lake Road Service Area would be charged.

Mr. Moosey stated that it was not his intention and that it would be a staff assignment.

Assemblymember Halter related that the Local Road Service Area Advisory Board rejected the project unanimously.

**VOTE:** The motion passed with Assemblymembers Halter and Keogh opposed.

Assemblymember Salmon thanked the body for supporting the motion.

Assemblymember Colver:

- thanked Assemblymember Salmon for bringing the motion forward;
- opined that more information is needed for constructing roads;
- noted that residents are upset with the high cost of upgrading faulty roads;
- opined that the project could yield good information; and
- spoke to his support of the Susitna Valley Wood Fired Boiler Project.

Mayor DeVilbiss:

- stated that he spent time with an independent consultant regarding the project; and
- related that the project is moving forward.

Assemblymember Halter:

- stated that he appreciates the comments regarding the wood fired boiler;
- spoke to the glitches that are occurring with the project at the staff level;
- noted his appreciation of including Mr. Mannix in the project as he is very knowledgeable;
- opined that the Iditarod is off to a good start;
- spoke to concerns with the unpaved rural roads project;
- opined that the biggest issue on the Jim Creek parcel is lack of enforcement; and
- spoke to his surprise that the property for the Talkeetna Library was not secure.

Assemblymember Woods:

- noted that he was impressed with the rural road project in the Big Lake Area; and
- spoke in support of providing staff support.

Mayor DeVilbiss:


- stated that he will be bringing forward a resolution excusing Assemblymember Arvin from being physically present;
- noted that he will also be bringing forward a resolution in support of House Bill No. 152 regarding Public Employees Retirement System;
- opined that if the house bill passes, then it would provide more flexibility to municipalities; and
- read the prayer of St. Francis of Assisi.

### **XIII. EXECUTIVE SESSION**

*(There was no executive session held.)*

**XIV. ADJOURNMENT**

The regular meeting adjourned at 10:15 p.m.

  
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LARRY DEVILBISS, Borough Mayor

ATTEST:

  
\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 03/19/13