

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on May 6, 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
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 (*arrived at 6:06 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. John Aschenbrenner, Deputy Borough Attorney
Ms. Jamie Newman, Deputy Borough Clerk
Ms. Tammy Clayton, Finance Director
Mr. Terrance Dolan, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Eric Phillips, Community Development Director
Mr. Michael Brown, Capital Projects Director
Mr. James Wilson, Internal Auditor
Mr. Larry Macknicki, Information Technology Director
Mr. Alex Strawn, Development Services Manager

III. APPROVAL OF AGENDA

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

Assemblymember Arvin requested to move audience participation before unfinished business.

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 Representative Bill Stoltze.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: 04/15/14

Mayor DeVilbiss inquired if there were any corrections to the regular meeting minutes of April 15, 2014.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Mr. Bert Cottle, Deputy Administrator:

- spoke to Wasilla Clean up Days; and
- related that Clean up Days will take place May 5 through 10.

2. Matanuska-Susitna Borough School District

Mr. Luke Fulp, Assistant Superintendent:

- spoke to school year end activities occurring around the District;
- spoke to track and soccer sporting events and graduation ceremonies that are scheduled to be held;
- related that the District is currently celebrating Teacher Appreciation week;
- related that the School Board will hold its regular meeting on May 7;
- reported that a letter was distributed to the Assembly regarding the District's preventative maintenance program; and
- added that the letter was written in response to questions raised at the April 1, Joint Assembly/School Board meeting.

3. Transportation Advisory Board - Mr. Don Carney

Mr. Carney, Board Member:

- spoke to the Transportation Advisory Board (TAB) Public Transit Subcommittee and the formation of a permanent organization called the Mat-Su Transit Coalition;
- related that the Coalition reports mass transit ridership is up in the Borough; and
- spoke to TAB Resolution Serial Nos. 14-01, 14-02, and 14-03.

4. Mat-Su Convention and Visitors Bureau - Ms. Bonnie Quill

Ms. Bonnie Quill, Executive Director:

- related that it is National Travel and Tourism week;
- spoke to the economic impact that visitor travel has on the local economy;
- related that testimonial print and radio advertisements about visitor impacts on small business are being run locally;
- played a nationally recognized video shot at Yentna Station, by Zack Streer, owner of Sheep Mountain Lodge, about the Iditarod in the Mat-Su Valley;
- reported that the land purchase for the Gateway Visitors Center site was completed yesterday with funding from the State Legislature;
- thanked Borough staff for leading the effort in Juneau; and
- invited the Assembly to attend a celebration in honor of the Gateway land purchase on June 6.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Beck related that the Committee received a report regarding the consolidation of fleet services between the departments of Public Works and Emergency Services and the School District, as well as an update on school funding from the State Legislature.

2. Joint MSB Assembly/MOA Assembly Transportation Subcommittee

(There was no report provided.)

3. Assembly Public Relations

(There was no report provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

Mr. John Harris, State Lobbyist, provided a report on the 28th Alaska State Legislative Session and how it impacted the Borough.

Assemblymember Colligan expressed appreciation to Mr. Harris and Mr. Eddie Grasser for their work on sportsman and fisheries issues this legislative session.

Assemblymember Beck expressed appreciation to Mr. Harris for hosting him in Juneau and for his work.

Assemblymember Colver:

- expressed appreciation to former Assemblymember Noel Woods for his work on rail and port issues;
- thanked Mr. Harris, Representative Stoltze, and Mr. Eddie Grasser for their work; and
- encouraged Mr. Harris to pay attention to emergency orders that may be issued this summer with respect to local fisheries.

Mr. Moosey:

- thanked Mr. Harris for his work;
- encouraged the Assembly to read the letter from Dr. Paramo regarding the District's preventative maintenance program;
- related that he and Mayor DeVilbiss met with representatives from Resources Energy, Inc.; and
- reported that credit card sales are taking place at the Central Landfill with all other transfer stations, pools, and the ice rink coming online by the end of the summer.

D. ATTORNEY COMMENTS

(There was no report provided.)

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- related that agendas for the upcoming budget meetings are attached to the Clerk Report; and
- suggested meeting dates for the annual evaluation of the Manager, Attorney, and Clerk, as follows: Manager on May 20, at 4 p.m.; Attorney on June 3, at 4 p.m.; and the Clerk on July 15, at 4:30 p.m.

There was no objection raised to schedule the annual evaluation of the Clerk on July 15, at 4:30 p.m.

MOTION: Assemblymember Halter moved to schedule the annual evaluation of the Manager and Attorney on June 3.

Ms. McKechnie related that she will schedule the annual evaluation of the Manager at 3:30 p.m., followed by the Attorney at 4:30 p.m.

There was no objection noted.

[Clerk note: the annual evaluation of the Borough Clerk was rescheduled under Mayor, Assembly, and Staff Comments.]

VOTE: The motion passed without objection.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Alpine RSA Board of Supervisors: 01/07/14
- b. Caswell Lakes RSA Board of Supervisors: 11/18/13
- c. Enhanced 911 Advisory Board: 12/10/13
- d. Greater Talkeetna RSA Board of Supervisors: 11/14/13
- e. Local Emergency Planning Committee: 02/19/14
- f. MSB 8.32 Review Commission: 02/21/14
- g. MSB Fish and Wildlife Commission: 03/06/14
- h. Planning Commission: 03/03/14, 03/17/14
- i. South Colony RSA Board of Supervisors: 8/14/13, 10/09/13, Resolution No. 13-01
- j. Talkeetna Sewer and Water SSA Board of Supervisors: 11/13/13
- k. Tall Tower Advisory Committee: 03/26/13, 04/11/13, 05/08/13, 11/07/13, 12/11/13, 01/09/14
- l. Transportation Advisory Board: 08/28/13, 01/29/14, Resolution Serial No. 14-01
- m. Willow FSA Board of Supervisors: 08/08/13

2. Community Council Minutes:

- a. Big Lake Community Council: 02/12/14
- b. Glacier View Community Council: 01/28/14
- c. Lake Louise Community Non-Profit Corporation: 09/07/13
- d. Meadow Lakes Community Council: 10/09/13
- e. Point MacKenzie Community Council: 12/12/13
- f. Talkeetna Community Council: 04/01/13, 05/06/13, 08/05/13, 10/07/13
- g. Trapper Creek Community Council: 02/21/13, 03/21/13, 04/18/13, 05/16/13, 06/20/13, 07/18/13, 08/15/13, 09/19/13, 10/17/13, 11/21/13, 12/19/13, 01/16/14, 02/20/14

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

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

The meeting recessed at 6:50 p.m. and reconvened at 7 p.m.

[Clerk note: Audience participation was moved before unfinished business during the approval of the agenda.]

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke to erosion management issues: Ms. Cathy Hummel.

The following persons spoke in support of Ordinance Serial No. 13-144: Mr. Andy Anderson, Ms. Elizabeth Truett, Mr. Earl Lackey, Mr. Greg Thornsley, Ms. Beth Claiborne, Mr. Ken Barber, Mr. Travis Foreman, Mr. Jeffery Pendergrass, Mr. Dana Pruhs, Mr. Clint Venoy, Mr. Paul Stoner, and Ms. Terry Meyers.

The following person spoke to Ordinance Serial No. 13-144 and requested that there be no increase in the duration or volume of noise allowed under the regulation of race tracks: Mr. Gregory Nielson.

The following person spoke to health and safety issues in relation to the Borough budget and the cost savings to the Borough through outsourcing the conversion of paper records to digital format: Ms. Patricia Rosnel.

VII. UNFINISHED BUSINESS

A. **Ordinance Serial No. 13-144:** An Ordinance Amending MSB 17.63, Race Track Regulations. *(Sponsored by Assemblymember Salmon)*

1. IM No. 13-242

MOTION PENDING: Assemblymember Salmon moved to adopt Ordinance Serial No. 13-144.

Assemblymember Arvin spoke to the origin of the legislation.

Mr. Strawn provided a staff report.

Discussion ensued regarding:

- the definition of commercial operation;
- the intent of the legislation that initially enacted race track regulations in the Borough;
- the proposed amendment to increase noise levels for noises of short duration;
- if race tracks in the core area should be regulated differently from those in rural areas;
- the applicability of the legislation to race tracks in the core area; and
- the history of track regulations in the Borough.

Assemblymember Arvin related that the legislation as currently written only regulates race tracks in the summer months.

Assemblymember Colver opined that any amendments that result in the applicability of the regulations in the core area only should to be referred to the Planning Commission.

MOTION: Assemblymember Arvin moved a primary amendment to Ordinance Serial No. 13-144 as follows:

- by striking the 2nd, 3rd, 4th, and 5th whereas clauses in their entirety;

- by inserting a new first whereas clause to read: “Whereas, the rationale and intent of this ordinance are found in IM No. 13-242, which accompanies this ordinance;”
- by inserting a new third whereas clause to read: “Whereas, the intent of this ordinance is to allow commercial motorized race tracks to operate within the Borough while minimizing negative impacts to the public;”
- by adopting a new MSB 17.63.007 to read: “17.63.007, Purpose and Intent. (A) It is the intent of this section to allow commercial motorized race tracks to operate within the Borough while minimizing negative impacts to the public. (B) This section is not intended to regulate non-commercial race tracks, or race tracks that are solely for personal use;”
- MSB 17.63.005(A), by inserting a definition for commercial race track that reads: “Commercial race track” means a race track where goods or services are offered for sale for profit, including admission fees.”
- MSB 17.63.005(A), by amending the definition of permanent facility, by inserting the words “a site where” between the words “means” and “physical” and by striking the word “infrastructure” and inserting “structures” in its place, by striking the word “that”; by inserting the words “related to the race track” between the words “structures” and “remain” to read: “Permanent Facility” means a site where physical structures related to the race track remain onsite year round.”;
- MSB 17.63.010(C), by inserting at the end of the section the words “on permanent facilities” to read: “(C) This chapter applies only to commercial race tracks on permanent facilities;” and
- by striking MSB 17.63.020(I)(9) in its entirety.

MOTION: Assemblymember Arvin moved a secondary amendment to MSB 17.63.020(I)(8) by striking the words "between May 15 and September 15."

VOTE: The secondary amendment passed without objection.

MOTION: Assemblymember Halter moved a secondary amendment to MSB 17.63.005, "Commercial Race Track" definition by inserting the word "prizes" between the words "where" and "goods" and by striking the word "for" and inserting in its place the word "or" between the words "sale" and "profit."

Assemblymember Haler spoke to commercial activities that compensate contestants with prizes.

VOTE: The secondary amendment passed without objection.

MOTION: Assemblymember Arvin moved a secondary amendment to MSB 17.63.020(I)(10) (d) by striking "7 a.m." and inserting in its place "10 a.m." and by striking "7 p.m." and inserting in its place "10 p.m."

Assemblymember Arvin related that the secondary amendment is proposed for conformity in regulation.

VOTE: The secondary amendment passed without objection.

MOTION: Assemblymember Sykes moved a secondary amendment to MSB 17.63.020(I)(10)(d) to strike subparagraphs i, ii, and iii, in entirety.

Assemblymember Sykes spoke in opposition to increasing allowable noise levels.

Mr. Strawn provided a staff report.

Discussion ensued regarding:

- how noise monitoring is accomplished by staff; and
- noise requirements for different uses and areas of the Borough.

Assemblymember Beck requested a brief recess.

(The meeting recessed at 7:58 p.m. and reconvened at 7:59 p.m.)

Assemblymember Beck related that he spoke with the owner of Alaska Raceway Park and was told that the adoption of the secondary amendment will have no affect on his business.

Discussion ensued regarding:

- the need for flexibility in noise levels for temporary events;
- the economic benefits of such events; and
- the necessity of increasing noise level for even a short duration.

VOTE: The secondary amendment failed with Assemblymembers Colver, Sykes, and Beck in favor.

MOTION: Assemblymember Arvin moved a secondary amendment to MSB 17.63.010 by adopting a new subsection to read as follows: "(D) This chapter shall only apply to the core area as defined by MSB 17.61."

Assemblymember Colver:

- opined that the proposed secondary amendment is too substantive of a change and not procedurally proper; and
- further opined that the intent of the legislation was simply to change the definition of a commercial track.

Assemblymember Salmon noted that changes are made to almost every piece of legislation that comes before the body.

Discussion ensued regarding whether the secondary amendment is proper with respect to the intent of the legislation as introduced.

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

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended with Assemblymembers Sykes and Beck opposed.

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.)

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

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 Colver moved to adopt Ordinance Serial No. 14-059.

VOTE: The motion passed without objection.

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

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.

CONFLICT OF INTEREST: Assemblymember Arvin declared a possible conflict of interest because his child attends Middle College.

RULING: Mayor DeVilbiss ruled that Assemblymember Arvin does not have a conflict of interest as his interest in the matter is no different from that of the general public.

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 14-060 and Resolution Serial No. 14-038.

VOTE: The motion passed without objection.

D. CONSENT AGENDA

1. RESOLUTIONS

a. **Resolution Serial No. 14-039:** A Resolution Revising The Emergency Services Fee Schedule For Ambulance Services Effective July 1, 2014.

(1) IM No. 14-094

c. **Resolution Serial No. 14-041:** A Resolution Directing The Planning Commission To Review And Suggest Any Needed Revisions To MSB 17.60, Tall Towers. (Sponsored by Assemblymember Halter)

(1) IM No. 14-101

2. ACTION MEMORANDUMS

a. **AM No. 14-026:** Award Of Proposal 14-069P To Valley Business Machines Inc. In An Amount Not To Exceed \$250,000 Annually For The Lease Of Multi-Function Printer/Copiers.

b. **AM No. 14-037:** Award Of Bid No. 14-098B To CET Fire Pumps Manufacturing, Ltd. In The Amount Of \$168,795 For The Purchase Of A Compressed Air Foam System Quick Attack Truck For The Butte Fire Service Area.

c. **AM No. 14-040:** Award Of Bid No. 14-124B To Swalling Construction Company Inc. In The Amount Of \$770,771 For Shorty Street Bridge Construction.

d. **AM No. 14-041:** Award Of Bid No. 14-129B To Bristol Environmental Remediation Services, LLC. In The Contract Amount Of \$3,287,054.37 For Seldon Road Extension Phase I.

e. **AM No. 14-042:** Award Of Proposal No. 14-111P To HDR Alaska Inc. In The Contract Amount Of \$142,777 For Design And Engineering Services For Drainage And Fish Passage Projects.

- h. **AM No. 14-048:** Authorization To Enter Into Contract No. 14-067C, Construction Manager/General Contractor With Collins Construction Inc. In An Amount Not To Exceed \$31,877,304 For Joe Redington Sr. Jr./Sr. High School, Construction Phase.

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.

- b. **Resolution Serial No. 14-040:** A Resolution Approving The Amended Budgets For Funds In The Amount Of \$325,000 To Be Transferred From The Willow Lake Drive Upgrade Project, Project No. 35409, To The Caswell Lakes Road Upgrades Project, Project No. 35408.

(1) IM No. 14-096

MOTION: Assemblymember Halter moved to adopt Resolution Serial No. 14-040.

Assemblymember Halter spoke to the need for the funds transfer.

VOTE: The motion passed without objection.

CONFLICT OF INTEREST: Assemblymember Colver declared a conflict of interest with AM No. 14-045 to be consistent with his prior recusal on the contract award.

RULING: Mayor DeVilbiss ruled that Assemblymember Colver had a conflict of interest and would be recused from voting.

(Assemblymember Colver exited the meeting at this time.)

- f. **AM No. 14-045:** Approval Of Change Order Authority To Contract No. 13-110B To Davis Constructors And Engineering, Inc. In An Amount Not To Exceed \$110,064 For The MSB Athletic Complex Upgrades Construction Project.

MOTION: Assemblymember Arvin moved to adopt AM No. 14-045.

VOTE: The motion passed without objection.

(Assemblymember Colver re-entered the meeting at this time.)

- g. **AM No. 14-047:** Award Of Proposal 14-097P To HDR Alaska Inc. In The Contract Amount Of \$240,648 To Update The Borough's 2007 Long Range Transportation Plan And Official Streets And Highways Plan.

MOTION: Assemblymember Arvin moved to adopt AM No. 14-047.

Assemblymember Sykes queried as to why Borough staff is not preparing the update to the Borough's 2007 Long Range Transportation Plan and Official Streets and Highways Plan.

Mr. Moosey provided a staff report.

VOTE: The motion passed without objection.

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing - 05/20/14, Assembly Chambers)

1. **Ordinance Serial No. 14-061:** An Ordinance Approving A Supplemental Appropriation Of \$44,000 From The Garden Terrace Special Service Area No. 8 Fund Balance, Fund 291, To The Garden Terrace Special Service Area No. 8 Fiscal Year 2014 Operating Budget, Fund 291.
 - a. IM No. 14-087

2. **Ordinance Serial No. 14-062:** An Ordinance Approving A Land Exchange Of Borough-Owned Land For Privately Owned Land Which Shall Be Retained In Perpetuity As Non-Developable Land For Purpose Of Public Health, Safety, And Welfare, And As A Reventment And Mitigation Buffer For The Old Glenn Highway Right-Of-Way And Authorizing The Manager To Implement The Land Exchange (MSB 006848).
 - a. **Resolution Serial No. 14-042:** A Resolution Approving A Best Interest Finding That The Proposed Land Exchange Of Borough-Owned Land For Privately-Owned Land To Be Retained In Perpetuity As Non-Developable Land And Utilized As A Revetment And Mitigation Buffer For The Old Glenn Highway Right-Of-Way Is In The Best Interest Of Public Health, Safety And Welfare (MSB 006848).
 - (1) IM No. 14-092

3. **Ordinance Serial No. 14-063:** An Ordinance Approving A Supplemental Appropriation Of \$25,000 From The Greater Talkeetna Road Service Area No. 29 Fund Balance, Fund 283, To The Greater Talkeetna Road Service Area No. 29 Fiscal Year 2014 Operating Budget, Fund 283.
 - a. IM No. 14-093

4. **Ordinance Serial No. 14-064:** An Ordinance Approving An Appropriation Of \$200,000 From The Greater Butte Road Service Area No. 26 Fund Balance, Fund 280, To Fund 410, Project No. 30046, For The Greater Butte Road Service Area No. 26 Capital Projects.
 - a. IM No. 14-097

5. **Ordinance Serial No. 14-065:** An Ordinance Accepting And Appropriating \$15,000 From The Willow Trails Committee And \$8,000 From The Willow Area Community Organization For The Willow Lake Drive Upgrade, Fund 430, Project No. 35409.
 - a. **Resolution Serial No. 14-043:** A Resolution Amending The Scope Of Work And Budget For The Willow Lake Drive Upgrade, Project No. 35409.
 - (1) IM No. 14-099

6. **Ordinance Serial No. 14-066:** A Ordinance Authorizing The Borough Manager To Enter Into A Management Agreement Between The Borough And The Matanuska Susitna Trails And Parks Foundation For Management And Operation Of The Government Peak Recreation Area Chalet, Approval Of Rental Rates For Private Rentals Of The Chalet, And Allowing Renters Of The Chalet To Consume And Serve Alcoholic Beverages Per The Terms Of The Rental Agreement At The Government Peak Recreation Area Chalet.
 - a. IM No. 14-100

7. **Ordinance Serial No. 14-067:** An Ordinance Relating To The Elimination Of Gas Distribution Line Improvement Districts By Amending MSB 3.28.010, 3.28.020, and 3.28.062. *(Sponsored by Assemblymember Halter)*
 - a. IM No. 14-104

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 20, 2014.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmations:

Board of Equalization
Samantha Oslund (resignation)
Historical Preservation Commission
Kelly Dau
MSB 8.32 Review Commission (Energy Policy)
Chris Elder
Big Lake RSA No. 21
Clinton Lofgren

Mayor DeVilbiss has the following under consideration:

Animal Care and Regulation Board
Jamie West

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

VOTE: The motion passed without objection.

(Assemblymember Colver was out of the room and not present for the vote on the vacancy report.)

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.)

XI. RECONSIDERATION

(There was no reconsideration presented.)

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Ms. McKechnie related that a request was made to cancel the July 15, regular Assembly meeting, and to reschedule her annual evaluation from July 15, to June 17, at 4:30 p.m.

There was no objection noted.

Assemblymember Colver:

- thanked Borough staff for organizing the Joe Redington Sr., Jr./Sr. High School groundbreaking; and
- noted that he is looking forward to budget deliberations.

Assemblymember Colligan:

- queried as to how conflicts of interest are declared by members of the Planning Commission; and
- spoke to conflicts that may exist on the commission with respect to tall towers.

Mr. Aschenbrenner related that the commission is guided by Borough code.

Ms. McKechnie spoke to how conflicts of interest decisions are ruled upon for Borough boards such as the Planning Commission.

Assemblymember Beck:

- thanked the public for attending tonight's meeting; and
- thanked staff for the excellent groundbreaking ceremony for the Joe Redington Sr., Jr./Sr. High School.

Assemblymember Sykes:

- thanked those that attended the groundbreaking ceremony for the Joe Redington Sr., Jr./Sr. High School; and
- spoke to the process for action taken on the tower ordinance compared to the race track ordinance.

Assemblymember Salmon:

- spoke to the history of race track regulations in the Borough; and
- spoke to his support of private property rights.

Assemblymember Halter:

- spoke to how bond funds can and cannot be used; and
- opined that when society grows things change.

Assemblymember Arvin:

- thanked the body for taking the time to discuss the race track ordinance;
- spoke to the subjectivity that existed in the application of the regulations; and
- related that there is still work to be done.

Mayor DeVilbiss:

- thanked Mr. Harris for the legislative update;
- commended Mr. Harris for his work this legislative session; and
- queried if the Crystal Lake, Lake Management Plan update would come before the Assembly.


Mr. Aschenbrenner affirmed that any changes to MSB 17.59, Lake Management Implementation, would come before the Assembly.

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 8:48 p.m.



LARRY DEVILBISS, Borough Mayor

ATTEST:



LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 05/20/14