

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on May 1, 2012, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Larry DeVilbiss.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Warren Keogh, Assembly District No. 1
Mr. Noel Woods, Assembly District No. 2
Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)
Mr. Steve Colligan, Assembly District No. 4
Mr. Darcie K. Salmon, Assembly District No. 5
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. Don Moore, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Executive Assistant to the Borough Clerk
Ms. Tammy Clayton, Finance Director
Ms. Shaune O'Neil, Public Works Director
Ms. Eileen Probasco, Planning Chief
Mr. Dennis Brodigan, Emergency Services Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Eric Phillips, Community Development Director

III. APPROVAL OF AGENDA

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

Mr. Moosey requested that Resolution Serial No. 12-049 be removed from the agenda.

There was no objection noted.

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

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Laurine Domke, School District Federal Programs Director.

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 04/17/12
- B. Regular Assembly Meeting: 04/17/12

Mayor DeVilbiss inquired if there were any corrections to the special or regular meeting minutes of April 17, 2012.

Assemblymember Colver spoke to the previous resolution regarding Academy Charter School, that approved alternate nos. two, four, and five and that alternate no. three regarding pavement was not approved.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Palmer City

Mr. Doug Griffin, Palmer City Manager:

- provided a handout that outlined the major projects for the city of Palmer;
- spoke to the possibility of the City and Great Land Trust working cooperatively concerning a 100-acre parcel of land;
- noted that if the project moves forward, that he envisions a smaller version of Kincaid Park in Anchorage;
- stated that the intent would be for the park to be a multi-use park within the Borough;
- spoke to the commercial steel project going well and being very busy;
- noted that the Council is considering closing down the road to the Mountain Ranch Estates Subdivision that goes through the location of the steel project;
- advised that the road closure would address safety concerns;
- noted that Emergency Services has been notified of the possible closure and has stated that they would have no access issues if the road is closed;
- stated that the City is moving forward with the Matanuska Maid property land acquisition; and
- invited the body to attend the City's capital project fair scheduled for May 17th, at the Matanuska Telephone Association Events Center.

Wasilla City

Mr. Burt Cottle, Deputy City Administrator:

- advised that the Wasilla Middle School property plat has been submitted to the Borough Platting Board;
- noted that it is concerning the new library parcel;
- related that there is \$100,000 in the City's capital budget for upgrades to Lake Lucille Park;
- stated that Wasilla clean up day started today and thanked the Borough for providing the trash bags; and
- spoke to the Mat-Su Youth Court needing funding.

2. Matanuska-Susitna Borough School District

Ms. Laurine Domke, School District Federal Programs Director:

- invited the body to attend upcoming School District graduations;
- provided a handout noting the times, dates, and locations of graduations;
- related that there are 1,100 seniors graduating high school this year;
- advised that 77 percent of graduates take advantage of higher education opportunities; and
- thanked the body for the proposed funding for the School District.

3. Mat-Su Convention and Visitor's Bureau – Ms. Cheryl Metiva

Ms. Metiva, Vice-President of the Mat-Su Convention and Visitor's Bureau:

- spoke to the Bureau having participated in several outdoor sportsmen shows within Alaska;
- advised that the Visitor's Center will open on May 18;
- invited the body to the annual open house, which is scheduled for May 16, at 5 p.m. at the Visitor's Center;
- spoke to attending the United States Travel Association's annual pow wow;
- related that they had 44 appointments in 20 minute intervals with international tour operators;
- noted that a target for promoting tourism in Alaska is visiting family and friends;
- related that a mobile version of the website has been recently launched; and
- stated that the Legislature included a \$16,000,000, statewide generic tourism marketing program within the budget.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

2. Assembly Public Relations

Assemblymember Colver:

- advised that the Borough's Fish and Wildlife Commission wished to thank the body for supporting the genetic study of fish in Cook Inlet in last year's budget;
- related that because of the funding, the Legislature also funded the study, which provided valuable information concerning Cook Inlet fish populations;

- stated that the Legislature provided \$625,000 in funds for the study;
- spoke to some of the findings of the study providing valuable data for managing fish;
- spoke to concerns with the road to the Little Susitna River access needing maintenance; and
- advised that May 14, at the Palmer Railroad Depot there will be a public meeting concerning the Joint Pacific Alaska Range Complex (JPARC) project environmental impact statement.

Assemblymember Keogh noted that there are at least four JPARC related public meetings concerning the environmental impact study.

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

Mr. Moosey:

- introduced the new Community Development Director, Mr. Eric Phillips;
- stated that Mr. Phillips came from Valdez and will be a good addition to the Borough;
- spoke to the upcoming meetings for budget deliberations; and
- stated that if there are any questions that the body may have concerning the budget, to feel free to bring them to him, as he wants to ensure that the time is as productive as possible.

Assemblymember Colver spoke to concerns with having time to get acquainted with the proposed budget.

Assemblymember Arvin requested that staff be present to answer questions during the budget deliberations.

Assemblymember Salmon suggested that if members have budget questions that they should attempt to get them answered before hand in order to eliminate lengthy deliberations.

D. ATTORNEY COMMENTS

Mr. Spiropoulos provided a report on the trip with the Manager to Washington, D.C.

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- stated that Administration has requested a work session concerning the JPARC project on May 14, 2012, at 2:30 p.m..

Mayor DeVilbiss queried if there was any objection to scheduling that meeting.

There was no objection noted.

Ms. McKechnie:

- noted that the annual evaluation of the Borough Attorney is due in June; and
- suggested June 19, 2012, at 4 p.m.

Discussion ensued regarding scheduling the Borough Attorney's annual evaluation.

(The Assembly decided to schedule the evaluation for June 5, 2012, at 4 p.m.)

Ms. McKechnie:

- noted that the annual evaluation of the Borough Clerk is due in July; and
- suggested July 17, 2012, at 4:30 p.m.

The Mayor queried if there was any objection to scheduling the evaluation.

There was no objection noted.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Aviation Advisory Board: 01/12/12
 - b. Caswell Lakes RSA Board of Supervisors: 08/23/11
 - c. Greater Talkeetna RSA Board of Supervisors: 01/12/12
 - d. Parks, Recreation, and Trails Advisory Board: 01/23/12
 - e. Planning Commission: 03/19/12
 - f. Wasilla-Lakes FSA Board of Supervisors: 01/30/12
 - g. West Lakes FSA Board of Supervisors: 01/30/12
2. Community Council Minutes:
 - a. Chickaloon Community Council: 12/14/11
 - b. Lake Louise Community Non-profit Corporation: 04/02/11
 - c. Meadow Lakes Community Council: 01/11/12
 - d. Trapper Creek Community Council: 02/16/12

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

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

VII. UNFINISHED BUSINESS

- A. Ordinance Serial No. 12-010: AN ORDINANCE AMENDING MSB 17.28, DESIGNATING THE SUSITNA PARKWAY PIT AN INTERIM MATERIALS

DISTRICT, LOCATED WITHIN TOWNSHIP 16 NORTH, RANGE 4 WEST,
SECTION 6, ON PARCEL D-1, SEWARD MERIDIAN.

1. IM No. 12-012

MOTION PENDING: Assemblymember Salmon moved to adopt Ordinance Serial No. 12-010.

MOTION PENDING: Assemblymember Salmon moved a primary amendment to Ordinance Serial No. 12-010, to incorporate all of the amendments as currently inserted into the legislation.

MOTION: Assemblymember Salmon moved a secondary amendment, MSB 17.28.090(A)(5), special condition no. 12, to insert after the words “15-foot high vegetated berm” the words “on the south side of the buffer 60-foot” to read: “Site buffers shall be maintained as follows: a 100-foot vegetative buffer to the west; a 150-foot vegetative buffer beginning at the tree line, which incorporates a 15-foot high vegetated berm on the south side of the buffer 60-foot of the buffer to the north;”

VOTE: The secondary amendment passed without objection.

Assemblymember Halter:

- stated that it is important to establish that the Borough and Railroad have two full years to finish the rail extension project; and
- related that when the project is completed that the materials would be made available to the public.

Assemblymember Salmon:

- stated that language such as “or until such time as the Railroad is no longer engaged in processes at the pit” should be included;
- noted that the project could exceed two years; and
- related that it has always been the intention of the Borough to ensure that the materials are made available to the public.

VOTE: The primary amendment passed without objection.

Assemblymember Arvin:

- opined that another issue is that although the Borough is contributing the gravel to the project, there is no bracket around the value of the materials and how to get consideration for that contribution; and
- stated that the Borough needs a mechanism to be formally on record as contributing a significant value of gravel to the project because it is in the public’s best interest.

Mr. Moosey advised that there will be a before estimated value and a post project report on the amount of gravel actually used for the project, which will include a dollar value.

MOTION: Assemblymember Salmon moved a primary amendment to Ordinance Serial No. 12-010, to strike the current language in special condition no. 19 in its entirety and inserting in its place “The pit shall be used for purposes of building the rail extension. When such use is complete, material may be made available to others at market rate.”

MOTION: Assemblymember Salmon moved a secondary amendment to strike the word “may” and inserting in its place the word “shall” in the last sentence.

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.

VIII. VETO

(There were no vetoes presented.)

IX. 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.)

(There were no public hearings.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke to concerns with debris and runoff from adjacent properties on to his property due to the inadequacy of a culvert: Mr. Eric Benson

The following person spoke to overall fiscal concerns with the Borough: Mr. Neil Snyder.

The following person spoke to concerns with the public understanding the budget: Ms. Michelle Church, a former member of the Assembly.

D. CONSENT AGENDA

1. RESOLUTIONS

a. ~~Resolution Serial No. 12-049: A RESOLUTION APPROVING THE SITE MASTER PLAN TO PROVIDE PARKING AND CIRCULATION FOR ACADEMY CHARTER SCHOOL BUILDING EXPANSION, ACCESS TO EXISTING AND FUTURE~~

~~BOROUGH OWNED RECREATIONAL FIELDS AND PUBLIC FACILITIES AND ACCESS TO SCHOOL DISTRICT ADMINISTRATION OFFICES FOR BOROUGH OWNED REAL PROPERTY DESCRIBED AS MSB TAX PARCEL 18N02E33A015, CONTAINING 19.25 ACRES (MSB006553).~~

~~(1) IM No. 12-095~~

- b. Resolution Serial No. 12-050: A RESOLUTION AMENDING THE SCOPES OF WORK FOR THE ALCANTRA PARK RESTROOMS AND STORAGE, PROJECT NO. 20317; AND MATANUSKA RIVER PARK RESTROOM ROOF, PROJECT NO. 15036; AND NORTHERN PARKS UPGRADE AND IMPROVEMENT, PROJECT NO. 15040.

(1) IM No. 12-097

2. ACTION MEMORANDUMS

- a. AM No. 12-044: VACATION OF A 50-FOOT WIDE SECTION LINE EASEMENT LOCATED WITHIN LOTS 1, 6-10, BLOCK 4, CEDARWOOD SUBDIVISION, LOCATED IN SECTION 20, TOWNSHIP 18 NORTH, RANGE 1 EAST, SEWARD MERIDIAN, ALASKA.

- b. AM No. 12-045: VACATION OF THE RIGHT-OF-WAY ON THE EAST SIDE OF LOT 31, BLOCK 1, WOODLAND PARK SUBDIVISION, RECORDED AT BOOK 18, PAGE 218, LOCATED IN SECTION 35, TOWNSHIP 18 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, ALASKA.

- c. AM No. 12-046: AUTHORIZATION TO PURCHASE FROM THE FRANK J. ZAMBONI AND COMPANY AN ELECTRIC POWERED ICE RESURFACER FOR AN AMOUNT NOT TO EXCEED \$124,174.41 FOR THE BRETT MEMORIAL ICE ARENA.

- d. AM No. 12-047: APPROVAL OF CONTRACT AMENDMENT NO. 5 WITH SHAMROCK SEPTIC FOR AN AMOUNT NOT TO EXCEED \$120,000 FOR FISCAL YEAR 2013 AND ADD AN ADDITIONAL \$30,000 FOR FISCAL YEAR 2012 FOR LEACHATE HAULING DUE TO EXCEPTIONALLY HEAVY SNOWFALL.

- e. AM No. 12-048: APPROVAL OF CHANGE ORDER NO. 3 IN AN AMOUNT NOT TO EXCEED \$85,000 FOR A ONE YEAR CONTRACT EXTENSION FOR THE DEPARTMENT OF EMERGENCY SERVICES MEDICAL DIRECTOR FOR FISCAL YEAR 2013.

- f. AM No. 12-049: AWARD OF BID NO. 12-142 TO PROSSER-DAGG CONSTRUCTION COMPANY FOR THE CONTRACT AMOUNT OF \$1,719,609.26 FOR THE PALMER HIGH SCHOOL AND MACHETANZ FIELD ARTIFICIAL TURF.

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.

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 05/15/12, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 12-063: AN ORDINANCE REPEALING MSB 17.61.040, THE REQUIREMENT FOR A CORE AREA LAND USE PERMIT.
 - a. IM No. 12-098

2. Ordinance Serial No. 12-064: AN ORDINANCE AMENDING MSB 17.28, INTERIM MATERIALS DISTRICT; AND MSB 17.125, DEFINITIONS.
 - a. IM No. 12-099

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 15, 2012.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmation:

Emergency Medical Services Board
Alaina Anderson

Mayor DeVilbiss made the following recommendations:

Enhanced 911 Advisory Board
Lance Ketterling
Thomas Remaley, resignation
Alaina Anderson
Diana Campbell, resignation

MOTION: Assemblymember Arvin moved to approve the Mayor's recommendations 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.)

XI. RECONSIDERATION

(There were no reconsideration presented.)

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Moosey

- spoke to projects that will be coming forward for approval on May 15; and
- reiterated that if the body has questions regarding the budget, to please let him know.

Assemblymember Salmon:

- complimented Assemblymember Colligan for being selected as the most favored politician in valley through the Frontiersman;
- acknowledged that Ms. Shelly Hughes will be taking over the position that was left after the passing of Representative Gatto; and
- noted that she will serve out the remainder of the term until November.

Assemblymember Halter congratulated Mr. Moosey on his first year and stated that it has been a pleasure working with him.

Assemblymember Colver:

- advised that the Legislature stripped out the legislation that affected the minimum funding for school districts;
- opined that it is an arcane formula that is used to determine minimum funding levels; and
- stated that he appreciates the hard work of Mr. Moosey.

Assemblymember Colligan:

- provided a report concerning the State Redistricting litigation;
- thanked staff for all their hard work with the redistricting process; and
- thanked Mr. Moosey for his work over the last year.

Assemblymember Woods stated that he is pleased that Mr. Moosey will remain with the Borough.

Assemblymember Arvin:

- thanked Mr. Moosey for assisting him with road issues that were of concern to some of his constituents;
- related that the issues are no longer a concern, as they are going well due to the hard work of staff;
- spoke to the second access into Cottonwood Creek Elementary beginning;
- thanked staff for addressing the access issue quickly, as it would have added two months to the project;
- related that staff is reaching out to the Alaska State Department of Transportation regarding a light that is scheduled to go in later in the alignment of Seward-Meridian; and
- noted that the intent is to see if they can be sensitive to safety concerns with increased speed and put in a temporary light

Mayor DeVilbiss:


- noted that House Bill 69, which would enable the Borough to use gravel for erosion control did not pass; and
- advised that it was rolled into House Bill 361, which gives the Borough everything needed to use common sense solutions with the Matanuska river erosion problems.

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 7:10 p.m.



LARRY DeVILBISS, Borough Mayor

ATTEST:



LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 05/15/12