

MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645-6488 - 907-745-9683

BOROUGH MAYOR

Talis J. Colberg

BOROUGH CLERK

Lonnie R. McKechnie, CMC

BOROUGH MANAGER

John Duffy

BOROUGH ATTORNEY

Nicholas Spiropoulos



BOROUGH ASSEMBLY

Lynne Woods, District 1
Pete Houston, District 2
Ronald Arvin, District 3
Mark Ewing, District 4
Cindy L. Bettine, District 5
Jim Colver, District 6
Vern Halter, District 7

ASSEMBLY AGENDA

**ASSEMBLY CHAMBERS
350 E. DAHLIA AVENUE, PALMER**

REGULAR MEETING

6 P.M.

TUESDAY, MAY 4, 2010

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. PLEDGE OF ALLEGIANCE

V. SPECIAL ORDERS OF THE DAY

A. Proclamation in Recognition of National Women's Health Week

B. Proclamation in Recognition of Older Americans Month

C. Proclamation in Recognition of Relay for Life¹

VI. MINUTES OF PRECEDING MEETINGS

A. Special Assembly Meeting: 04/13/10

VII. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS (MSB 2.12.082; Seven minutes per person.)

1. Reports from cities

2. Matanuska-Susitna Borough School District

¹ A Proclamation in recognition of Relay for Life was added to the agenda.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues
2. Assembly Public Relations

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Borough Area Schools Site Selection Committee: 12/17/09, 01/28/10
 - b. Caswell Lakes RSA No. 15: 05/07/09
 - c. Circle View and Stampede Estates Flood and Water Erosion Control SSA No. 131: 11/19/09
 - d. Citizens Advisory Committee on the Goose Creek Correctional Center: 07/01/09
 - e. Emergency Medical Services Board: 12/02/09
 - f. Greater Willow RSA No. 20: 12/16/09, Resolution Re: Nancy Lake Peninsula Road
 - g. Local Emergency Planning Committee: 01/20/10, 02/17/10
 - h. Local Road Service Area Advisory Board: 02/18/10
 - i. Platting Board: 12/17/09
 - j. Port Commission: 01/18/10
 - k. Real Property Asset Management Board: 02/08/10, Resolution Serial Nos. 10-04, 10-05, and 10-06(SUB)
2. Community Council Correspondence:
 - a. Willow Area Community Organization: 09/14/09, 10/05/09, 11/02/09, 12/07/09, 01/04/10, 01/18/10, 02/15/10

G. INFORMATIONAL MEMORANDUMS

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

- A. PERSONS TO BE HEARD (MSB 2.12.081; Three minutes per person.)
(Requires 11 days advance notice and must otherwise be in compliance with the necessary code requirements. If no advance notice is given, persons wishing to speak may do so under the Audience Participation section of the agenda.)
- B. PUBLIC HEARINGS (Three minutes per person.)
1. Ordinance Serial No. 10-009: AN ORDINANCE APPROVING THE ALASKA STATE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES ACQUISITION OF BOROUGH-OWNED LAND IDENTIFIED AS PARCEL 24 FOR THE SEWARD MERIDIAN RECONSTRUCTION, PHASE 1, PROJECT NO. 51184 (MSB006252).
 - a. IM No. 10-005
 2. Resolution Serial No. 10-029: A RESOLUTION DIRECTING THE MANAGER TO WORK WITH THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES AND VARIOUS USER GROUPS INCLUDING NORDIC SKI AND SNOW MACHINE INTERESTS TO LOCATE A WINTER ONLY SNOW MACHINE CORRIDOR THROUGH THE HATCHER PASS MANAGEMENT AREA, PROVIDING ROUTING, DESIGN, MITIGATION, AND PREVENTIVE MEASURES TO ALLEVIATE NON-COMPATIBILITY ISSUES BETWEEN USER GROUPS.
(Sponsored by Assemblymember Halter)
 - a. IM No. 10-066
 3. Ordinance Serial No. 10-040: AN ORDINANCE APPROVING A 99-YEAR LEASE FOR BOTH LOT 4 AND LOT 5 HOMESTEADERS COMMUNITY CENTER SUBDIVISION ADDITION NO. 1 BETWEEN HOMESTEADER'S COMMUNITY CENTER, INC., AND MID-VALLEY SENIORS, INC., FOR THE PUBLIC PURPOSE OF DEVELOPMENT OF THE LEASEHOLD ESTATES FOR SENIOR HOUSING.
 - a. IM No. 10-071
 4. Ordinance Serial No. 10-041: AN ORDINANCE APPROVING THE AUTHORIZATION OF THE BOROUGH MANAGER TO COMPLETE ALL DOCUMENTS AND AGREEMENTS IN ORDER TO SUBORDINATE THE MATANUSKA-SUSITNA BOROUGH'S INTEREST IN THE REAL PROPERTY MORE FULLY DESCRIBED AS LOT 5 HOMESTEADERS COMMUNITY CENTER SUBDIVISION ADDITION NO. 1, TO ALASKA HOUSING FINANCE CORPORATION (AHFC) INTEREST AS REQUIRED BY AHFC IN ORDER TO PROVIDE

FINANCING TO THE DEVELOPER FOR THE PUBLIC PURPOSE OF SENIOR HOUSING TO BE LOCATED ON THE REAL PROPERTY, WHILE STILL REQUIRING THE USE OF THE PROPERTY FOR A PUBLIC PURPOSE AND PRESERVING THE BOROUGH'S ABILITY TO ENSURE THE SAME.

a. IM No. 10-072

5. Ordinance Serial No. 10-042: AN ORDINANCE AUTHORIZING A FAIR MARKET VALUE LEASE OF BOROUGH-OWNED REAL PROPERTY TO PROVIDE LEGAL ACCESS TO USIBELLI COAL MINE, INC., FOR CONSTRUCTION OF AN ACCESS/COAL HAUL ROAD AND RELATED SAFETY STRUCTURES FOR FUTURE COAL EXTRACTION FROM THE WISHBONE HILL COAL MINE.

a. IM No. 10-075

C. AUDIENCE PARTICIPATION (Three minutes per person.)

D. CONSENT AGENDA

1. RESOLUTIONS

a. Resolution Serial No. 10-035: A RESOLUTION APPROVING CERTAIN UNINCORPORATED COMMUNITIES AND THE INCORPORATED NONPROFIT ENTITY FOR PARTICIPATION IN THE FISCAL YEAR 2011 COMMUNITY REVENUE SHARING PROGRAM.

(1) IM No. 10-076

b. Resolution Serial No. 10-036: A RESOLUTION TO THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES MAKING OFFICIAL COMMENTS AND RECOMMENDATIONS ON THE DRAFT HATCHER PASS MANAGEMENT PLAN UPDATE. *(Sponsored by Assemblymember Colver)*

(1) IM No. 10-080

2. ASSEMBLY MEMORANDUMS

a. AM No. 10-034: AWARD OF BID NO. 10-075, TO EARHART ROOFING COMPANY, INC., IN THE CONTRACT AMOUNT OF \$1,458,450 FOR THE PALMER HIGH SCHOOL ROOF REPLACEMENT PROJECT.

IX. UNFINISHED BUSINESS

- A. Ordinance Serial No. 10-030: AN ORDINANCE APPROVING THE LEASE DISPOSAL AT LESS THAN FAIR MARKET VALUE OF THE REAL PROPERTY LEGALLY DESCRIBED AS TRACT 3, POINT MACK SUBDIVISION PHASE 1, FOR THE FUTURE CONSTRUCTION AND OPERATION OF A WATER AND WASTEWATER FACILITY SITE TO SERVICE GOOSE CREEK CORRECTIONAL CENTER AND TO RECLASSIFY TRACT 3 AS RESERVED USE LANDS.
(1) IM No. 10-047

X. NEW BUSINESS

- A. INTRODUCTION (For public hearing – 05/18/10, 7 p.m., Borough Assembly Chambers)
1. Ordinance Serial No. 10-044: AN ORDINANCE APPROVING AN APPROPRIATION OF \$100,000 FROM GREATER WILLOW ROAD SERVICE AREA NO. 20 FUND BALANCE, FUND 276, TO FUND 410, PROJECT NO. 30042, FOR GREATER WILLOW ROAD SERVICE AREA NO. 20 CAPITAL PROJECTS.
a. IM No. 10-078
- B. MAYORAL NOMINATIONS AND APPOINTMENTS
1. VACANCY REPORT
- C. OTHER NEW BUSINESS
- D. REFERRALS (For referral to the Planning Commission for 90 days or other date specified by the Assembly)
1. Ordinance Serial No. 10-043: AN ORDINANCE ADDING MSB 8.35.060 AUTHORIZING FIREWORKS USE DECEMBER 31 THROUGH JANUARY 1. *(Sponsored by Assemblymember Houston)*
a. IM No. 10-077

XI. RECONSIDERATION

XII. VETO

- XIII. EXECUTIVE SESSION *(for matters, the immediate public knowledge of which would clearly have an adverse effect upon the finances of the borough and matters which by law, municipal charter, or ordinance are required to be confidential.)*

- A. ~~Krause Litigation~~²
- B. NPI Litigation

XIV. MAYOR AND ASSEMBLY COMMENTS

XV. ADJOURNMENT

Disabled persons needing reasonable accommodation in order to participate at an Assembly meeting should contact the Borough ADA Coordinator at 746-7432 at least one week in advance of the meeting.

²The Executive Session regarding the Krause Litigation carried forward to the May 18, 2010, regular meeting agenda
Matanuska-Susitna Borough
Regular Assembly Meeting Agenda