I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on April 15, 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. Janice A. Case, Borough Clerk's Secretary
Mr. Jim Swing, Public Works Director
Ms. Tammy Clayton, Finance Director
Mr. Jack Krill, Interim Emergency Services Director
Mr. Ron Swanson, Community Development Director

III. APPROVAL OF AGENDA

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

Mr. Duffy:

- requested that item C of unfinished business, Ordinance Serial Nos. 03-041, 03-042, and Resolution Serial No. 03-019 be postponed; and
- stated that Mr. Gillespie recommended that no action be taken on Resolution Serial No. 03-045.

GENERAL CONSENT: The agenda was approved as presented.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by students from a Wasilla High School government class.

V. MINUTES OF PRECEDING MEETINGS

Mayor Anderson referenced the minutes of the March 25, 2003, special meeting, and the minutes of the April 1, 2003, regular meeting and asked if there were any corrections thereto.

A. Special Assembly Meeting: March 25, 2003

No corrections were noted.

B. Regular Assembly Meeting: April 1, 2003

Assemblymember Ladere:
- noted a correction to pp. 11 of 18, to strike "Kvalheim" and insert "Ladere," under the comments made on the motion to adopt Ordinance Serial No. 03-060. *{After clerk's research, this item was corrected.}*

GENERAL CONSENT: The minutes of the March 25, 2003, special meeting, and the minutes of the April 1, 2003, regular meeting were approved as amended pending clerk's research.

VII. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There were no reports from the cities.)

2. Matanuska-Susitna Borough School District

Mike Chmielewski, School Board President:
- reported that the Matanuska-Susitna Borough students dominated the State Career and Technical Education Student Organization (CTSO) annual competition held several weeks ago, winning gold medals in 20 categories;
- noted that students throughout Alaska competed in skills-oriented competitions such as banking and finance, CISCO network administration, legal office procedure, management and marketing, and medical office procedures;
- stated that Matanuska-Susitna Borough students placed first in all but nine skill-based categories at CTSO;

- informed that the school district is launching a Wielding and Power Equipment Technology program on April 23, 2003, which is nationally certified through the American Wielding Society and Schools Excelling through National Standards Education;
- stated that 400 elementary students participated in the districtwide honors band and choir concert at Palmer High School;
- mentioned that Wasilla High School's artist-in-resident, Carol Hilgemann, will visit the school April 14-29, 2003, to teach collage techniques to staff and students;
- commented that Ms. Hilgemann will also be offering a workshop for the community and employees in the district on the use of Polaroid film and collage at Wasilla High School from 9 to 11 a.m. on Friday, April 18, 2003; and
- noted that Friday, April 18, 2003, is an in-service day.

VI. SPECIAL ORDERS OF THE DAY

A. Proclamation in Honor of New Horizons Telecom Inc. for Commitment to Excellence and Contributions to Engineering and for Outstanding Support of Professional Activities and Community Involvement in Alaska.

Mayor Anderson:

- presented Mr. John Lee and Mr. John Shepard with a proclamation in honor of New Horizons Telecom, Inc. for their commitment to excellence and contributions to engineering for outstanding support of professional activities and community involvement in Alaska; and
- recognized that New Horizons Telecom, Inc. has received several awards from the Institute of Electrical and Electronics Engineers, Inc.

3. City of Wasilla (Wasilla Multi-Use Sports Complex) – Donald Moore

Donald Moore, City of Wasilla Project Manager:

- explained where the sports complex would be located;
- discussed the master plan of the sports complex;
- stated that approximately 12,000 students live within the service area of the sports complex;
- noted that there is currently only enough funds to construct the building structure;
- described the layout of the building and noted that there will be an indoor ice arena, indoor turf sports court, an indoor track, and that there is approximately 3,000 square feet of meeting space;
- noted that the Iditarod Trail connects to the sports complex site;
- reported that the facility will be made to provide accommodation as an emergency shelter;
- stated that the complex will only seat a little over 2,000 people;
- informed that the building is scheduled for completion in February 2004; and
- commended the borough public works department for all their help, specifically Jim Swing, Jan Affinito, and Dave Carroll.

4. Small Business Development Center – Anya Petersen-Frey

Anya Petersen-Frey, Director of the Small Business Development Center:
- stated that the foundation of the Small Business Development Center is counseling for small businesses;
- explained the other services offered at the Small Business Development Center;
- noted that they also offer workshops and seminars for starting a small business, marketing, web design, etc.;
- informed that they work with local volunteers, the Department of Labor, the Internal Revenue Service, and other various groups;
- discussed partner specialty programs, such as Procurement Technical Assistance Centers;
- noted that they have a computer and library in their office open to small business owners;
- reported that 250 people have attended seminars in the past six months; and
- stated that they have presented workshops in Talkeetna and are working to expand training.

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 meeting of the RTPO will be held on June 2, 2003, at the Elks Club on Finger Lake.

Assemblymember Ladere reported that she and Assemblymember Simpson met for the Vocational Site Selection Committee and feels confident that they will soon have a selection of sites to bring forward to the Assembly.

C. MANAGER COMMENTS

Mr. Duffy noted that the budget has been handed out for review.

Assemblymember Simpson asked if the budget would be available online.

Mr. Duffy:
- replied that the budget would be available online;
- stated that the environmental assessment for Port MacKenzie is now complete and under review by the Federal Transit Administration (FTA);
- noted that the borough has been informed by FTA that the grant applications for the potentially lapsing funds must be submitted by mid-May in order to meet FTA's deadline of grant fund obligations on August 15, 2003;
- reported that Triad Hospitals, Inc. and Valley Hospitals have requested that the borough be the lead agency in determining the most cost effective and efficient means of providing water and sewer service to the proposed hospital, and noted that no commitments have been made;

- reiterated that Mr. Gillespie recommends that no action be taken on Resolution Serial No. 03-045; and
- reviewed the state lobbyist report for March and the first half of April 2003.

Discussion ensued regarding the borough being the lead agency in determining the most effective and efficient means of providing water and sewer service for the proposed hospital.

Assemblymember Simpson stated that she read in the newspaper that the borough has offered $75,000 towards increased police patrolling in the Butte Jim Creek area.

Mr. Duffy:

- elaborated on his conversation with Representative Stoltz regarding the borough offering funds for increased police patrolling in the Butte Jim Creek area; and
- stated that the money would come out of the manager's budget and would only move forward if a program is established to guarantee that the funds would be going to the Jim Creek area.

(The meeting recessed at 6:55 p.m. and reconvened at 7:10 p.m.)

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. 03-063: AN ORDINANCE REAPPROPRIATING $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

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. 03-063.

Assemblymember Ladere spoke in favor of the legislation.

VOTE: The motion passed without objection.

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

Mr. Duffy:

- stated that this ordinance would require 100 percent approval for natural gas local improvement districts;
- explained the benefits and problems with local improvement districts; and
- reported that other options were reviewed before this solution was created.

Mayor Anderson opened the public hearing.

The following spoke in opposition of Ordinance Serial No. 03-064: Mr. B. H. Tilton, Mr. Griz Smith, Mr. Ron Eggleston, Mr. Kevin Sorensen, Mr. Darcie Salmon, Ms. Jean Kay, Mr. Bill Hoyt, Mr. William Brull, Mr. Scott Rose, and Ms. Jay Nolfi.

The following spoke in favor of Ordinance Serial No. 03-064: Ms. Jean Woods, Mr. Ken Slauson, and Ms. Lucille Frey.

The following spoke regarding finding a different solution to the natural gas local improvement districts: Mr. Bob Pate, Mr. Bob Jensen, and Mr. Penny Nixon.

Ms. Clayton reported on the bond process used by the borough for natural gas local improvement districts.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 03-064.

(The meeting recessed at 8:15 p.m. and reconvened at 8:25 p.m.)

Assemblymember Simpson asked Ms. Clayton if the borough has foreclosed due to natural gas local improvement districts.

Ms. Clayton affirmed that properties have been foreclosed on due to natural gas local improvement districts.

Assemblymember Ladere:

- stated that she has been looking for a solution to this issue for several years;
- stated that the borough needs to look for a solution that offers an equity without a loss of service; and
- believes the borough can accomplish this with a substitute ordinance.

Discussion ensued regarding natural gas local improvement districts.

MOTION: Assemblymember Simpson moved a primary amendment to Ordinance Serial No. 03-064, section 6, effective date, by striking the phrase, "if the Assembly approved the formation of" and inserting the phrase "if the clerk certified a petition for."

VOTE: The primary amendment passed without objection.

VOTE: The main motion failed unanimously.

Assemblymember Allen asked that a new ordinance be brought forward at the June 3, 2003, regular meeting.

Assemblymember Simpson asked that administration provide a review of alternatives for the new ordinance.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following spoke in favor of Ordinance Serial No. 02-161 and allowing preferential right to the adjacent land owners: Phillip Smith.

The following spoke in opposition to Ordinance Serial No. 02-161: Jay Nolfi.

The following spoke regarding the comprehensive plan rewriting: Annette Harpster, James Harpster, and Penny Nixon.

The following reported on the condition of Todd Russell, the firefighter injured during the windstorms: Dan Contini.

The following spoke regarding natural gas local improvement districts: Ken Slauson.

D. ATTORNEY COMMENTS

Ms. Williams stated that she had no comments.

E. CLERK COMMENTS

Ms. Dillon:

- advised the Assembly of the upcoming meetings and the retreat; and
- noted that she will keep the Assembly apprised of upcoming election information.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

a. Animal Care and Regulation Board: 03/03/03, 03/10/03
b. Board of Adjustment and Appeals: 02/27/03
c. Planning Commission: 03/17/03
d. Regional Transportation Planning Organization: 03/17/03

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

G. INFORMATIONAL MEMORANDUMS

IX. UNFINISHED BUSINESS

A. Ordinance Serial No. 02-129: AN ORDINANCE AUTHORIZING THE SALE AND RECLASSIFYING AS "AGRICULTURAL LANDS" FOUR PARCELS PREVIOUSLY CLASSIFIED "AGRICULTURAL LANDS" UNDER MSB TITLE 13. *(Postponed from 12/17/02)*
1. IM No. 02-186
2. IM No. 03-089

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-129. *(Motion pending from 08/20/02)*

VOTE: The motion passed without objection.

B. Ordinance Serial No. 02-161: AN ORDINANCE ADOPTING MSB 23.10.150(D) AND CORRESPONDING PROCEDURES TO PROVIDE A PREFERENCE RIGHT TO PURCHASE AN ADJACENT FARM UNIT DURING BOROUGH AGRICULTURAL LAND SALES. *(Sponsor: Assemblymember Ladere)*
(Referred to Agricultural and Forestry Advisory Board on 12/17/02)
1. IM No. 02-244
2. IM No. 02-311
3. IM No. 03-089

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-161. *(Motion pending from 10/15/02)*

Assemblymember Bush spoke in opposition of Ordinance Serial No. 02-161.

MOTION: Assemblymember Ladere moved a primary amendment to amend Ordinance Serial No. 02-161 to amend by substitution.

Assemblymember Ladere:
- spoke in favor of the substitution;
- discussed borough preferential rights given to adjacent land owners for sub-sized lots; and
- noted that the USDA does have a method defining a farmer.

Assemblymember Colver spoke in favor of substitution.

Assemblymember Simpson inquired how much this program would cost to implement.

Mr. Swanson replied that he is unable to provide a cost since he is unaware of how many persons will apply for the program.

Assemblymember Simpson spoke in opposition of the legislation.

Discussion ensued regarding the legislation.

VOTE: The primary amendment failed with Assemblymembers Colver, Allen, and Ladere in favor.

Assemblymember Ladere asked Mr. Swanson if the borough now sells agriculture lands in the fee simple with an agricultural covenant, no longer requiring development rights and that someone can buy a piece of agriculture land and choose to live on it.

Mr. Swanson replied that Assemblymember Ladere is correct.

Assemblymember Bush stated that the land is unable to be developed, and can only be used for agricultural purposes if developed.

Mr. Swanson confirmed Assemblymember Bush's statement and stated that a person is able to develop five acres for the home site.

Discussion ensued regarding use of agricultural rights and lands.

MOTION: Assemblymember Simpson moved the previous question to stop debate.

VOTE: The motion to stop debate passed without objection.

VOTE: The main motion failed with Assemblymember Ladere in favor.

MOTION: Assemblymember Simpson moved to reconsider Ordinance Serial No. 02-161.

VOTE: The motion failed unanimously.

C. Ordinance Serial No. 03-041: AN ORDINANCE CREATING MSB 17.76 LARGE LOT SINGLE FAMILY RESIDENTIAL LAND USE DISTRICT.

1. Ordinance Serial No. 03-042: AN ORDINANCE AMENDING MSB 17.76.040(A), DESIGNATING TRACT A, LICHTENWALNER TRACTS (PLAT 2001-14), ALSO KNOWN AS LIGHT WOOD SUBDIVISION, AND TRACT B 4 OF TOWNSHIP 24 NORTH, RANGE 04 WEST, SECTION 18, AS A LARGE LOT SINGLE FAMILY RESIDENTIAL LAND USE DISTRICT LOCATED NEAR TALKEETNA. *(Postponed from 03/04/03)*

2. Ordinance Serial No. 03-054: AN ORDINANCE AMENDING

MSB 17.99.010; FEES.

a. Resolution Serial No. 03-019: A RESOLUTION AMENDING THE SCHEDULE OF FEES FOR APPLICATIONS, VARIANCES, AND APPEALS UNDER TITLE 17; ZONING. *(Postponed from 03/20/03)*

(1) IM No. 03-035

(2) IM No. 03-036

(3) IM No. 03-057

MOTION: Assemblymember Colver moved to postpone Ordinance Serial Nos. 03-041, 03-054, and Resolution Serial No. 03-019 to the May 6, 2003, regular meeting.

VOTE: The motion passed without objection.

X. NEW BUSINESS

A. INTRODUCTION (For public hearing - 05/06/03, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 03-065: AN ORDINANCE AMENDING MSB TITLE 24: ANIMAL CARE AND REGULATION. *(Sponsored by: Assemblymembers Kvalheim and Simpson)*

a. IM No. 03-074

2. Ordinance Serial No. 03-066: AN ORDINANCE AMENDING MSB 3.04.095(A), GENERAL FUND BALANCE POLICY AND RESERVATIONS.

a. IM No. 03-081

3. Ordinance Serial No. 03-067: AN ORDINANCE ACCEPTING AND APPROPRIATING $14,000 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY CITIZEN EMERGENCY RESPONSE TEAMS (CERT) GRANT PROGRAM, TO FUND 480, PROJECT NO. 45126, TO TRAIN AND FORM CITIZEN EMERGENCY RESPONSE TEAMS AND PURCHASE EQUIPMENT.

a. Resolution Serial No. 03-032: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY CITIZEN EMERGENCY RESPONSE TEAMS (CERT) GRANT, PROJECT NO. 45126, FUND 480, TO TRAIN AND FORM CITIZEN EMERGENCY RESPONSE TEAMS AND PURCHASE EQUIPMENT.

(1) IM No. 03-083

4. Ordinance Serial No. 03-068: AN ORDINANCE ACCEPTING AND APPROPRIATING A $41,670 FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT, AND REAPPROPRIATING MATCHING FUNDS OF $4,630 FROM FISCAL YEAR 2003 TALKEETNA FIRE SERVICE AREA, FUND 254, TO FUND 405, PROJECT NO. 45129, TO PURCHASE SELF-CONTAINED BREATHING APPARATUS, TESTER, AND RELATED EQUIPMENT FOR THE TALKEETNA FIRE SERVICE AREA.

a. Resolution Serial No. 03-033: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY

ASSISTANCE TO FIREFIGHTERS GRANT FOR THE TALKEETNA FIRE SERVICE AREA, PROJECT NO. 45129, FUND 405, TO PURCHASE SELF-CONTAINED BREATHING APPARATUS, TESTER, AND RELATED EQUIPMENT FOR THE TALKEETNA FIRE SERVICE AREA.

(1) IM No. 03-084

5. Ordinance Serial No. 03-069: AN ORDINANCE ACCEPTING AND APPROPRIATING $17,500 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ALL HAZARDS EMERGENCY OPERATIONS PLANNING GRANT, TO FUND 480, PROJECT NO. 45125, FOR THE PURPOSE OF UPDATING THE BOROUGH EMERGENCY OPERATIONS PLAN AND TRAINING.

a. Resolution Serial No. 03-034: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ALL HAZARDS EMERGENCY OPERATIONS PLANNING GRANT, PROJECT NO. 45125, FUND 480, FOR THE PURPOSE OF UPDATING THE BOROUGH EMERGENCY OPERATIONS PLAN AND TRAINING.

(1) IM No. 03-085

6. Ordinance Serial No. 03-070: AN ORDINANCE ACCEPTING AND APPROPRIATING $30,000 FROM THE ALASKA STATE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, TO FUND 425, PROJECT NO. 45130, FOR THE UPGRADE OF THE BOROUGH RADIO REPEATER SYSTEM.

a. Resolution Serial No. 03-035: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, PROJECT NO. 45130, FUND 425, FOR THE UPGRADE OF THE BOROUGH RADIO REPEATER SYSTEM.

(1) IM No. 03-086

7. Ordinance Serial No. 03-071: AN ORDINANCE AMENDING THE LAND USE DISTRICT MAP OF THE CITY OF HOUSTON FOR TOWNSHIP 18 NORTH, RANGE 3 WEST, SECTION 35, TAX PARCEL D6, SEWARD MERIDIAN, (MSB TAX ACCOUNT NO. 18N03W35D006), AT MILE 54 OF THE PARKS HIGHWAY.

a. IM No. 03-092

8. Ordinance Serial No. 03-072: AN ORDINANCE AMENDING THE LAND USE DISTRICT MAP OF THE CITY OF HOUSTON FOR DENLOW BUSINESS PARK SUBDIVISION, WITHIN TOWNSHIP 18 NORTH, RANGE 3 WEST, SECTION 35, SEWARD MERIDIAN, ALASKA.

a. IM No. 03-093

9. Ordinance Serial No. 03-073: AN ORDINANCE APPROPRIATING $150,000 FROM LAND MANAGEMENT FUND BALANCE, FUND 203 TO FUND 410, PROJECT NO. 35263 TO PAVE AND UPGRADE THE SEWARD MERIDIAN PARKWAY.

a. Resolution Serial No. 03-036: A RESOLUTION AMENDING THE POLICY FOR THE PURCHASE OF PUBLIC USE EASEMENTS OR RIGHTS-OF-WAY TO INCLUDE DESIGN AND CONSTRUCTION.

(1) IM No. 03-094

10. Ordinance Serial No. 03-074: AN ORDINANCE AMENDING PORTIONS OF MSB TITLE 25: ELECTIONS.
a. IM No. 03-096

11. Ordinance Serial No. 03-075: AN ORDINANCE REAPPROPRIATING $10,000 FROM FUND 276, GREATER WILLOW ROAD SERVICE AREA, TO FUND 410, PROJECT NO. 35254, ROAD SERVICE AREA NO. 20 PAVING FOR PAVING MICHIGAN STREET.
a. IM No. 03-098

12. Ordinance Serial No. 03-076: AN ORDINANCE APPROVING A REAPPROPRIATION OF $39,300 FROM THE AREAWIDE FUND, FUND 100, EMERGENCY SERVICE ADMINISTRATIVE DIVISION TO AMBULANCE CAPITAL PROJECT NOS. 45119, 45120, AND 45122, FUND 425, AS A SUPPLEMENTAL ALLOCATION FOR THE PURCHASE OF THREE AMBULANCES FOR THE BUTTE, MEADOW LAKES, AND TALKEETNA AREAS.
a. Resolution Serial No. 03-037: A RESOLUTION REVISING THE SCOPE OF WORK AND BUDGET FOR CAPITAL PROJECT NO. 45122, FUND 425, FOR THE AMOUNT OF $113,100, TO PURCHASE AN AMBULANCE AND RELATED EQUIPMENT FOR THE BUTTE AREA.
b. Resolution Serial No. 03-038: A RESOLUTION REVISING THE SCOPE OF WORK AND BUDGET FOR CAPITAL PROJECT NO. 45120, FUND 425, FOR THE AMOUNT OF $113,100, TO PURCHASE AN AMBULANCE AND RELATED EQUIPMENT FOR THE MEADOW LAKES AREA.
c. Resolution Serial No. 03-039: A RESOLUTION REVISING THE SCOPE OF WORK AND BUDGET FOR CAPITAL PROJECT NO. 45119, FUND 425, FOR THE AMOUNT OF $113,100, TO PURCHASE AN AMBULANCE AND RELATED EQUIPMENT FOR THE TALKEETNA AREA.
(1) IM No. 03-099

13. Ordinance Serial No. 03-077: AN ORDINANCE AMENDING MSB 2.20.030(A) TO MAKE MORE SPECIFIC THE PROVISIONS OF THE DUTIES OF THE MANAGER.
a. IM No. 03-102

B. INTRODUCTION (For public hearing - 05/08/03 at 6 p.m., and 05/13/03 at 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 03-003: AN ORDINANCE APPROPRIATING MONIES FROM THE CENTRAL TREASURY AND ESTABLISHING THE RATE OF LEVY FOR ALL BOROUGH FUNCTIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2003, AND ENDING JUNE 30, 2004.

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 May 6, May 8, and May 13, 2003, respectively.

VOTE: The motion passed without objection.

C. CONSENT AGENDA

(Resolution Serial Nos. 03-043, 03-045 and AM No. 03-068 were pulled from the agenda and discussed separately. See pp. 14-15)

1. RESOLUTIONS

a. Resolution Serial No. 03-040: A RESOLUTION ESTABLISHING THE MINIMUM LEVEL OF FUNDING FOR THE MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT FOR THE FISCAL YEAR ENDING JUNE 30, 2004.

(1) IM No. 03-087

b. Resolution Serial No. 03-041: A RESOLUTION CORRECTING DATES SET BY RESOLUTION SERIAL NO. 02-123 WHICH ESTABLISHED DATES CERTAIN FOR PAYMENT, DELINQUENCY, PROTEST, AND APPEAL OF 2003 REGULAR TAX ROLLS AND BUSINESS INVENTORY FILING, AND FOR THE COMMENCEMENT OF HEARINGS BEFORE THE BOARD OF EQUALIZATION.

(1) IM No. 03-090

c. Resolution Serial No. 03-042: A RESOLUTION APPROVING A LOAN FROM ROAD SERVICE AREA REVOLVING LOAN FUND (FUND 610) IN THE AMOUNT OF $10,000 TO THE GREATER WILLOW ROAD SERVICE AREA NO. 20 (FUND 276).

(1) IM No. 03-095

e. Resolution Serial No. 03-044: A RESOLUTION APPROVING THE TRANSFER OF $70,000 FROM THE GASB 34 IMPLEMENTATION PROJECT, FUND 480, TO THE COMPREHENSIVE REMOTE ASSESSMENT SURVEY PROJECT, FUND 480, AND ADOPTING A CORRESPONDING SCOPE OF WORK.

(1) IM No. 03-101

2. ACTION MEMORANDUMS

a. AM No. 03-060: APPROVAL OF CHANGE ORDER TO JANSSEN CONTRACTING COMPANY IN THE AMOUNT OF $122,585.52 FOR THE WASILLA HIGH SCHOOL REMODEL PROJECT.

b. AM No. 03-061: AWARD OF BID NO. 03-141 TO CDW GOVERNMENT, INC. IN THE AMOUNT OF $24,706 FOR STANDARD QUERY LANGUAGE (SQL) SERVER SOFTWARE.

c. AM No. 03-062: AWARD OF PROPOSAL NO. 03-120 TO EDWARD J. PALMER AND ASSOCIATES AND TO ALASKA RIM ENGINEERING IN AN AMOUNT NOT TO EXCEED $100,000 PER FIRM PER FISCAL YEAR FOR ON-CALL SURVEYORS.

d. AM No. 03-063: AWARD OF PROPOSAL NO. 03-131 TO LAND DESIGN NORTH IN AN AMOUNT NOT TO EXCEED $20,577.16 FOR THE DESIGN, PRODUCTION, AND PRINTING OF A TRAIL MAP OF THE MATANUSKA-SUSITNA BOROUGH.

e. AM No. 03-064: AWARD OF BID NO. 03-147 TO TEW'S EXCAVATION IN THE AMOUNT OF $62,000 FOR POINT MACKENZIE ROAD DUST CONTROL.

f. AM No. 03-065: AWARD OF BID NO. 03-154 TO ALASKA ROADBUILDERS, INC. IN THE AMOUNT OF $964,815 FOR 2003 PHASE I ROADS PAVING PROJECT.

g. AM No. 03-066: APPROVAL OF CHANGE ORDER TO ARCHITECTS ALASKA IN THE AMOUNT OF $60,000 FOR ADDITIONAL COSTS ASSOCIATED WITH THE HOUSTON HIGH SCHOOL PROJECT.

h. AM No. 03-067: AWARD OF BID NO. 03-145 TO ROMTEC, INC. IN THE AMOUNT OF $83,243.75 FOR THE PURCHASE OF PRE-FABRICATED RESTROOMS TO BE LOCATED AT SEVERAL PARKS AND TRAILHEADS THROUGHOUT THE BOROUGH.

j. AM No. 03-069: AWARD OF BID NO. 03-156 TO HME ALASKA IN THE AMOUNT OF $53,975 FOR THE PURCHASE OF A TRANSFER TRAILER TO BE USED AT THE CENTRAL LANDFILL.

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.

d. Resolution Serial No. 03-043: A RESOLUTION SUPPORTING THE BOARD OF AGRICULTURE AND CONSERVATION'S REQUEST FOR EMERGENCY FUNDING FROM THE AGRICULTURAL REVOLVING LOAN FUND (ARLF) IN THE AMOUNT OF $300,000 TO ASSIST IN THE CONTINUING OPERATION OF THE MT. MCKINLEY MEAT AND SAUSAGE PLANT. *(Sponsored by: Assemblymember Allen)*

(1) IM No. 03-097

MOTION: Assemblymember Bush moved to adopt Resolution Serial No. 03-043.

Assemblymember Bush spoke in support of Resolution Serial No. 03-043.

VOTE: The motion passed without objection.

f. Resolution Serial No. 03-045: A RESOLUTION OPPOSING ALASKA HOUSE BILL (HB) 191 AND SENATE BILL (SB) 143; AN ACT RELATING TO THE ALASKA COASTAL MANAGEMENT PROGRAM, AND TO POLICIES AND PROCEDURES FOR CONSISTENCY REVIEWS, AND THE RENDERING OF CONSISTENCY DETERMINATIONS UNDER THAT PROGRAM.

(1) IM No. 03-103

MOTION: Assemblymember Bush moved to adopt Resolution Serial No. 03-045.

MOTION: Assemblymember Colver moved to postpone Resolution Serial No. 03-045 indefinitely.

VOTE: The motion, to postpone indefinitely, passed without objection.

i. AM No. 03-068: CHANGE ORDER TO CONSTRUCTION UNLIMITED INC. IN THE AMOUNT OF $80,000 FOR THE MEADOW LAKES LOOP REALIGNMENT PROJECT.

CONFLICT OF INTEREST: Assemblymember Colver declared a conflict of interest because Construction Unlimited, Inc., is a business client.

RULING: Mayor Anderson ruled that Assemblymember Colver had a conflict of interest and would be recused from voting on AM No. 03-068.

(Assemblymember Colver exited the meeting.)

MOTION: Assemblymember Allen moved to approve AM No. 03-068.

VOTE: The motion passed without objection.

(Assemblymember Colver returned to the meeting.)

D. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Equalization Board

Robert G. Ameen

Transportation Advisory Board

Louis H. Friend III

Mayor Anderson requested the following confirmations:

- Deputy Mayor
  - Jim Colver
- Equalization Board
  - Resignation of Robert Mann
  - Resignation of Kevin Crozier
  - Moving Vince Coan from regular member to alternate
- Intergovernmental Liaison Committee
  - Mary Kvalheim
- 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

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

VOTE: The motion passed without objection.

E. 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.)

XIV. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Simpson inquired whether or not we have received the requested legislation from the school board.

Mr. Duffy replied that the borough has not yet received that information.

Assemblymember Simpson:
- inquired about the continual lack of quorum on the Agricultural and Forestry Advisory Board; and
- requested administration provide the Assembly with a copy of the talking points of the comprehensive plan survey.

Assemblymember Allen:
- stated that he is amazed by the conditions borough employees are working under; and
- asked administration to look into acquiring additional space.

Assemblymember Colver:
- spoke in support of administration looking for additional space;
- stated that he has the AML public works committee's support regarding the prison facility; and
- discussed Resolution Serial No. 02-132 (AM).

Mayor Anderson:
- noted that he, Assemblymembers Allen and Ladere, and Mr. Duffy will be traveling to Juneau to support and lobby for the borough on April 16, 2003;
- stated that he attended all of the core area planning pre-meetings, and noted that although they were not well attended, it's important that people were participating;
- advised that the luncheon for Congressman Young is on April 23, 2003, at the Job Corps Center;
- thanked the staff for their hard work with the Senator Murkowski hearings and the luncheon; and
- noted that he will be unable to attend the May 6 and May 8, 2003, Assembly meetings.

XV. ADJOURNMENT

The regular meeting adjourned at 10:27 p.m.

JIM COLVER, Borough Deputy Mayor

ATTEST:

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SANDRA A. DILLON, CMC, Borough Clerk

Minutes approved: May 6, 2003