I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on April 5, 2005, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Deputy Mayor Jim Colver.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Ms. Lynne Woods, Assembly District No. 1
Mr. Bill Allen, Assembly District No. 2
Ms. Mary Kvalheim, Assembly District No. 4
Mr. Jim Colver, Assembly District No. 6 *(Deputy Mayor)*
Ms. Betty Vehrs, Assembly District No. 7

Assembly members absent and excused were:

Mr. Talis J. Colberg, Assembly District No. 3
Ms. Jody Simpson, Assembly District No. 5

Staff in attendance were:

Ms. Michelle M. McGehee, CMC, Borough Clerk
Ms. Marian Romano, Assistant Borough Manager
Ms. Teresa S. Williams, Borough Attorney
Ms. Janice A. Case, Deputy Borough Clerk
Ms. Tammy Clayton, Finance Director
Mr. Don Shiesl, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Mr. Ron Swanson, Community Development Director
Mr. Murph O'Brien, Planning and Land Use Director
Mr. Jack Krill, Fire Chief

III. APPROVAL OF AGENDA

Deputy Mayor Colver stated that Resolution Serial No. 05-043 would be pulled from the agenda.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Diana Straub, Wasilla City Council member.

V. MINUTES OF PRECEDING MEETINGS

A. Joint Assembly/School Board Meeting: 03/08/05

Deputy Mayor Colver inquired if there were any corrections to the joint Assembly/School Board meeting minutes of March 8, 2005.

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

B. Special Assembly Meeting: 03/15/05

Deputy Mayor Colver inquired if there were any corrections to the special meeting minutes of March 15, 2005.

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

C. Joint Assembly/Planning Commission Meeting: 03/15/05

Deputy Mayor Colver inquired if there were any corrections to the joint Assembly/Planning Commission meeting minutes of March 15, 2005.

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

D. Regular Assembly Meeting: 03/15/05

Deputy Mayor Colver inquired if there were any corrections to the regular meeting minutes of March 15, 2005.

Ms. McGehee noted the following correction:

- page 13 of 15, where it states, "Assemblymember Allen returned to the meeting at this time," it should read, "Assemblymember Colver returned to the meeting at this time." *[This item was corrected accordingly.]*

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

<u>Wasilla City</u>

Councilmember Mark Ewing:

- reported that the city of Wasilla recently held their first spring home show at the Wasilla Sports Complex;

- stated that the home show was a huge success;
- thanked Mr. Duffy for his selection of Frank Ameduri as an assistant and noted that Mr. Ameduri has served the community well with his tenure at the Frontiersman;
- thanked Assemblymember Kvalheim for everything she has done for the city of Wasilla; and
- asked for a definition of joint-use in reference to trails and separated pathways.

Deputy Mayor Colver:
- stated that Mr. O'Brien would be able to answer his question regarding joint-use; and
- offered his condolences to Councilmember Ewing on the passing of his father.

Councilmember Diana Straub:
- invited the members of the Assembly to attend the presentation to the Wasilla City Council by the Alaska Gaseline Port Authority on Monday, April 11, 2005, at 6 p.m.;
- stated that the city of Palmer will also be given the same presentation; and
- commented that it is time for the Borough to begin looking at which routes would be most beneficial.

2. Matanuska-Susitna Borough School District

School Board President Chmielewski:
- reported that State-mandated testing is occurring this week for grades 3 through 10;
- stated that they have extended the breakfast program for the students being tested, as research suggests that students who eat breakfast are better prepared for testing;
- reviewed awards recently given to various schools through the School District;
- noted that parent-teacher conferences are scheduled for April 14 and 15;
- stated that the Correspondence Study School and the Twindley-Bridge Charter School are co-hosting a large curriculum home education conference on April 9 and 10 at Wasilla High School;
- commented that Twindley-Bridge Charter School is the newest charter school and will begin operation this summer and will be fully operational this fall;
- stated that the School Board will be considering an $85 million bond package for three elementary schools, a high school, and some major maintenance projects at their April 6, 2005, meeting;
- noted that they are continuing to aggressively pursue passage of bills which would extend the sunset for debt reimbursement from the State for school construction; and
- stated that they hope to continue working with the Borough on improving the site selection process.

Assemblymember Allen inquired if there are any school construction funds included in the Amereda Hess Settlement legislation.

School Board President Chmielewski replied that he is unaware of any provisions in the legislation for the schools.

Assemblymember Allen;

- stated that at the ribbon cutting ceremony of the Governor's Office here in the Valley, First Lady Nancy Murkowski commented that there would be an award of a new elementary school in the Borough; and
- inquired if the School District has received confirmation of this statement.

School Board President Chmielewski:

- replied that at the present time the School District is pursuing all avenues to obtain new schools; and
- stated that the School Board is proceeding with the bond proposals because it is unclear what will emerge from the State Legislature.

Discussion ensued regarding funding sources for schools and the site selection process.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Deputy Mayor Colver noted that the Joint Assembly/School Board Committee on School Issues has not met since the last report.

2. Regional Transportation Planning Organization (RTPO)

Deputy Mayor Colver noted that the Regional Transportation Planning Organization has not met since the last report.

C. MANAGER COMMENTS

1. State/Federal Legislation

Ms. Romano:

- stated that Mr. Duffy is in Washington D.C. presenting the Borough's priorities to the Congressional Delegation;
- reported that the permitting for the immediate repair on the Matanuska River Erosion project is in place;
- stated that there is a 60-day window for the next level of permitting, which is for the construction of new dikes and the possible excavation of gravel from the center of the river;
- reported that the Borough is currently working on the Knik gravesite issue;
- noted that the Borough will not take any action until there is a guarantee that there are no graves in the area of dispute;
- commented that the Planning Department has hired a mediator to work with Chief Theodore;
- stated that a proposal for the Talkeetna Sewer and Water problem should be ready by the next meeting;

- noted that the groundbreaking ceremony for the Wasilla Area Elementary School on April 13, 2005, at 2 p.m.; and
- noted that she is gathering information from the Pacific Northwest and throughout the State on timber sales.

D. ATTORNEY COMMENTS

Ms. Williams:

- reported that she attended a pre-trial hearing for the Houston High School case and noted that the trial has been scheduled for next March;
- discussed the prosecution on the adult business violation for Fishheads Bar and Grill;
- noted that the Straub animal cruelty case would be in court on April 6, 2006, at 9 a.m.; and
- stated that oral argument on the summary judgment motion for the real estate property fee is scheduled for Monday, April 11, 2005, at 2:30 p.m.

E. CLERK COMMENTS

Ms. McGehee:

- reviewed the upcoming meeting schedule for April and May;
- noted that agenda items for the April 28, 2005, joint Assembly/Municipality of Anchorage meeting would need to be in by April 8, 2005;
- commented that it is her understanding that the agenda for the joint Assembly/Cities of Houston, Palmer, and Wasilla work session would be "transportation issues";
- noted that a copy of the current Assembly policies and procedures has been included in the Clerk's report;
- reported that TRIM is up and running on approximately 10 computers in the Dorothy Swanda Jones Administration Building and on some off-site locations;
- stated that Joell Church will begin training with a new project employee from Acumen;
- thanked the IT Department staff that assisted with getting TRIM operational;
- noted that the RELO archives records storage has been successful and is continuing on schedule;
- provided an update on the quasi-judicial boards;
- noted that the Assembly group photo session is scheduled for April 26, 2005;
- requested that the members of the Assembly bring their code books in for updates; and
- noted that the tracking report has been included for the member's review.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

a. Circle View and Stampede Estates Flood and Water Erosion Control Service Area No. 131: 03/02/05

b. Greater Butte Road Service Area No. 26: 03/10/05

c. Knik Road Service Area No. 17: 03/03/05

d. Local Road Service Area Advisory Board: 02/17/05, 03/17/05

e. Mat-Su Fire Chiefs Association: 01/28/04, 03/24/04, 04/28/04
f. Parks, Recreation, and Trails Advisory Board: 02/23/04, 04/05/04, 01/24/05, Resolution 04-11, Resolution 05-04
g. Planning Commission: 03/07/05, 03/14/05
h. Port Commission: 12/20/04, 02/16/05, Resolution Serial No. 05-001, Resolution Serial No. 05-002
i. Talkeetna Sewer and Water Service Area No. 36: 09/30/04, 11/23/04, 01/27/05

2. Community Council Correspondence:
a. Big Lake Community Council: 10/13/04, 12/08/04, 02/09/05
b. North Lakes Community Council: 03/09/05, 03/10/05, 03/11/05, 03/11/05
c. Sutton Community Council: 01/11/05
d. Willow Area Community Organization: 03/07/05

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

G. INFORMATIONAL MEMORANDUMS

1. IM No. 05-067: AN INFORMATIONAL MEMORANDUM REGARDING A REVISION TO MSB 5.25.142(A), GREATER PALMER CONSOLIDATED FIRE SERVICE AREA NO. 132, ADOPTED BY ORDINANCE SERIAL NO. 03-124 ON AUGUST 5, 2003.

The informational memorandum was presented and no comments were noted.

VIII. UNFINISHED BUSINESS

(There was no unfinished business.)

IX. NEW BUSINESS

A. INTRODUCTION (For public hearing - 04/19/05, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 05-041: AN ORDINANCE ACCEPTING THE FINAL REPORT OF CRITICAL HABITATS, INC., ON WETLAND MITIGATION BANKING OF BOROUGH-OWNED LAND; ESTABLISHING A NEW SECTION IN CODE CREATING A WETLAND MITIGATION BANK AND DEFINING ITS PURPOSES AND FUNCTIONS; AUTHORIZING THE MANAGER TO CREATE PRIVATE CONSERVATION EASEMENTS FOR WETLAND MITIGATION BANKING; AND AUTHORIZING A REQUEST FOR PROPOSALS FOR CREATION AND OPERATION OF A WETLAND MITIGATION BANK.
a. IM No. 05-052

2. Ordinance Serial No. 05-042: AN ORDINANCE AMENDING MSB 23.05.100(A)(15), THE CLASSIFICATION OF WATERSHED LANDS AND ADOPTING MSB 23.05.100(A)(17), A NEW LAND CLASSIFICATION OF WETLAND BANK LAND.

a. IM No. 05-053

3. Ordinance Serial No. 05-043: AN ORDINANCE CLASSIFYING BOROUGH-OWNED LAND WITHIN SECTIONS 1, 3, 4, 10, AND 12, TOWNSHIP 16 NORTH, RANGE 6 WEST, SEWARD MERIDIAN, ALASKA (FISH CREEK AREA) AS WETLAND BANK AND AGRICULTURE; AND LAND WITHIN SECTIONS 5, 8, 10, 20, AND 29, TOWNSHIP 16 NORTH, RANGE 3 WEST, SEWARD MERIDIAN, ALASKA (BIG LAKE AND POINT MACKENZIE AREAS), SECTIONS 10, 29, 31, AND 32, TOWNSHIP 17 NORTH, RANGE 5 WEST, SEWARD MERIDIAN, ALASKA (FISH CREEK AND DELYNDIA LAKE AREAS), SECTIONS 12, 13, 17, 18, 19, 20, 23, 24, AND 30, TOWNSHIP 16 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA (POINT MACKENZIE, DIAMOND LAKE, SEVEN MILE LAKE, CARPENTER LAKE AREAS) AS WETLAND BANK AND PUBLIC RECREATION (MSB 004260).

a. IM No. 05-054

4. Ordinance Serial No. 05-044: AN ORDINANCE ACCEPTING AND APPROPRIATING $62,500 FROM THE ALASKA STATE DIVISION OF EMERGENCY SERVICES, AND $187,500 FROM THE HAZARD MITIGATION GRANT PROGRAM, AND APPROPRIATING $13,650 FROM THE 2004 SERIES B GENERAL OBLIGATION SCHOOL BOND INTEREST EARNINGS TO FUND 400 FOR THE PURCHASE AND INSTALLATION OF ROOF STRAPPING SYSTEMS FOR SELECTED BOROUGH SCHOOLS.

a. Resolution Serial No. 05-037: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SCHOOL ROOF UPGRADES HAZARD MITIGATION, PROJECT NO. 40158, FUND 400.

(1) IM No. 05-071

5. Ordinance Serial No. 05-045: AN ORDINANCE ACCEPTING AND APPROPRIATING $2,885.50 TO FUND 480, PROJECT NO. 45009, FROM BARB AND LOUIS LACHER FOR THE SEVEN MILE CANOE LAKE SIGNAGE PROJECT.

a. Resolution Serial No. 05-038: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SEVEN MILE CANOE TRAIL SIGN PROJECT.

(1) IM No. 05-076

6. Ordinance Serial No. 05-046: AN ORDINANCE REPEALING MSB 3.37, REAL ESTATE TRANSFER FEE.

a. Ordinance Serial No. 05-047: AN ORDINANCE REPEALING REGULATIONS FOR THE REAL ESTATE TRANSFER FEE, MSB 3.37.
(Sponsors: Assemblymembers Kvalheim and Vehrs)

(1) IM No. 05-079

7. Ordinance Serial No. 05-048: AN ORDINANCE AMENDING MSB 5.25.022, SOUTH COLONY ROAD SERVICE AREA NO. 16, TO ADD A LEGAL DESCRIPTION AND TO AMEND THE BOUNDARIES AFFECTED BY THE TRUNK ROAD REALIGNMENT.

a. Ordinance Serial No. 05-049: AN ORDINANCE AMENDING MSB 5.25.016, MIDWAY ROAD SERVICE AREA NO. 9, TO AMEND THE BOUNDARIES AFFECTED BY THE TRUNK ROAD REALIGNMENT.

(1) IM No. 05-084

8. Ordinance Serial No. 05-050: AN ORDINANCE AMENDING MSB 1.50.040, EXEMPTION FOR PARTICULAR RECORDS, TO ADD A SUBSECTION TO ENSURE THAT FINANCIAL INFORMATION SUBMITTED BY PROPERTY OWNERS TO THE BOROUGH ASSESSOR IS CONSIDERED CONFIDENTIAL INFORMATION UNDER MSB 1.50.040.

a. IM No. 05-085

9. Ordinance Serial No. 05-051: AN ORDINANCE AMENDING MSB 3.15.030(B) CONCERNING ELIGIBILITY REQUIREMENTS FOR SENIOR CITIZENS AND DISABLED VETERANS TO RECEIVE TAX EXEMPTIONS THROUGH USE OF PERMANENT FUND RECORDS.

a. IM No. 05-086

10. Ordinance Serial No. 05-052: AN ORDINANCE ACCEPTING AND APPROPRIATING A $5,500 GRANT TO FUND 440, PROJECT NO. 15015, FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR RIVER CROSSINGS AT MCROBERTS CREEK AS PART OF THE PLUMLEY MAUD TRAIL IMPROVEMENTS.

a. Resolution Serial No. 05-039: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR RIVER CROSSINGS AT MCROBERTS CREEK AS PART OF THE PLUMLEY MAUD TRAIL IMPROVEMENTS.

(1) IM No. 05-087

Ms. McGehee read the above legislation into the record.

MOTION: Assemblymember Kvalheim moved to introduce the legislation as read into the record by the Clerk and set the public hearings for April 19, 2005.

VOTE: The motion passed without objection.

B. CONSENT AGENDA (Resolution Serial No. 05-044 and AM Nos. 05-029, 05-038, 05-040, and 05-041 were pulled from the consent agenda and addressed separately. See pp. 13-15 of 17)

1. RESOLUTIONS

a. Resolution Serial No. 05-040: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR INFRASTRUCTURE PROJECTS USING THE FISCAL YEAR 2005 TRANSIENT ACCOMMODATION TAX (BED TAX) FUNDS IN AN AMOUNT NOT TO EXCEED $292,000.

(1) IM No. 05-078

b. Resolution Serial No. 05-041: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGETS FOR THE LAKE LOUISE BOAT LAUNCH AND DAY USE AREA, TRAIL DEVELOPMENT, AND THE REGIONAL PARK IMPROVEMENT PROJECT.

(1) IM No. 05-080

c. Resolution Serial No. 05-042: A RESOLUTION AMENDING THE BUDGET FOR THE DOROTHY SWANDA JONES ADMINISTRATION BUILDING REPAIRS, PROJECT NO. 10057.

(1) IM No. 05-081

2. ACTION MEMORANDUMS

b. AM No. 05-033: AUTHORIZATION TO INCREASE THE PURCHASE OF COMMUNICATIONS EQUIPMENT FROM PROCOMM ALASKA FROM $50,000 TO AN AMOUNT NOT EXPECTED TO EXCEED $100,000 ANNUALLY.

c. AM No. 05-037: AWARD OF BID NO. 05-104 TO PIERCE MANUFACTURING, INC., FOR THE AMOUNT OF $427,834 TO PURCHASE A NEW HEAVY RESCUE/HAZARDOUS MATERIAL APPARATUS FOR STATIONING AT THE CENTRAL MAT-SU EMERGENCY SERVICES FACILITY.

e. AM No. 05-039: AWARD OF BID NO. 05-105 TO WELDIN CONSTRUCTION, INC., FOR THE CONTRACT AMOUNT NOT TO EXCEED $29,575 TO PROVIDE ALL LABOR, EQUIPMENT, AND MATERIALS TO REMOVE AND REPLACE TWO MOTOR CONTROL CENTERS AT THE PALMER COMMUNITY POOL.

h. AM No. 05-042: AUTHORIZATION TO PURCHASE MOTOROLA PORTABLE AND MOBILE RADIOS UNDER MSB 3.08.280 FOR THE AMOUNT OF $139,302.45 FOR THE DEPARTMENT OF EMERGENCY SERVICES.

Ms. McGehee read the above legislation into the record.

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

VOTE: The motion passed without objection.

(The regular meeting recessed at 6:48 p.m. and reconvened at 7:05 p.m.)

VII. SPECIAL ORDERS (to begin at 7 p.m.)

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

1. Kelly Ladere Re: Y Community Comprehensive Plan Process

Ms. Ladere:
- spoke regarding the Y Community Comprehensive Plan process and the Matanuska-Susitna Borough Comprehensive Plan process;
- discussed the importance of remaining in close contact with the residents of the Borough; and
- stated that the plan process is an essential building block.

B. PUBLIC HEARINGS (Three minutes per person.)

1. Resolution Serial No. 05-029: A RESOLUTION ADOPTING THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2006 THROUGH 2011.

a. IM No. 05-057

Mr. O'Brien provided a staff report.

Deputy Mayor Colver 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 Kvalheim moved to adopt Resolution Serial No. 05-029.

MOTION: Assemblymember Kvalheim moved a primary amendment to the School Related Capital Project, page 105 of the Capital Improvement Plan, item 20, Fencing Iditarod Site, to strike FY09 to which the year funding is requested and insert FY06 and to renumber item 20 as item 9 and renumber the other projects respectively.

Assemblymember Kvalheim spoke to the amendment.

Assemblymember Colver spoke in support of the amendment.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Vehrs moved a primary amendment to item 50, Fish Creek Development – Little Su Crossing, under General Transportation Projects, page 40 of the Capital Improvement Plan, FY06 Project Design, to strike the amount of $2.1 million and insert the amount of $1 million, and under the FY04 environmental permitting and design of bridge and approach to strike $1 million and insert $2.1 million.

Assemblymember Vehrs noted that this was a technical correction.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Vehrs moved a primary amendment to the General Transportation Projects, page 33, of the Capital Improvement Plan, by renumbering item 50, Fish Creek Development – Little Su Crossing, as item 9 and renumbering the other projects respectively.

Assemblymember Vehrs stated that the Borough has identified funds for some of this project and that it needs to be higher on the priority list.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Vehrs moved a primary amendment to item 16, page 35, Nancy Lake Parkway Rehabilitation, to item 10, and to renumber the other projects respectively.

Assemblymember Vehrs spoke in support of the amendment.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Vehrs moved a primary amendment to item 22, page 36, Montana Creek Road Realignment and Crossing, to number 11, and to renumber the other projects respectively.

Assemblymember Vehrs:

- stated that the Montana Creek Road is used for the timber sale;
- commented that the road will not support the summer traffic; and
- discussed the importance of upgrading the road to support the traffic.

Discussion ensued regarding funding for items on the priority list.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

2. Ordinance Serial No. 05-038: AN ORDINANCE AMENDING MSB 4.28.020(C), ENHANCED 911 ADVISORY BOARD, TO PROVIDE FOR APPOINTMENT OF ALTERNATES THROUGH THE MAYORAL RECOMMENDATION AND ASSEMBLY CONFIRMATION PROCESS. *(Sponsor: Mayor Anderson)*

a. IM No. 05-066

Mr. Brodigan provided a staff report.

Deputy Mayor Colver 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 Kvalheim moved to adopt Ordinance Serial No. 05-038.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 05-039: AN ORDINANCE APPROPRIATING $28,132,377 TO FUND 400, SCHOOL PROJECTS, FOR THE ACQUISITION, CONSTRUCTION, AND INSTALLATION OF SCHOOL AND RELATED CAPITAL IMPROVEMENTS WITHIN THE BOROUGH.

a. Resolution Serial No. 05-030: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE 2005 SERIES A GENERAL OBLIGATION SCHOOL BOND CONSTRUCTION PROJECTS.

(1) IM No. 05-068

Ms. Clayton provided a staff report.

Deputy Mayor Colver 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 Kvalheim moved to adopt Ordinance Serial No. 05-039 and Resolution Serial No. 05-030.

VOTE: The motion passed without objection.

CONFLICT OF INTEREST: Assemblymember Allen declared a conflict of interest on Ordinance Serial No. 05-040 and Resolution Serial No. 05-031.

RULING: Deputy Mayor Colver ruled that Assemblymember Allen had a conflict of interest and would be recused from voting on this issue.

(Assemblymember Allen exited the meeting at this time.)

4. Ordinance Serial No. 05-040: AN ORDINANCE ACCEPTING AND APPROPRIATING AN AMOUNT NOT TO EXCEED $500,000 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE (NRCS) TO FUND 445, PROJECT NO. 55008, FOR ENVIRONMENTAL ANALYSIS, DESIGN, AND CONSTRUCTION OF STREAM BANK STABILIZATION MEASURES ALONG THE MATANUSKA RIVER.

a. Resolution Serial No. 05-031: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE (NRCS) APPROPRIATION, TO FUND 445, PROJECT NO. 55008, FOR THE ENVIRONMENTAL ANALYSIS, DESIGN, AND CONSTRUCTION OF STREAM BANK STABILIZATION MEASURES ALONG THE MATANUSKA RIVER. *(Sponsor: Assemblymember Woods)*

(1) IM No. 05-073

Mr. Shiesl provided a staff report.

Deputy Mayor Colver 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 Woods moved to adopt Ordinance Serial No. 05-040 and Resolution Serial No. 05-031.

VOTE: The motion passed without objection.

(Assemblymember Allen returned to the meeting at this time.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding the repeal of Ordinance Serial No. 05-006: Ms. Jay Nolfi.

Ms. Lucille Frey:

- spoke regarding the public notice sent for the removal of flammable vegetation on Plumley/Maud Road;
- stated that private property is included in the treatment area on the map sent out for public notice; and
- voiced objection to cutting the trees on the private property.

The following person spoke regarding placing the pictures of the members of the Assembly in the foyer where more members of the public are able to view them and know the members of the Assembly: Ms. Jean Woods.

The following person spoke regarding the assessment process: Ms. Annette Harpster.

(Consent agenda continued from page10)

e. Resolution Serial No. 05-044: A RESOLUTION SUPPORTING THE GOVERNOR'S PROPOSED USE OF THE AMERADA HESS SETTLEMENT FUNDS TO IMPROVE THE STATE'S AND BOROUGH'S TRANSPORTATION SYSTEM AND OTHER STATE AND MUNICIPAL CAPITAL IMPROVEMENTS.

(Sponsor: Assemblymember Allen)
(1) IM No. 05-089

MOTION: Assemblymember Vehrs moved to adopt Resolution Serial No. 05-044.

VOTE: The motion passed without objection.

g. AM No. 05-041: AUTHORIZATION OF CHANGE ORDER NO. 4 TO LOUNSBURY & ASSOCIATES, CONTRACT NO. 04-093, IN THE AMOUNT OF $20,000 FOR ADDITIONAL WORK ON THE MEADOW LAKES ELEMENTARY SCHOOL TURN LANES AND HIGHWAY LIGHTING DESIGN PROJECT.

MOTION: Assemblymember Vehrs moved to approve AM No. 05-041.

Deputy Mayor Colver inquired regarding the original contract and the other change orders.

Mr. Shiesl stated that the additional amount is due to more design components imposed by the State than originally anticipated.

Assemblymember Allen inquired if the Borough ever challenges the State's requirements.

Mr. Shiesl:
- replied that the Borough could challenge the State's requirements; and
- stated that this is a time critical project.

Assemblymember Vehrs inquired if the additional requirements are due to a time delay.

Mr. Shiesl stated that the additional requirements are not due to a time delay.

Assemblymember Allen stated that he would like to know what the additional requirements are that the State has imposed.

MOTION: Assemblymember Allen moved to postpone AM No. 05-041 to the April 19, 2005, regular meeting.

VOTE: The motion to postpone passed without objection.

CONFLICT OF INTEREST: Deputy Mayor Colver advised that he has a conflict of interest on AM Nos. 05-038 and 05-040.

(Deputy Mayor Colver exited the meeting at this time.)

(Assemblymember Kvalheim assumed the duties of the chair.)

d. AM No. 05-038: AWARD OF BID NO. 05-090 TO COLLINS CONSTRUCTION FOR THE CONTRACT AMOUNT OF $9,863,800.69 FOR THE WASILLA AREA ELEMENTARY SCHOOL CONSTRUCTION.

MOTION: Assemblymember Vehrs moved to approve AM No. 05-038.

VOTE: The motion passed without objection.

f. AM No. 05-040: AWARD OF BID NO. 05-102 TO WILDER CONSTRUCTION COMPANY FOR THE CONTRACT AMOUNT OF $214,562 FOR THE CONSTRUCTION OF TURN LANES AND HIGHWAY LIGHTING AT THE INTERSECTION OF PITTMAN ROAD AND THE ACCESS TO MEADOW LAKES ELEMENTARY SCHOOL.

MOTION: Assemblymember Vehrs moved to approve AM No. 05-040.

VOTE: The motion passed without objection.

(Deputy Mayor Colver returned to the meeting at this time and resumed his duties as chair.)

a. AM No. 05-029: AUTHORIZING THE MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF FORESTRY IN THE AMOUNT NOT TO EXCEED $200,000 THROUGH JUNE 30, 2006, FOR WILDFIRE MITIGATION.

MOTION: Assemblymember Woods moved to approve AM No. 05-029.

Assemblymember Woods spoke regarding AM No. 05-029.

VOTE: The motion passed without objection.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:
- Board of Equalization
  - Janice Strong
  - Lynn Berry
- Historical Preservation Commission
  - John Stuart
- Platting Board
  - Jack Easley
  - John Abshire

Senior Citizens Advisory Board
Rhonda Atkins
Barbara Leckwold
Transportation Advisory Board
Chris Remick
Willow FSA No. 35
Theodore Smith
Bogard RSA No. 25
Gary Hessmer
Alpine RSA No. 31
Michael Eskelson
Caswell Lakes RSA No. 15
Arthur Petersen
Circle View and Stampede Estates Flood and Water Erosion Control SSA No. 131
Patti Huntsman

Mayor Anderson requested the following confirmations:
Agricultural and Forestry Advisory Board
Lorene Lynn
Board of Equalization
Resignation of Thomas Antonovich
Resignation of Terri Irwin
Platting Board
Resignation of Jack Easley upon appointment to District 6 position
Senior Citizens Advisory Board
Resignation of Patty Hendrickson
Big Lake FSA No. 33
Bruce Babcock
Willow FSA No. 35
Doyle Holmes

MOTION: Assemblymember Kvalheim moved to confirm the Mayor’s appointments and resignations up for confirmation this evening.

VOTE: The motion passed without objection.

D. OTHER NEW BUSINESS

(There was no other new business.)

X. RECONSIDERATION

(There were no reconsiderations presented.)

XI. VETO

(There were no vetoes presented.)

XII. EXECUTIVE SESSION

(There was no executive session.)

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Allen commended that Deputy Mayor Colver for a meeting well run.

Assemblymember Vehrs recognized Dennis Brodigan, Murph O'Brien, Ron Swanson, Don Shiesl, and Tammy Clayton for their hard work.

Deputy Mayor Colver:
- thanked staff for their hard work; and
- discussed the increasing work load the staff is experiencing due to the growth of the Borough.

XIV. ADJOURNMENT

The regular meeting adjourned at 8:10 p.m.

/S/

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

/S/

MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: April 19, 2005