

I. CALL TO ORDER

The special meeting of the Matanuska-Susitna Borough Assembly was held on March 27, 2012, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Larry DeVilbiss for the purpose of holding a joint Assembly/Planning Commission meeting and introduction of Ordinance Serial No. 12-055.

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 (*attended telephonically*)
Mr. Darcie K. Salmon, Assembly District No. 5 (*arrived at 6:01 p.m.*)
Mr. Jim Colver, Assembly District No. 6
Mr. Vern Halter, Assembly District No. 7

Planning Commission members present and establishing a quorum were:

Mr. Thomas Healy, District 2
Mr. John Klapperich, District 3 (*Chair*)
Mr. Bruce Walden, District 4
Mr. William Haller, District 5
Mr. Tom Adams, District 6
Mr. Vern Rauchenstein, District 7

Planning Commission members absent and excused were:

Mr. Gary Foster, District 1

Staff in attendance were:

Ms. Jamie Newman, Deputy Borough Clerk
Mr. John Aschenbrenner, Deputy Borough Attorney
Ms. Brenda J. Henry, Executive Assistant to the Borough Clerk
Ms. Eileen Probasco, Planning Services Chief
Ms. Frankie Barker, Environmental Planner II
Mr. Alex Strawn, Permitting Services Manager
Ms. Mary Brodigan, Administrative Secretary II

Mayor DeVilbiss advised that he will be exiting the meeting to attend an awards ceremony and that Assemblymember Salmon would chair the meeting at that time.

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. Dave Church, a member of the audience.

V. AUDIENCE PARTICIPATION

The following person spoke to overall concerns with development in the Borough: Ms. Niki Taysom.

VI. ITEMS OF BUSINESS

A. Planning Commission Decisions Coming Forward to the Assembly *(requested by Assemblymember Woods)*

Assemblymember Woods:

- stated that there are many issues before the Assembly concerning development;
- spoke to development throughout the Borough that could be impacted by the adoption of the subdivision code;
- stated that he would like to hear from the body as to opinions they have on how to proceed with the subdivision code; and
- spoke to concerns that the Planning Commission has not provided sufficient comment on the legislation.

Mayor DeVilbiss:

- noted that the legislation has been before the Planning Commission, although it is largely a different body that provided comments previously;
- stated that he has requested that if the Planning Commission makes a recommendation and it is largely different than what they originally reviewed, that the Planning Department forward the comments in original form; and
- opined that the Assembly is capable of researching and understanding the information provided.

Discussion ensued regarding:

- that the subdivision code would be before the body on April 17;
- that the Planning Commission has a meeting on April 2;
- concerns of the members that delaying the subdivision code would hamper construction;
- amendments that the Assembly may have for that legislation; and
- the request of the Planning Commission to have additional time to review the legislation.

(Mayor DeVilbiss exited the meeting at 6:16 p.m. and Assemblymember Salmon assumed the duties of the Chair.)

Discussion continued regarding:

- that the Assembly has been working on the legislation for a year;
- the intention of some members to have the code adopted by the beginning of construction season;
- that there has been a lot of opportunities for the public to provide comments on the legislation;
- the possibility of scheduling an additional meeting dedicated solely to the subdivision code;
- concerns that amendments from the floor are slowing down the process;
- concerns that the Assembly needs more information regarding gated communities;
- concerns that road service area boundaries are a misnomer, as almost every area within the Borough is within a road service area;
- the opinion that gated communities will require a lot of substantive talk, which may be an item that is dealt with after the legislation is adopted;
- that when the legislation was before the Planning Commission, it was a unanimous decision to retain Title 27 and not adopt the new subdivision code;
- that the Planning Commission did not have sufficient time to provide comments;
- the possibility of the Platting Board providing comments;
- the desire of the Planning Commission to work in unison with the Assembly;
- whether or not staff has provided input to the legislation;
- possible ways to craft amendments that would address rural parcels; and
- the opinion that construction season may have already been missed.

B. Update on Stormwater Management Plan *(Requested by Administration)*

Ms. Sarah Wilson-Doyle and Mr. Ray Plummer, of USKH, Inc. in conjunction with Mr. Jim Collins of Tetra Tech, provided an update regarding the Stormwater Management Plan.

Assemblymember Salmon queried why there is no one from a federal agency on the committee.

Ms. Wilson-Doyle:

- related that the Alaska State Department of Environmental Conservation (DEC) is understaffed;
- stated that there is a point person that information is shared with in order to keep them up-to-date; and
- noted that there is a United States Fish and Wildlife representative who regularly participates.

Planning Commissioner Haller opined that it appears to be one area that triggered the need for a regulatory permit.

Mr. Plummer:

- affirmed the query;
- stated that it is due to the population growth outlined in the Census;

- stated that the Census information was not due until October of this year, but has come several months ahead of schedule; and
- stated that it was the most recent Census data that triggered the requirement for additional permitting.

Discussion ensued regarding:

- that it is the Federal Government threshold that brings about the need for stormwater permitting when an area has a population of 100,000 or more;
- that with respect to density clusters, that the core area might bring about the need for additional permitting as well;
- that the DEC threshold is 10 percent or more of growth for an area;
- that permits are also necessary in areas near sensitive waterbodies or if there are imminent threats of pollution;
- that the information that the DEC uses is not entirely based on population;
- that the definition the Census Bureau has for determining urbanized clusters is quite cumbersome; and
- that the cities are on the front line of addressing stormwater issues and are looking for tools to provide stormwater management.

(The meeting recessed at 7:15 p.m. and reconvened at 7:23 p.m.)

Assemblymember Arvin:

- stated that he is unsure of what exactly will be happening as a result of the update; and
- noted that he hopes that there will be very clear information coming forward in the future.

C. South Denali Implementation Plan Update *(Requested by Administration)*

Ms. Probasco:

- noted that the team has been working diligently to bring the South Denali Visitor Center to fruition;
- opined that it is exciting that progress is being made, as it was listed as a priority by the Assembly and now it is happening;
- related that there are enough funds for the project to begin the transportation hub;
- noted that the project will be breaking ground on the first phase this spring;
- advised that the original comprehensive plan that was adopted in 1970 included this project;
- spoke to a meeting that was conducted this winter and those who participated; and
- noted that the handout she provided has a comprehensive listing of what has been done to date.

Assemblymember Keogh queried if the Planning Team update and photographs are available on the website or if it could be emailed.

Ms. Probasco advised that it is not on the website, as she just received the information from Mr. Dave Griffin of the Alaska State Department of Natural Resources this morning and that she would be happy to email it to the members.

Assemblymember Halter queried funding for the electrical extension and if anything was occurring with that.

Ms. Probasco:

- advised that the electrical extension has not yet been finalized;
- spoke to the discussion that has occurred as to the possibility of funding with State and Federal agencies;
- noted that there was interest expressed as to whether or not the Borough would be contributing to that funding;
- advised that the Committee wishes to wait and see what the Legislative Session holds; and
- noted that if the Legislature provides the funding, that the electrical extension will then be at the forefront at which time entities could be approached and commitments sought.

Assemblymember Halter queried if the land exchange for the facility was complete.

Ms. Probasco:

- noted that the State has been granted an easement through the parcel; and
- advised that the exchange will not occur unless funding is secured.

Discussion ensued regarding:

- what the land exchange includes;
- where the parcels to be exchanged are located; and
- the status of the Denali Special Land Use District.

D. School Site Selection Update *(Requested by Administration)*

Ms. Probasco:

- advised that the staff member that was to provide the update was unable to be here due to a family emergency; and
- related that the draft master plan for the parcel next to Academy Charter is near completion.

Assemblymember Halter queried the status of the site selection for the proposed Knik-Goose Bay area school.

Assemblymember Salmon:

- stated that there is an offer being presented;
- spoke to the negotiations with the owner of the number one site; and
- stated that he is not able to define which property it is for confidential reasons.

Discussion ensued regarding:

- the evaluation process used to determine the best parcel for a school site;
- that the highest ranked parcels are those that the Committee tries to secure;
- that any of the top five ranked sites would be appropriate;
- the requirements for due diligence for parcel selection as outlined in Title 23;

- that the sites are evaluated thoroughly in order to obtain better information for decision making;
- that the Committee wants to ensure that negotiations on a parcel take into consideration any environmental factors;
- that traffic impacts are taken into consideration as well;
- that the Planning Commission has approved the site selected for Fronteras Elementary;
- the opinion that master plans for sites can come afterward in order to keep projects on time; and
- the desire of the Assembly to ensure that the Planning Commission always review selected sites.

VII. INTRODUCTION (for public hearing on 04/03/12, Borough Assembly Chambers)

- A. Ordinance Serial No. 12-055: AN ORDINANCE APPROPRIATING \$100,375,000 TO FUND 400, SCHOOL PROJECTS, FOR THE ACQUISITION, CONSTRUCTION, AND INSTALLATION OF SCHOOL AND RELATED CAPITAL IMPROVEMENTS WITHIN THE BOROUGH AND \$890,289 TO FUND 400 AND \$51,105 TO FUND 450, FOR RELATED ISSUANCE COSTS FOR THE 2012 SERIES “A,” GENERAL OBLIGATION SCHOOL BONDS; SERIES “B,” SCHOOL REFUNDING BONDS; AND SERIES “C,” PORT REFUNDING BONDS.
1. IM No. 12-084

Ms. Newman read the above legislation into the record.

MOTION: Assemblymember Keogh moved to introduce the legislation as read into the record by the Clerk and set the public hearing for April 3, 2012.

VOTE: The motion passed without objection.

VIII. MAYOR, ASSEMBLY, PLANNING COMMISSION, AND STAFF COMMENTS

Planning Commission Member Rauchenstein:

- noted that he is a new member;
- stated that he has some homework to do in order to become familiar with the subdivision code; and
- thanked the Assembly for the opportunity to meet.

Planning Commission Member Adams:

- opined that it would be useful to understand how the Assembly wants the Planning Commission to proceed on future issues;
- spoke to being interested in seeing the outcome of the new subdivision code;
- opined that it is an important piece of legislation that will have large impacts on the Borough;
- spoke to his responsibility to ensure the best interests of the public are protected;
- related that a big part of his job is redesigning roads that were poorly constructed under Title 16;

- opined that the Planning Commission has not had enough time to comment on the new subdivision code;
- further opined that the legislation is poor and patch-worked together; and
- noted the desire of the Planning Commission to further review the subdivision code before it is adopted.

Planning Commission Member Adams:

- stated that the Planning Commission unanimously voted against the subdivision code; and
- noted that the Planning Commission did request additional time to review the legislation.

Assemblymember Colver:

- noted that there has been a lot of discussion regarding road standards and how the new subdivision code would affect them;
- noted that there are no road standards being relaxed, as the subdivision construction manual is what is used and that has not changed;
- spoke to the remote parcel and homestead parcel provision;
- noted problems that parcel owners have had subdividing property;
- opined that the body needs closure on the legislation and needs to move forward;
- stated that it was a good meeting and very productive; and
- noted that if there are concerns of the Planning Commission, that they can always request that items of concern be added to a joint meeting agenda.

Assemblymember Colligan:

- apologized for not being physically present;
- noted that he had work obligations;
- stated that he enjoyed the meeting and that it was very productive;
- related that he has heard the concerns that have been expressed this evening;
- noted that the community is growing and will continue to grow;
- stated that it is impossible to build-out all of the Borough's infrastructure 100 years into the future;
- spoke to his frustration with the length of time to get the subdivision code adopted; and
- stated that he hopes to have it adopted soon.

Assemblymember Woods:

- spoke to his appreciation of joint meetings with the Planning Commission; and
- opined that it was an interesting meeting.

Planning Commission Member Haller:

- thanked the Assembly for their hard work;
- spoke to the many issues that the Planning Commission struggled with when the legislation was before them;
- noted that new Commissioners may not have had the opportunity to review the new legislation;
- stated that he would like to see something adopted soon; and
- opined that amendments can be made at a later date if issues arise.

Planning Commission Member Healy:

- spoke to his appreciation of the opportunity for joint meetings; and
- related that he has received a lot of good information from this meeting.

Assemblymember Halter welcomed the new members of the Planning Commission.

Assemblymember Keogh:

- stated that he hopes that the final document will go back to the Planning Commission for comment and review before it is adopted;
- opined that there should also be an additional public hearing; and
- welcomed the new Planning Commission members.

Planning Commission Member Walden:

- noted that there are a lot of new faces on the Planning Commission;
- spoke to his desire for the bodies to work together; and
- opined that if the legislation is adopted that the bodies are capable of addressing any issues that may arise.

Planning Commission Chair Klapperich:

- thanked Assemblymember Salmon for running the meeting;
- opined that it is his obligation as Chair of the Planning Commission to see how to best meet the needs of residents by working with the Assembly;
- stated that he is hopeful that their comments will be appreciated, respected, and used;
- spoke to presentations that the Planning Commission has received from staff;
- noted that there are a lot of pending actions that will be before both bodies for review; and
- stated that he would like to know what responsibilities are expected of the Planning Commission.

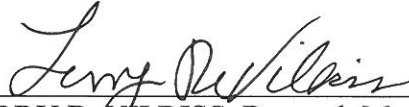
Assemblymember Salmon:

- opined that it was an enlightening meeting;
- stated that Borough code is clear on the responsibilities of the Planning Commission;
- suggested that if Planning Commission members have questions as to their responsibilities, that they educate themselves on Borough code;
- further suggested that it may also benefit Assembly Members to understand those responsibilities as well;
- opined that neither body should transcend those responsibilities;
- spoke to Mayor DeVilbiss and himself having spent two hours on the phone regarding the Knik Arm Bridge;
- related that they spoke to the House Finance Committee on Thursday, which went very well;
- noted that the Senate kept them online for two hours and adjourned the meeting without notice or taking their testimony;
- opined that the Senate did not seem to be enthused to listen about the Knik Arm Bridge, which disheartened him;

- noted that the speaker tried to present the reasons why the bridge should be built;
- opined that the question really should be why not, as that would provoke better discussion; and
- thanked the body for their participation in the meeting.

IX. ADJOURNMENT

The meeting adjourned at 8:15 p.m.


LARRY DeVILBISS, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 04/17/12