

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on April 15, 2014, 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.

**II. ROLL CALL**

Assembly members present and establishing a quorum were:

Mr. Jim Sykes, Assembly District No. 1 (*attended telephonically until 6:30 p.m., at which time he entered the meeting physically*)  
Mr. Matthew Beck, Assembly District No. 2  
Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)  
Mr. Steve Colligan, Assembly District No. 4  
Mr. Darcie K. Salmon, Assembly District No. 5 (*entered at 6:04 p.m.*)  
Mr. Jim Colver, Assembly District No. 6  
Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk  
Mr. John Moosey, Borough Manager  
Mr. George Hays, Assistant Borough Manager  
Mr. Nicholas Spiropoulos, Borough Attorney  
Ms. Brenda J. Henry, Assistant Clerk  
Ms. Tammy Clayton, Finance Director  
Mr. Terrance Dolan, Public Works Director  
Ms. Eileen Probasco, Planning and Land Use Director  
Mr. Dennis Brodigan, Emergency Services Director  
Ms. Patty Sullivan, Public Affairs Director  
Mr. Don Dyer, Economic Development Director  
Mr. Eric Phillips, Community Development Director  
Mr. Michael Brown, Capital Projects Director  
Mr. Larry Macknicki, Information Technology Director  
Mr. Alex Strawn, Development Services Manager  
Ms. Amy Bohmbach, Administrative Assistant I  
Ms. Jamie Newman, Deputy Borough Clerk  
Ms. Susan Howard, GIS Analysis and Cartography Manager  
Ms. Carla Goers, GIS Specialist

**III. APPROVAL OF AGENDA**

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

Assemblymember Colligan requested to pull AM No. 14-029 completely from the agenda.

Mayor DeVilbiss queried if there was any objection.

There was no objection noted.

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

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

The Pledge of Allegiance was led by Mr. Zennon McNeill, Gateway Community Council President.

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

- A. Joint Assembly/Planning Commission Meeting: 03/25/14
- B. Joint Assembly/School Board Meeting: 04/01/14
- C. Regular Assembly Meeting: 04/01/14

Mayor DeVilbiss inquired if there were any corrections to the March 25, 2014, joint Assembly/Planning Commission meeting minutes; the April 1, 2014, joint Assembly School Board meeting minutes; or the April 1, 2014, regular meeting minutes.

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

#### **VI. SPECIAL ORDERS OF THE DAY**

- A. Proclamation In Recognition of Alaska Peony Distributors, LLC.

Mayor DeVilbiss:

- read the proclamation into the record; and
- presented the proclamation to Mr. Steven L. Giani of Alaska Peony Distributors, LLC.

#### **VII. REPORTS/CORRESPONDENCE**

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

##### **1. Reports from cities**

##### Wasilla City

Mr. Bert Cottle:

- advised that the City's spice ordinance was adopted last night and goes into effect today; and
- stated that the City's budget hearings will begin on April 16 at 5:30 p.m.

*(Assemblymember Arvin exited the meeting.)*

2. Matanuska-Susitna Borough School District

Mr. Luke Fulp, Assistant Superintendent:

- spoke to the School District continuing to track legislation in Juneau, specifically House Bill 278, which Impacts the base student allocation;
- spoke to working with Capital Projects staff to ensure schools that are currently under construction can be occupied by August; and
- stated that high school graduations will occur May 12 through May 16.

*(Assemblymember Arvin re-entered the meeting.)*

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Beck advised that there was discussion regarding assisting Fronteras Elementary School with a grant application for growth and development of the school.

Assemblymember Colver:

- advised that he posed the question should there be an increase in the base student allocation, how the School District would feel about not requesting the three percent budget increase from Assembly; and
- opined that the question was not well received.

2. Assembly Public Relations

*(There were no reports provided.)*

3. Joint MSB Assembly/ MOS Assembly Transportation Subcommittee

Assemblymember Colligan:

- noted that Anchorage Assembly Member Paul Honeman, called a last minute meeting of the subcommittee;
- stated that the topic of discussion was regarding securing funding for a rail commuter between Anchorage and the valley;
- advised that it was agreed to work with folks on the military base to determine if there was a real need and what it would be; and
- related that there will be another meeting scheduled soon.

Mayor DeVilbiss stated that the subcommittee should bear in mind that the Knik Community Council is gathering signatures on a petition to expand the Park-N-Ride at the Old Glenn Highway, which would be a great place to pick up riders.

Assemblymember Colligan noted due to the Borough's form of government there are certain things that have to be approved by the voters.

## C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

Mr. Moosey:

- spoke to being in Juneau with Mayor DeVilbiss to work on increasing the capital request;
- opined that the conversations were well received;
- advised that there was talk that the House Finance Committee is looking at completely revising the capital request; and
- opined that it is an unusual session due to lack of funds.

3. Joe Redington Sr. Junior/Senior High School 95 Percent Design Presentation – Wolf Architecture

Mr. Gary Wolf, of Wolf Architecture, provided a presentation regarding the Joe Redington Sr. Junior/Senior High School 95 Percent Design.

Assemblymember Arvin queried where the shooting range is.

Mr. Wolf stated that the shooting range is part of Phase II.

Discussion ensued regarding:

- that Wolf Architecture has not been asked to address a shooting range;
- that there is sufficient topography in the area to locate a shooting range;
- that the school will occupy approximately 20 acres of a 100 acre site; and
- the desire to have the shooting range incorporated into the design.

Mr. Mike Brown, Capital Projects Director, reported on the status of the overall Joe Redington Sr. Junior/Senior High School project.

Assemblymember Arvin spoke to his appreciation of the hard work done on the project.

Mr. Moosey:

- stated that the body pulled AM No. 14-29, for the Machen Road project off the agenda; and
- requested that Mr. Brown speak to the impacts to the Machen Road project as a result of the legislation not being acted on this evening.

Mr. Brown:

- noted that the migratory bird window begins May 1, which has the potential to impact the project;
- advised that the contractor who would do the tree clearing is ready to begin; and
- stated that does not mean that the project could not be completed by the end of summer, but that it does complicate the issue.

Discussion ensued regarding:

- the Manager's concerns with awarding the contract;
- the possibility of having a short special meeting to award the project later; and
- the possibility of issuing the contract and beginning tree clearing right away.

MOTION: Assemblymember Arvin moved to reinstate AM No. 14-029 on the agenda.

VOTE: The motion passed without objection.

Mr. Casey Cook, Emergency Manager, reported on the funds that are recoverable from the Federal Emergency Management Agency as a result of the September 2012 flood event.

4. Alaska Peony Distributors, LLC.

Ms. Meghan Williams, of Alaska Peony Distributors, LLC, provided a presentation on Alaska's production and distribution of peonies.

D. ATTORNEY COMMENTS

Mr. Spiropoulos:

- related that there are no updates on any pending litigation;
- stated that if there are any questions regarding the joint transportation subcommittee, concerning what the Borough can and cannot do, to please come by his office; and
- commented that there is a lot of misunderstanding regarding the Borough's powers as a second-class municipality.

E. CLERK COMMENTS

Ms. McKechnie spoke regarding the upcoming meeting schedule.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Bogard RSA Board of Supervisors: 10/30/13, Resolution Serial No. 13-03
- b. Caswell FSA Board of Supervisors: 10/09/13
- c. Emergency Medical Services Board: 12/04/13
- d. Health and Social Services Board: 07/25/13, 09/16/13, 10/24/13, 12/18/13
- e. Library Board: 10/19/13, 11/16/13, 01/18/14, Resolution Serial No. 14-01
- f. Local Road Service Area Advisory Board: 01/16/14
- g. Meadow Lakes RSA Board of Supervisors: 05/10/13, 10/30/13
- h. MSB Fish and Wildlife Commission: 01/16/14, 01/28/14
- i. MSB 8.32 Review Commission: 01/24/14
- j. Parks, Recreation, and Trails Advisory Board: 01/27/14, Resolution Serial No. 14-01, 14-02
- k. Platting Board: 02/06/14

1. West Lakes FSA Board of Supervisors: 12/13/13
2. Community Council Minutes:
  - a. Fishhook Community Council: 08/15/13, 10/29/13
  - b. Glacier View Community Council: 01/24/13, 02/28/13, 03/28/13, 04/25/13, 05/23/13, 09/24/13, 10/29/13, 11/26/13
  - c. Sutton Community Council: 01/30/13, 02/28/13, 03/27/13, 04/24/13, 05/29/13, 06/26/13, 07/31/13, 08/28/13, 09/28/13, 10/30/13, 11/20/13, 12/18/13, 01/29/14
  - d. Willow Area Community Organization: 11/04/14, 12/02/13, 01/06/14

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

#### G. INFORMATIONAL MEMORANDUMS

*(There were no informational memorandums presented.)*

### VIII. UNFINISHED BUSINESS

- A. **Ordinance Serial No. 14-020:** An Ordinance Amending MSB 8.50, Trash And Junk, To Update The Definitions. *(Sponsored By Assemblymember Beck)*
  1. IM No. 14-021

MOTION PENDING: Assemblymember Beck moved to adopt Ordinance Serial No. 14-020.

Assemblymember Beck:

- spoke to the reasons he brought the legislation forward;
- advised that it would assist the Borough in protecting residents when monofills are created; and
- opined that monofills are needed, but that they require proper regulation.

Assemblymember Arvin:

- stated that he is glad the legislation was postponed to this evening;
- spoke to concerns with the definition of trash; and
- wondered when trash is processed into shredded materials, why is it not still trash.

Mr. Spiropoulos:

- recapped a Board of Adjustment and Appeals appeal hearing regarding a monofill;
- noted that the BOAA had made an internally inconsistent ruling; and
- stated that the legislation would clarify code.

Discussion ensued regarding:

- whether processed trash is still trash;
- the importance of recycling and repurposing materials;
- concerns with making recycling or repurposing of materials more difficult;

- that the legislation ensures that a permit is required in order to recycle or repurpose materials;
- that the legislation is not applicable in city boundaries;
- the potential impacts to ground water from monofill sites;
- concerns that the legislation is targeting a specific operator;
- that the intent is to clarify code not to change code;
- that ground water impacts are addressed in other portions of code;
- the desire to ensure there is a public process for monofill applications;
- that the Borough landfill is covered under a different portion of code; and
- that if the recycling center had large piles of recyclables in the view of the public, that it would require obtaining a conditional use permit.

**MOTION:** Assemblymember Arvin moved a primary amendment to Ordinance Serial No. 14-020, MSB 8.50.005(A), by striking the words “shredded, pulverized, broken;” by inserting the word “final” between the words “and” and “disposition;” by striking the words “construction debris, trash-containing landfill top layer material;” to read: “ (3) “Trash” means any damaged, spoiled, discarded, or waste tangible material that is by evidence of its location and final disposition, discarded and treated as waste, including, but not limited to, food, containers, paper products, cloth, fabric, plastics, metal, household items, waste by-products, manure, and liquids or other effluent.”

Assemblymember Arvin requested support of the amendment.

Assemblymember Halter:

- spoke in opposition to the amendment; and
- noted that the Planning Commission voted in favor of the legislation as proposed.

Assemblymember Beck:

- spoke in opposition to the amendment; and
- noted that the Planning Commission recommendation is exactly the same as what is contained within the ordinance.

**VOTE:** The primary amendment failed with Assemblymembers Salmon, Colligan, and Arvin in support.

**VOTE:** The main motion passed with Assemblymembers Salmon, Colligan, and Arvin opposed.

*(The meeting recessed at 7:30 p.m. and reconvened at 7:48 p.m.)*

## **IX. VETO**

*(There were no vetoes presented.)*

## **X. SPECIAL ORDERS**

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

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

B. PUBLIC HEARINGS (Three minutes per person.)

Mayor DeVilbiss inquired if there was any objection to taking up public hearings 1 through 5 together.

There was no objection noted.

1. **Ordinance Serial No. 14-028:** An Ordinance Confirming The Assessment Roll For The Rose Glenn Estates Natural Gas Local Improvement District No. 477 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
  - a. **Ordinance Serial No. 14-029:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$118,000 Principal Amount Of Special Assessment Bonds For The Rose Glenn Estates Natural Gas Local Improvement District No. 477, And Fixing Details Of Said Bonds.
    - (1) IM No. 14-047
2. **Ordinance Serial No. 14-030:** An Ordinance Confirming The Assessment Roll For The West Caroline's Circle Natural Gas Local Improvement District No. 494 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
  - a. **Ordinance Serial No. 14-031:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$18,000 Principal Amount Of Special Assessment Bonds For The West Caroline's Circle Natural Gas Local Improvement District No. 494, And Fixing Details Of Said Bonds.
    - (1) IM No. 14-048
3. **Ordinance Serial No. 14-032:** An Ordinance Confirming The Assessment Roll For The West Demaree Circle Natural Gas Local Improvement District No. 501 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
  - a. **Ordinance Serial No. 14-033:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$31,000 Principal Amount Of Special Assessment Bonds For The West Demaree Circle Natural Gas Local Improvement District No. 501, And Fixing Details Of Said Bonds.
    - (1) IM No. 14-049
4. **Ordinance Serial No. 14-034:** An Ordinance Confirming The Assessment Roll For The Kaye Estates Phase I And Phase II Natural Gas Local Improvement District No. 506 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
  - a. **Ordinance Serial No. 14-035:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$209,000 Principal Amount Of Special Assessment Bonds For The Kaye

Estates Phase I And Phase II Natural Gas Local Improvement District No. 506, And Fixing Details Of Said Bonds.

(1) IM No. 14-050

5. **Ordinance Serial No. 14-036:** An Ordinance Confirming The Assessment Roll For The West Klutina Natural Gas Local Improvement District No. 511 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.

a. **Ordinance Serial No. 14-037:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$35,000 Principal Amount Of Special Assessment Bonds For The West Klutina Natural Gas Local Improvement District No. 511, And Fixing Details Of Said Bonds.

(1) IM No. 14-051

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial Nos. 14-028, 14-029, 14-030, 14-031, 14-032, 14-033, 14-034, 14-035, 14-036, and 14-037.

VOTE: The motion passed without objection.

6. **Ordinance Serial No. 14-052:** An Ordinance Accepting And Appropriating A \$490,067 United States Department Of Homeland Security, Staffing For Adequate Fire And Emergency Response (SAFER) Grant, For The West Lakes Fire Service Area No. 136 To Fund 405, Project No. 45270, For Regional Fire Service Area Firefighter Recruitment And Retention.

a. **Resolution Serial No. 14-035:** A Resolution Approving The Scope Of Work And Budget For A United States Department Of Homeland Security, Staffing For Adequate Fire And Emergency (SAFER) Grant, For The West Lakes Fire Service Area No. 136.

(1) IM No. 14-064

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 14-052 and Resolution Serial No. 14-035.

VOTE: The motion passed without objection.

Mayor DeVilbiss inquired if there was any objection to taking up public hearings 7, 9, and 10 together.

There was no objection noted.

7. **Ordinance Serial No. 14-053:** An Ordinance Approving An Appropriation Of \$250,000 From Bogard Road Service Area No. 25 Fund Balance, Fund 279, To Fund 410, Project No. 30045, For Bogard Road Service Area No. 25 Capital Projects.
  - a. IM No. 14-077
  
9. **Ordinance Serial No. 14-055:** An Ordinance Approving An Appropriation Of \$100,000 From Fairview Road Service Area No. 14 Fund Balance, Fund 271, To Fund 410, Project No. 30037, For Fairview Road Service Area No. 14 Capital Projects.
  - a. IM No. 14-080
  
10. **Ordinance Serial No. 14-056:** An Ordinance Approving An Appropriation Of \$200,000 From Meadow Lakes Road Service Area No. 27 Fund Balance, Fund 281, To Fund 410, Project No. 30047, For Meadow Lakes Road Service Area No. 27 Capital Projects.
  - a. IM No. 14-082

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial Nos. 14-053, 14-055, and 14-056.

VOTE: The motion passed without objection.

8. **Ordinance Serial No. 14-054:** An Ordinance Approving An Appropriation Of \$500,000 From Knik Road Service Area No. 17 Fund Balance, Fund 274, To Fund 410, Project No. 30040, For Knik Road Service Area No. 17 Capital Projects.
  - a. IM No. 14-078

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of upgrades to Knik River Road: Mr. John Nystrom.

Mayor DeVilbiss queried if this legislation concerned improvements to Knik River Road.

Mr. Dolan advised that this legislation does not pertain to Knik River Road improvements but relates to Knik Road Service Area No. 17, which is located in the Knik Goose Bay area.

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

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 14-054.

VOTE: The motion passed without objection.

8. **Ordinance Serial No. 14-057:** An Ordinance Appropriating \$32,720,000 To Fund 400, School Projects, For The Acquisition, Construction, And Installation Of School And Related Capital Improvements Within The Borough And \$325,426 To Fund 400, For Related Issuance Costs From The Proceeds Of The 2014 Series "B" General Obligation School Bonds.
- a. IM No. 14-084

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 14-057.

Assemblymember Arvin read the list of bond projects into the record.

VOTE: The motion passed without objection.

9. **Ordinance Serial No. 14-058:** An Ordinance Reapportioning Assembly Districts To Eliminate Precincts That Are Split By An Assembly District Boundary, Submitting The Question To The Qualified Voters Of The Borough At The October 7, 2014, Regular Election; And Amending MSB 2.12.010, Assembly Election Districts. *(Sponsored by Assemblymember Colligan)*
- a. IM No. 14-085

Mayor DeVilbiss opened the public hearing.

The following persons spoke to concerns with the precinct adjustment within Assembly District No. 7: Mr. Mike Wood and Mr. Jacques Bondurant.

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

MOTION: Assemblymember Colligan moved to adopt Ordinance Serial No. 14-058.

Assemblymember Colligan:

- opined that the lesson to be learned is that it is not a good idea to adjust local boundaries until the State is done with redistricting;
- spoke to the numerous split precincts within the Borough;
- noted the tremendous amount of work for the Clerk's Office in managing all the different ballots due to the split precincts;
- spoke to the Clerk working with the State to redefine precinct boundaries;
- spoke to the formula for reapportionment; and
- noted that eliminating split precincts makes it easier for voters to determine their polling place.

Discussion ensued regarding:

- where the polling place would be for residents within the Chase Community Council; and
- that the intent is to eliminate all split precincts.

MOTION: Assemblymember Halter moved a primary amendment to Ordinance Serial No. 14-058, by amending the boundary of Assembly District 7, within precinct 09-640 only, by moving the District 7 line to its original location to the east.

Assemblymember Halter:

- stated that the four voters who would be in the split would be offered absentee ballots;
- spoke to the area being quite remote;
- noted that he supports the remainder of the proposed changes; and
- related that it is important to those residents to remain in District No. 7.

Assemblymember Colligan queried if the number of voters that would be impacted had been verified.

Ms. McKechnie affirmed the query.

Discussion ensued regarding:

- the possibility of postponing the legislation;
- that the State Redistricting plan has been approved by the court;
- that the amendment makes sense for the area impacted;
- that one small split precinct should not be an issue; and
- that it is not possible to create a new precinct for such a small number of voters.

MOTION: Assemblymember Halter called for question (to stop debate).

VOTE: The motion passed without objection.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

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

D. CONSENT AGENDA

1. RESOLUTIONS

a. **Resolution Serial No. 14-036:** A Resolution Supporting And Approving The Recommendations Of The Human Services Coordinated Transportation Plan For The Mat-Su Borough Area To Allow Participants To Qualify For Federal Transit

Administration Funding Passed Through The Alaska Community Transit Office, Alaska State Department Of Transportation And Public Facilities.

(1) IM No. 14-081

b. **Resolution Serial No. 14-037:** A Resolution Establishing The Minimum Level Of Funding For The Matanuska-Susitna Borough School District For The Fiscal Year Ending June 30, 2015.

(1) IM No. 14-090

## 2. ACTION MEMORANDUMS

a. **AM No. 14-021:** Award Of Bid No. 14-070B To General Fire Apparatus, Inc. In The Amount Of \$471,303 For The Purchase Of A Tanker Fire Apparatus For The Willow Fire Service Area.

b. **AM No. 14-027:** Award Of Bid No. 14-116B To Alaskan Industries, Inc. In The Amount Of \$364,800 For Multipurpose Room Flooring Replacement At Trapper Creek Elementary, Goose Bay Elementary, Meadow Lakes Elementary, Larson Elementary, and Burchell High School.

c. **AM No. 14-028:** Award Of Bid No. 14-117B To Alaskan Industries, Inc. In The Amount Of \$394,400 For Multipurpose Room Flooring Replacement At Tanaina Elementary, Finger Lake Elementary, Cottonwood Creek Elementary, And Butte Elementary.

d. **AM No.14-029:** Award Of Bid No. 14-118B To Scarsella Brothers, Inc. In The Contract Amount Of \$2,928,928.28 For Parks Highway Connection Machen Road Extension.

f. **AM No. 14-031:** Approval Of A Contract Amendment For Contract No. 14-078P To USKH, Inc. In The Amount Of \$58,475 For The Willow Elementary School Roof Replacement Design, Project No. 40086.

g. **AM No. 14-032:** Approval Of Contract Amendment To Purchase Order No. 2014-1449 To Matanuska Telephone Association In The Amount Of \$145,086.05 For The South Big Lake Road Realignment, Project No. 30043.

h. **AM No. 14-033:** Approval Of Contract Amendment To Matanuska Electric Association In The Amount Of \$218,187.35 For The South Big Lake Road Realignment, Project No. 30043.

j. **AM No. 14-035:** Award Of Proposal No. 14-114P To USKH, Inc. In The Contract Amount Of \$466,000 For School District-Wide Athletic Field Improvements Design.

i. **AM No. 14-039:** Award Of Proposal No. 14-123P To Wolf Architecture, Inc. In The Contract Amount Of \$105,400 For School District-Wide Americans With Disabilities Act Upgrades And Design.

Ms. McKechnie read the above legislation into the record.

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

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

e. **AM No. 14-030:** Award Of Proposal No. 14-095P To McCool Carlson Green In The Contract Amount Of \$1,214,604 For The Iditarod Elementary School Design.

**MOTION:** Assemblymember Colligan moved to adopt AM No. 14-030.

**Assemblymember Colver:**

- stated that the contract was negotiated as a lump sum;
- spoke to his expectations that the project will be kept on budget;
- spoke to concerns with change orders; and
- noted that he does not object to the legislation.

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

i. **AM No. 14-034:** Award Of Bid No. 14-119B To Quality Asphalt Paving In The Contract Amount Of \$5,694,710 For Vine Road Upgrade.

**CONFLICT OF INTEREST:** Assemblymember Arvin declared a conflict of interest as he is the Executive Director of an organization that Quality Asphalt Paving is a member of.

**RULING:** Mayor DeVilbiss ruled that Assemblymember Arvin had a conflict and would be recuse from voting.

*(Assemblymember Arvin exited the meeting.)*

**MOTION:** Assemblymember Salmon moved to adopt AM No. 14-034.

**MOTION:** Assemblymember Colver moved a primary amendment to AM No. 14-034, by striking the words “contract amendment authority percentage of 10 percent” and inserting in its place the words “contract amendment authority be limited to \$250,000.”

**Assemblymember Colver:**

- opined that the amendment would allow the project to continue; and
- stated that it would provide a mechanism for oversight of the project.

**VOTE:** The primary amendment passed without objection.

**VOTE:** The main motion passed as amended without objection.

*(Assemblymember Arvin re-entered the meeting.)*

- k. **AM No. 14-036:** Award Of Bid No. 14-107B To Collins Construction, Inc. In The Contract Amount Of \$11,015,129 For The Mat-Su Career And Technical High School Addition Construction.

MOTION: Assemblymember Arvin moved to adopt AM No. 14-036.

MOTION: Assemblymember Colver moved a primary amendment to AM No. 14-036, by striking the words “contract amendment authority percentage of 7 percent” and inserting in its place the words “contract amendment authority be limited to \$250,000.”

Assemblymember Arvin queried staff’s position on the amendment.

Mr. Brown:

- advised that staff attempted to arrive at a number that the Assembly would be comfortable with;
- spoke to the short construction season and the need to move the project forward;
- spoke to concerns with applying a lump sum of \$250,000 to a multi-million dollar contract; and
- noted that staff went with a percentage, rather than a lump sum as the large contract is on a different scale.

Assemblymember Arvin:

- noted that the body is charging staff with getting the projects moving; and
- spoke to the timeframe of how legislation arrives before the body and the possibility of waiting on legislation causing increases in the contract.

Assemblymember Colver stated that if there are problems that the Assembly would want to know.

MOTION: Assemblymember Arvin moved a secondary amendment by striking “\$250,000” and inserting “\$500,000” in its place.

VOTE: The secondary amendment passed without objection.

VOTE: The primary amendment passed as amended without objection.

VOTE: The main motion passed as amended without objection.

## **XI. NEW BUSINESS**

- A. INTRODUCTION (For public hearing – 05/01/14, 6 p.m. Central Mat-Su Public Safety Building; 05/02/14, 6 p.m. Willow Community Center; 05/05/14, 6 p.m. Assembly Chambers)

1. **Ordinance Serial No. 14-014:** An Ordinance Appropriating Monies From The Central Treasury For The Borough Operating Funds, Enterprise Funds, Education Operating Fund, And Capital Funds And Establishing The Rate Of Levy For All Borough Functions For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015, And Setting The Surcharge Rate For The Wireline And Wireless Enhanced 911 Systems For The Period Of July 1, 2014, Through June 30, 2015.

B. INTRODUCTIONS (For public hearing – 05/06/14, Assembly Chambers)

1. **Ordinance Serial No. 14-059:** An Ordinance Approving An Appropriation Of \$200,000 From Gold Trail Road Service Area No. 28 Fund Balance, Fund 282, To Fund 410, Project No. 30048, For Gold Trail Road Service Area No. 28 Capital Projects.

a. IM No. 14-088

2. **Ordinance Serial No. 14-060:** An Ordinance Accepting And Appropriating \$2,205,058.62 For A Portion Of The Fiscal Year 2014 Designated Legislative Grant Projects From The Alaska State Department Of Commerce, Community, And Economic Development To Fund 400, Project Nos. 40032, 40083, and 40080.

a. **Resolution Serial No. 14-038:** A Resolution Approving The Scope Of Work And Budget For A Portion Of The Fiscal Year 2014 Designated Legislative Grant Projects From The Alaska State Department Of Commerce, Community, And Economic Development.

(1) IM No. 14-089

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Arvin moved to introduce the legislation as read into the record by the Clerk and set the public hearings for May 1, 2014, May 2, 2014, May 5, 2014, and May 6, 2014, respectively.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmations:

Board of Equalization

Wendy Brooker

Samantha Osland

Tendra Nicodemus

Emergency Medical Services Board

Patricia Stewart, resignation

Health and Social Services Board

Sondra Kaplan

South Colony RSA No. 16  
Daniel Monarch

Mayor DeVilbiss has the following under consideration:

Historical Preservation Commission  
Kelly Dau  
MSB 8.32 Review Commission (Energy Policy)  
Chris Elder  
Big Lake RSA No. 21  
Clinton Lofgren

MOTION: Assemblymember Arvin moved to approve the Mayor's appointments and resignation up for confirmation this evening.

VOTE: The motion passed without objection.

**C. OTHER NEW BUSINESS**

*(There was no other new business.)*

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

*(There were no referrals presented.)*

**XII. RECONSIDERATION**

*(There was no reconsideration presented.)*

**XIII. MAYOR, ASSEMBLY, AND STAFF COMMENTS**

Ms. McKechnie thanked Ms. Susan Howard and Ms. Carla Goers for their hard work on the precinct boundary maps.

Mr. Moosey:

- thanked the body for the productive meetings;
- stated that if the Assembly has any questions on the budget to contact the department directors, the Finance Director, Mr. Wilson, or himself;
- related that he plans to send a letter of support to Juneau regarding the Knik Arm and Bridge Toll Authority (KABATA); and
- queried if the body would like the letter to be on behalf of the Assembly or to write the letter so that it states by resolution the body supports the project.

Assemblymember Sykes suggested that the format be the same as what has been done in the past.

Mr. Moosey advised that he will be out of the office next week and that Mr. Hays will be available if the Assembly needs anything.

**Assemblymember Beck**

- thanked staff for being present during the meetings all day in case there were questions;
- thanked Mr. Moosey and Mayor DeVilbiss for their presence in Juneau supporting Borough priorities; and
- wished everyone Happy Easter.

**Assemblymember Colligan:**

- thanked staff for the budget presentations; and
- noted that it has been a long day.

Assemblymember Colver wished everyone Happy Easter.

**Assemblymember Sykes:**

- thanked everyone for being present for the meetings today;
- thanked staff for the budget presentations;
- thanked Ms. Munoz for her dedication to wastewater issues;
- advised that he was late to the meeting due to spring flooding concerns on the Matanuska River;
- thanked Mr. Casey Cook and Chief Eric Van Duesen for their assistance with addressing the flooding concerns;
- opined that the Economic Development report was not very informative and was of poor quality;
- opined that the Southwest Demographics report was unnecessary and disappointing, as it was all conjecture;
- opined that the Matrix Audit report of Emergency Management Service was a disappointment, as it did not provide any direction;
- stated that he would prefer to not see tax payer funds be utilized in this manner, unless there is a critical need; and
- wished the body Happy Easter.

Assemblymember Salmon opined that the Southwest Demographics report was to provide insight for the future of Point MacKenzie.

**Assemblymember Halter:**

- thanked the body for supporting the amendment to Ordinance Serial No. 14-058;
- stated that he enjoyed the peony presentation; and
- spoke to the regional pronunciations of the word "peony."

**Assemblymember Arvin:**

- thanked Assemblymember Beck for postponing Ordinance Serial No. 14-020 to this evening so that he could participate in debate;

- stated that he is fundamentally opposed to government restricting the rights of property owners regarding the use of their personal property; and
- spoke to watching the lunar eclipse with his family.

Mayor DeVilbiss:

- spoke to attending a Chase Community Council meeting last summer;
- noted that it was held in a gravel pit, with the attendees all sitting on their four-wheelers;
- commented that it was different than any other meeting he had attended;
- spoke to his hopes for the peony community;
- stated that it is good to see local families making investments for their future; and
- related that he thought that there was more information coming regarding the economic development report.

Mr. Moosey stated that there is not, as the final report and appendices have been provided to the body.

#### **XIV. EXECUTIVE SESSION**

*(There was no executive session held.)*

#### **XV. ADJOURNMENT**

The regular meeting adjourned at 9 p.m.

  
LARRY DEVILBISS, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 05/06/14