

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on April 1, 2003, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Timothy L. Anderson.

**II. ROLL CALL**

Assembly members present and establishing a quorum were:

- Mr. J. Bruce Bush, Assembly District No. 1
- Mr. Bill Allen, Assembly District No. 2
- Mr. Talis J. Colberg, Assembly District No. 3
- Ms. Mary Kvalheim, Assembly District No. 4
- Ms. Jody Simpson, Assembly District No. 5
- Mr. Jim Colver, Assembly District No. 6
- Ms. Kelly Ladere, Assembly District No. 7

Staff in attendance were:

- Ms. Sandra A. Dillon, CMC, Borough Clerk
- Mr. John Duffy, Borough Manager
- Mr. David Germer, Assistant Borough Manager
- Ms. Teresa Williams, Borough Attorney
- Ms. Michelle M. McGehee, Deputy Borough Clerk
- Mr. Jim Swing, Public Works Director
- Ms. Tammy Clayton, Finance Director
- Mr. Jack Krill, Interim Emergency Services Director
- Mr. Ron Swanson, Community Development Director
- Mr. David Recor, Planning Director

**III. APPROVAL OF AGENDA**

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

GENERAL CONSENT: The agenda was approved as presented.

**IV. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Stephanie McDougal, Kimberly McDougal, Rachel Pope, David Varner, and Rachael Roddick, students from a Wasilla High School government class.

## V. MINUTES OF PRECEDING MEETINGS

Mayor Anderson referenced the minutes of the March 18, 2003, special and regular meetings, and the minutes of the March 20, 2003, special meeting and asked if there were any corrections thereto.

### A. Special Assembly Meeting: March 18, 2003

No corrections were noted.

### B. Regular Assembly Meeting: March 18, 2003

Assemblymember Simpson:

- noted a correction to pp. 18 of 21, first bulleted comment, to strike the word “hearing” and to insert the word “conversation” to read: “Assemblymember Simpson stated that the Point MacKenzie Community Council has held public conversations on this issue.” *{After clerk’s research, this item was corrected.}*

### C. Special Assembly Meeting: March 20, 2003

Assemblymember Ladere:

- noted a correction to pp. 2 of 6, sixth sentence, to strike the phrase “as to if” and to insert the word “whether” to read: “Assemblymember Ladere inquired whether the community council voted on this issue”; and
- noted a correction to pp. 2 of 6, last sentence, to correct the misspelling of the word “wished” to read: There being no others who wished to present testimony, the public hearing closed and discussion moved to the Assembly.” *{After clerk’s research, these items were corrected.}*

GENERAL CONSENT: The minutes of the March 18, 2003, special and regular meetings, and the minutes of the March 20, 2003, special meeting were approved as amended pending clerk’s research.

## VI. SPECIAL ORDERS OF THE DAY

### A. Oath of Office – Bill Allen, Assembly District No. 2

Mayor Anderson announced the swearing in of Mr. Bill Allen to Assembly District No. 2.

Ms. Dillon administered the oath of office to Mr. Allen, who was accompanied by his wife, Sharon.

Assemblymember Allen introduced his wife, Sharon, to the members of the Assembly.

Mayor Anderson noted that the meeting would recess shortly to celebrate Assemblymember Allen’s appointment.

(The regular meeting recessed at 6:10 p.m. and reconvened at 6:26 p.m.)

## VII. REPORTS/CORRESPONDENCE

### A. AGENCY REPORTS

#### 1. Reports from cities

##### Wasilla City

Wasilla City Councilmember Cox:

- reported regarding the city's status of construction on the multi-use sports complex;
- spoke regarding the proposed contents of the sports facility; and
- stated that the council is looking forward to the joint work session with the Assembly on April 3, 2003.

#### 2. Matanuska-Susitna Borough School District

Kim Floyd, Public Information Specialist:

- reported that parent/teacher conferences will be held on April 7 and 8, with conferences also available during the evening;
- provided information regarding the Pacific Rim Education and Work Force Development Coalition; and
- noted that the Coalition will hold a meeting with their steering committee at the end of April.

#### 3. Valley Community for Recycling Solutions – Mollie Boyer

Director Mollie Boyer and President Charles Parker:

- thanked the Assembly for the funds that were allocated to the organization in the prior year; and
- provided a brief report regarding their daily operations and recycling statistics for the Valley.

### B. COMMITTEE REPORTS

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

Assemblymember Colver reported that no committee meetings have been held.

#### 2. Regional Transportation Planning Organization (RTPO)

Mayor Anderson advised that the next meeting of the RTPO will be held on June 2, 2003, at the Elks Club on Finger Lake.

## C. MANAGER COMMENTS

Mr. Duffy:

- referenced the school district's proposed budget and asked the Assembly to take note of some budget assumptions contained therein;
- stated that the U.S. Senate Committee on Transportation, Public Works, and Environment will hold a hearing in the Borough Assembly Chambers on April 14, 2003, from 9 a.m. to noon;
- noted that the scheduled meeting with Congressman Young has been moved from April 17 to the week of April 21; a definite time has yet to be scheduled;
- reported that representatives from the Federal Emergency Management Agency (FEMA) are in the borough and are working with the assessments department to assess the damages caused by the recent wind storm;
- distributed a memorandum from the City and Borough of Juneau regarding their Coastal Zone Management Program;
- noted information attached to the manager's report regarding Senate Bill 38;
- distributed information regarding an economic assessment report on correctional facilities, which provides an economic analysis of correctional system improvements;
- reported that administration is working with the Small Business Development Center, GCI, and MTA, on an economic development work shop with a tentative date of May 16, the focus of which is transcription business opportunities;
- spoke to an ordinance contained on the agenda that proposes modifications to the natural gas local improvement district (LID) program and would require a 100 percent approval rate;
- referenced an attached memorandum from Ms. Clayton identifying local improvement districts that are currently in process and a proposed amendment which would allow these LIDs to continue to be processed under the existing regulations;
- commented regarding AM No. 03-049 on the agenda and spoke to bringing forward a more comprehensive policy that addresses arterial highway improvements;
- commented regarding AM No. 03-057, noting its applicability to the borough's GIS system;
- reported regarding an updated library memorandum and revised library funding formula; and
- remarked that Senator Stevens mentioned his support of the nutrition center in a speech given yesterday.

Discussion ensued regarding:

- whether or not comments on the Coastal Zone Management Program have been forwarded to the legislature;
- funding road rights-of-way purchases from sources other than local road service area funds;
- the distribution of federal funding from Congress for substandard road projects and the limitations placed on these funds to only upgrade substandard roads that access federal lands; and
- the administration of federal monies at a state level rather than at a local level.

D. ATTORNEY COMMENTS

Ms. Williams reported that she and the clerk have begun the recodification of the borough code and will be meeting with the departments to discuss particular areas of the code.

E. CLERK COMMENTS

Ms. Dillon:

- welcomed Assemblymember Allen to the Assembly;
- reviewed the Assembly meeting schedule, noting a heavy schedule through the next two months;
- noted the distribution of the agenda and handout materials for the April 3, 2003, joint work session with the cities and the borough regarding library issues;
- referenced the joint Assembly/School Board meeting agenda items and asked the members of the Assembly to contact her with any last minutes additions;
- referenced a table attached to the clerk's report that outlines the number of BOAA appeals that have gone to Superior Court since 1998;
- reported that the facilitator for the Assembly retreat has an opening on Saturday, April 12, from 9 a.m. – 3 p.m.; and
- reviewed the timeline for legislation to be placed on the October 7, 2003, election ballot.

Discussion ensued regarding:

- scheduling work sessions in May to review bonding legislation for potential placement on the October 7, 2003, ballot;
- the availability of information regarding school bonds during the work sessions; and
- whether or not there are any potential impacts that the bonding issues may have on the budget.

**VIII. SPECIAL ORDERS (to begin at 7 p.m.)**

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

(There were no persons to be heard.)

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 03-038: AN ORDINANCE CREATING DOWNWIND AND UPDRAFT CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 379, 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. 03-041

Ms. Clayton provided a staff report and recommended administrative approval of ordinance.

Mayor Anderson opened the public hearing.

There being no one who wished to be heard, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Colberg moved to adopt Ordinance Serial No. 03-038.

VOTE: The motion passed without objection.

2. Ordinance Serial No. 03-039: AN ORDINANCE CREATING ALDER DRIVE/COTTONWOOD SHORES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 381, 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. 03-043

Ms. Clayton:

- provided a staff report and recommended administrative approval of ordinance; and
- noted that the road service area has agreed to pay a portion of the paving costs.

Mayor Anderson opened the public hearing.

There being no one who wished to be heard, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Colberg moved to adopt Ordinance Serial No. 03-039.

Brief discussion ensued regarding whether or not Alder Drive was a collector road.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 03-040: AN ORDINANCE CREATING REGENTS ROAD, ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 380, 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. 03-045

Ms. Clayton provided a staff report and noted that the local improvement district did not meet the required number of votes for approval.

Mayor Anderson opened the public hearing.

There being no one who wished to be heard, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Allen moved to adopt Ordinance Serial No. 03-040.

VOTE: The motion failed unanimously.

4. Ordinance Serial No. 03-049: AN ORDINANCE AMENDING MSB 16.05.030, PENALTIES AND REMEDIES, BY REPEALING SUBSECTION (E). *(Public hearing continued from 03/18/03)*
  - a. IM No. 03-040

Mr. Hulbert provided a staff report regarding Ordinance Serial No. 03-049, noting that subsection (E) is in conflict with the rest of the code provision.

Mayor Anderson opened the public hearing.

There being no one who wished to be heard, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 03-049.

MOTION: Assemblymember Colver moved to postpone Ordinance Serial No. 03-049 to a time certain of June 3, 2003.

Discussion ensued regarding:

- the signing of earnest money agreements to purchase a portion of an un-subdivided tract of land;
- statute requirements for the sale of subdivided land v. code requirements; and
- differentiating between residential subdivisions and commercial subdivision.

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

5. Ordinance Serial No. 03-055: AN ORDINANCE AMENDING TITLE 15 AND TITLE 23, REGARDING THE BOARD OF ADJUSTMENT AND APPEALS TO CHANGE THE BOARD'S JURISDICTION BY DELETING ITS JURISDICTION OVER APPEALS OF THE MANAGER'S DECISIONS MADE PURSUANT TO TITLE 23 AND MAKING CONTRACTS ENTERED INTO UNDER TITLE 23 SUBJECT TO JUDICIAL REVIEW; AND AMENDING TITLE 23 TO ALLOW CONTRACTS TO BE TERMINATED FOR EITHER VIOLATION OF THE CONTRACT OR MATERIAL MISREPRESENTATION RATHER THAN BOTH.
  - a. IM No. 03-053

Ms. Williams stated that contract disputes generally go directly to court.

Discussion ensued regarding the number of appeals to the Board of Adjustment and Appeals in the last ten years from contract disputes.

Mr. Duffy noted that only one contract agreement has been appealed to the Board of Adjustment and Appeals in the last ten years.

Mayor Anderson opened the public hearing.

There being no one who wished to be heard, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 03-055.

VOTE: The motion passed without objection.

6. Ordinance Serial No. 03-056: AN ORDINANCE REAPPROPRIATING \$85,900 TO FUND 480, PROJECT 20129, FROM THE FY03 PLANNING DIVISION'S OPERATING BUDGET (100-130-130-429-300) FOR THE PURPOSE OF PROFESSIONAL SERVICES TO UNDERTAKE UPDATING THE CORE AREA COMPREHENSIVE PLAN.
  - a. IM No. 03-062

Mr. Duffy provided a staff report and stated that the funds should be placed in a non-lapsing account.

Mayor Anderson opened the public hearing.

There being no one who wished to be heard, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 03-056.

VOTE: The motion passed without objection.

CONFLICT OF INTEREST: Assemblymember Allen stated that he had a conflict of interest regarding Ordinance Serial No. 03-057 and Resolution Serial No. 03-022, as his employer has an interest in the transaction, and asked to be recused from voting on the items.

RULING: Mayor Anderson ruled that Assemblymember Allen had a conflict of interest and was recused from voting.

*(Assemblymember Allen exited chambers at this time.)*

7. Ordinance Serial No. 03-057: AN ORDINANCE ACCEPTING AND APPROPRIATING \$421,250 FROM THE STATE OF ALASKA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT TO FUND 475, PROJECT NO. 20336, FOR THE SUNSHINE COMMUNITY HEALTH CENTER.
  - a. Resolution Serial No. 03-022: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO EXECUTE A TRANSFER OF RESPONSIBILITIES AGREEMENT BY AND BETWEEN THE MATANUSKA-SUSITNA BOROUGH AND THE SUNSHINE COMMUNITY HEALTH CENTER, FOR PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.
    - (1) IM No. 03-064

Mayor Anderson opened the public hearing.

The following person spoke in favor of Ordinance Serial No. 03-057 and Resolution Serial No. 03-022: Susan Mason-Bouterse, Executive Director for Sunshine Community Health Center.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 03-057 and Resolution Serial No. 03-022.

Assemblymember Ladere:

- spoke regarding the importance of the health facility in the Upper Susitna Valley; and
- stated that it has received widespread support from residents, businesses, and state agencies who live and operate in the area.

VOTE: The motion passed without objection.

*(Assemblymember Allen returned to chambers at this time.)*

8. Ordinance Serial No. 03-058: AN ORDINANCE APPROPRIATING \$385,000 OF INTEREST EARNINGS ON THE 2000 SERIES A, GENERAL OBLIGATION SCHOOL BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40136, TO FUND A SHORTFALL IN THE WASILLA HIGH SCHOOL REMODEL PROJECT.
  - a. IM No. 03-065

Mayor Anderson opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 03-058: Rachel Pope and Kimberly McDougal.

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

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 03-058.

Assemblymember Allen queried whether or not this item was included in the district's priority list of capital projects.

Mr. Swing reported that the Wasilla High School remodel project is an ongoing project and that the next phase of the project is in the district's priority list.

VOTE: The motion passed without objection.

9. Ordinance Serial No. 03-059: AN ORDINANCE TO RECLASSIFY AS "GENERAL PURPOSE LANDS" THE DESIGNATED HOME SITE WITHIN TRACT A-1 OF NOTICE OF FORTY-ACRE EXEMPTION RECORDED IN THE TALKEETNA RECORDING DISTRICT IN BOOK 177, PAGE 514, SECTION 32, T26N, R5W, SEWARD MERIDIAN, ALASKA, AND TO AUTHORIZE THE FEE SIMPLE ESTATE SALE OF THE HOME SITE AS PROVIDED TO OWNERS OF AGRICULTURAL LAND SALES UNDER FORMER TITLE 13, AND ORDINANCE SERIAL NO. 86-78; LOCATED A HALF MILE SOUTH OF INTERSECTION OF PARKS HIGHWAY AND PETERSVILLE ROAD IN THE TRAPPER CREEK COMMUNITY COUNCIL AREA (MSB003862).
  - a. IM No. 03-067

Mayor Anderson opened the public hearing.

There being no one who wished to be heard, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 03-059.

Assemblymember Ladere voiced support of the legislation.

VOTE: The motion passed without objection.

10. Ordinance Serial No. 03-060: AN ORDINANCE REQUESTING A SUPPLEMENTAL APPROPRIATION OF \$40,000 FROM THE WASILLA-LAKES FIRE SERVICE AREA FUND BALANCE, FUND 250, TO THE WASILLA-LAKES FIRE SERVICE AREA FISCAL YEAR 2003 OPERATING BUDGET, FUND 250, FOR NON-EMPLOYEE COMPENSATION.
  - a. IM No. 03-071

Mayor Anderson opened the public hearing.

There being no one who wished to be heard, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 03-060.

Assemblymember Ladere:

- stated that it already looks to be a high risk fire year; and
- complimented the service area for increasing their training and resources.

VOTE: The motion passed without objection.

11. Ordinance Serial No. 03-061: AN ORDINANCE REAPPROPRIATING \$40,311.48 FROM FUND 435, BOROUGH FACILITIES, PROJECT NO. 10117, RECORDS RETENTION BUILDING, TO FUND 480, PROJECT NO. 45124, FOR THE PURPOSE OF CONDUCTING AN ASSESSMENT AND AUDIT OF THE BOROUGHWIDE RECORDS MANAGEMENT PRACTICES.

a. IM No. 03-072

Ms. Dillon:

- reported that the clerk's office is fine-tuning the records program; and
- advised that before electronic records can be addressed, an assessment of the hard copy records program is needed, as is the need to begin purging departmental records.

Mayor Anderson opened the public hearing.

There being no one who wished to be heard, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 03-061.

VOTE: The motion passed without objection.

12. Ordinance Serial No. 03-062: AN ORDINANCE AMENDING MSB 2.52.690(C), PROVIDING FOR DISCIPLINE AND DISCHARGE PROCEDURES OF EXEMPT AND CONFIDENTIAL EMPLOYEES.

a. IM No. 03-073

Mr. Duffy reported that there is currently no discipline and discharge procedures established for division managers.

Mayor Anderson opened the public hearing.

There being no one who wished to be heard, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 03-062.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

(There were no persons present who wished to testify.)

(The regular meeting recessed at 7:40 p.m. and reconvened at 7:50 p.m.)

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
  - a. Animal Care and Regulation Board: 01/20/03
  - b. Planning Commission: 03/03/03
  - c. Regional Transportation Planning Organization: 03/04/03
  - d. Transportation Advisory Board: 02/26/03
2. Community Council Correspondence:
  - a. North Lakes Community Council: 02/12/03
  - b. Willow Area Community Organization: 01/06/03
3. Other Correspondence:
  - a. Cook Inlet Aquaculture Association: 02/15/03

Assemblymember Ladere commented on the Willow Area Community Organization's minutes, stating that the organization had voted to start a community-based comprehensive plan, but that they may reconsider this decision.

The citizen and other correspondence was presented and no comments other than noted were given.

G. INFORMATIONAL MEMORANDUMS

1. IM No. 03-075: TABULATED COSTS OF DOROTHY S. JONES BUILDING REPAIRS.
2. IM No. 03-077: PROPOSED FORMAT FOR MSB 2003/2004 CLEANUP PROGRAM.
3. IM No. 03-079: GENERALLY PERMITTED USES ON BOROUGH-OWNED LAND.

The informational memorandums were presented and no comments were noted.

**IX. UNFINISHED BUSINESS**

(There was no unfinished business.)

**X. NEW BUSINESS**

A. INTRODUCTION (For public hearing - 04/15/03, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 03-063: AN ORDINANCE RE-APPROPRIATING \$29,943 FROM FUND 203, LAND MANAGEMENT FUND, LAND MANAGEMENT DIVISION, TO FUND 480, PROJECT NO. 45127, FOR THE TALKEETNA LAKES RECREATION MANAGEMENT PLAN.
  - a. IM No. 03-078
2. Ordinance Serial No. 03-064: AN ORDINANCE AMENDING PORTIONS OF MSB 3.28, SPECIAL ASSESSMENTS, AS IT RELATES TO THE CREATION OF NATURAL GAS DISTRIBUTION LINE LOCAL IMPROVEMENT DISTRICTS.
  - a. IM No. 03-081

Ms. Dillon read the introductions into the record.

MOTION: Assemblymember Colver moved to introduce the legislation as read into the record by the clerk and set the public hearings for April 15, 2003.

VOTE: The motion passed without objection.

B. CONSENT AGENDA

(Resolution Serial No. 03-029 and AM Nos. 03-049 and 03-056 were pulled from the agenda and discussed separately. **See pp. 14 - 15**)

1. RESOLUTIONS

- b. Resolution Serial No. 03-030: A RESOLUTION REQUESTING THE ALASKA STATE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES TO INCLUDE SEPARATED PATHWAYS IN ALL FUTURE IMPROVEMENTS TO THE GEORGE PARKS AND GLENN HIGHWAYS WITHIN THE MATANUSKA-SUSITNA BOROUGH. (*Sponsor: Assemblymember Ladere*)
  - (1) IM No. 03-080

2. ACTION MEMORANDUMS

- b. AM No. 03-052: RETROACTIVE APPROVAL OF SENIOR CITIZEN TAX EXEMPTION FOR RAY NEWHALL, LOT 12, BLOCK 4, FOREST LAKE SUBDIVISION (6121B04L012); TAX YEARS 2001 AND 2002.
- d. AM No. 03-057: ACQUISITION OF DIGITAL ELEVATION MODEL (DEM) FROM THE UNIVERSITY OF ALASKA FAIRBANKS IN THE AMOUNT OF \$50,677 IN SUPPORT OF THE BOROUGH GEOGRAPHIC SYSTEM.

- e. AM No. 03-059: AWARD OF BID NO. 03-139 TO AXBERG BUILDERS IN THE AMOUNT OF \$83,100 FOR MSB POOL RESTROOMS ADA-COMPLIANCE REMODEL.

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Colver moved to approve the consent agenda as read into the record by the clerk.

VOTE: The motion passed without objection.

- a. Resolution Serial No. 03-029: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR INFRASTRUCTURE PROJECTS USING THE TRANSIENT ACCOMMODATION TAX (BED TAX) IN AN AMOUNT NOT TO EXCEED \$190,000.  
(1) IM No. 03-063

MOTION: Assemblymember Ladere moved to adopt Resolution Serial No. 03-029.

Assemblymember Ladere queried whether or not there was a difference in process for the Transient Accommodation Tax this year in comparison to previous years.

Mr. Swanson:

- stated that the process used for the Transient Accommodation Tax is the same; and
- advised that the budget is approved during the normal operating cycle and the projects are approved in the spring.

Mr. Swanson noted that the same process as last year was used.

VOTE: The motion passed without objection.

- a. AM No. 03-049: CHANGE ORDER TO WILDER CONSTRUCTION COMPANY IN THE AMOUNT OF \$155,000 FOR THE 2002 ROADS PAVING PROJECT TO ADD THE OVERLAY PAVING OF SEWARD MERIDIAN PARKWAY.

CONFLICT OF INTEREST: Assemblymember Colver noted a conflict of interest regarding AM Nos. 03-049 and 03-056 and asked to be recused from voting on the items.

RULING: Mayor Anderson noted that Assemblymember Colver had a conflict of interest regarding AM Nos. 03-049 and 03-056 and that he would be recused from voting.

*(Assemblymember Colver exited chambers at this time.)*

MOTION: Assemblymember Kvalheim moved to approve AM No. 03-049.

VOTE: The motion passed without objection.

- c. AM No. 03-056: APPROVAL OF A CHANGE ORDER TO THE CONTRACT OF COLLINS CONSTRUCTION, INC. IN THE AMOUNT OF \$20,802 TO PROVIDE DESIGN MODIFICATIONS AND WORK TO ADD PARTITIONS AT THE NEW SHERROD ELEMENTARY SCHOOL.

MOTION: Assemblymember Allen moved to approve AM No. 03-056.

VOTE: The motion passed without objection.

*(Assemblymember Colver returned to chambers at this time.)*

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Deputy Mayor

Jim Colver

Intergovernmental Liaison Committee

Mary Kvalheim

David Recor

Joint Assembly/School Board Committee on School Issues

Bill Allen

Regional Transportation Planning Organization

Mary Kvalheim

Site Selection Committee – Beryozava School

Kelly Ladere

Jody Simpson

Linda Menard

Sarah Welton

Rose Jenne

David Webster

Site Selection Committee – Valley Pathways Alternative School

Bruce Bush

Talis Colberg

Rob Wells

Dan Contini

Helga Larson

Gary Wolf

Talkeetna Sewer and Water Service Area No. 36

James Kellard

Mayor Anderson requested the following confirmations:

Historical Preservation Commission  
Resignation of Nancy Sult  
Platting Board  
Claudia Roberts  
Transportation Advisory Board  
Resignation of Hilary Leiss

**MOTION:** Assemblymember Colver moved to confirm the mayor's appointments up for confirmation this evening and to accept resignations.

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

**D. OTHER NEW BUSINESS**

**XI. RECONSIDERATION**

(There were no reconsiderations presented.)

**XII. VETO**

(There was no veto presented.)

**XIII. EXECUTIVE SESSION**

(There was no executive session held.)

**XVI. MAYOR AND ASSEMBLY COMMENTS**

**MOTION:** Assemblymember Ladere moved that the Assembly direct the manager to oppose the reduced participation by municipalities in the Coastal Zone Management Plan, House Bill (HB) 191 and Senate Bill (SB) 143.

Discussion ensued regarding:

- HB 191 and SB 143 reducing participation by local municipalities related to the Coastal Zone Management Plan;
- the status of the legislation in the House and the Senate;
- the consolidation of permitting into one agency;
- the timeframe associated with commenting on the proposed legislation;
- support of the Alaska Municipal League for comments from local levels;
- the views of the borough's legislative delegation; and
- the desire of the Assembly to look into the issue further before coming to a decision.

**WITHDRAW:** Assemblymember Ladere moved to withdraw her previous motion

MOTION: Assemblymember Ladere moved to have the manager draft a resolution regarding a position on SB 143 and HB 191.

VOTE: The motion passed without objection.

Assemblymember Ladere referred to a copy of SB 157 and asked the manager to comment on it, as it was her understanding that it is a time-sensitive issue.

Mr. Duffy:

- stated that he has been informed by the borough's state lobbyist that Senator Green has introduced a bill regarding the children's hospital facility;
- advised that the borough has been asked to testify on the legislation on April 9, 2003; and
- noted that available beds in the state of Alaska would have to be used prior to sending children outside for medical attention.

MOTION: Assemblymember Ladere moved to direct the manager to prepare a resolution for consideration of SB 157 on April 8, 2003, and to hold a special meeting to discuss the issue.

Discussion continued regarding:

- long-term services not being available in the state for children under the age of 21;
- the number of children who are currently leaving state in an effort to obtain treatment; and
- the hardship placed on those families who have children in out-of-state facilities.

VOTE: The motion passed without objection.

Assemblymember Ladere:

- thanked the administration for AM No. 03-057 and complimented the administration for building a good program; and
- thanked Mr. Allen for choosing to submit his name for consideration of appointment to Assembly District No. 2.

Assemblymember Bush commented that he and Assemblymember Ladere attended a soil and water convention for the state and were successful in obtaining funds for conservation districts.

Assemblymember Kvalheim congratulated the borough for adding applications to the web page.

Assemblymember Simpson:

- advised that Senator Ogan will be holding an open house in Big Lake this Saturday from noon to 2 p.m. at the fire station;
- commented that Governor Murkowski's budget does not include funds for the Snow Track Trail Development Grant Program;
- stated that the legislature will be forced to decide between a recommendation from the Governor and what they have supported in the past;
- spoke regarding point-of-sale registrations;

- commented that support is needed from the manager and from the Parks, Recreation, and Trails Advisory Board; and
- remarked that she would like letters of support for the program with the concurrence of the Assembly; no objection was noted.

Assemblymember Colver reiterated his previous request to the administration to look for property that can be used for the Wasilla High School Trades Program.

Assemblymember Allen:

- commented that it is an honor to be selected to serve on the Assembly;
- stated that his representation will serve in the best interest of the residents of the borough; and
- asked the administration to draft a resolution supporting the appropriation of funds to assist the Mt. McKinley Meat and Sausage Company.

Mayor Anderson:

- thanked Assemblymember Allen for his comments and welcomed him to the Assembly;
- noted that he will not be in attendance for the April 8, 2002, Assembly meeting;
- asked Assemblymember Simpson to Chair the meeting, as Assemblymember Colver will also not be in attendance;
- noted that he will be absent during the May 8, 2003, Assembly meeting;
- congratulated the Valley's basketball teams for their success; and
- commented that he and the manager will be meeting with the Meadow Lakes Community Council for a borough update.

## **XV. ADJOURNMENT**

The regular meeting adjourned at 8:37 p.m.

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TIMOTHY L. ANDERSON, Borough

Mayor  
ATTEST:

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SANDRA A. DILLON, CMC, Borough Clerk

Minutes approved: April 15, 2003