

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on May 17, 2005, 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:

- Ms. Lynne Woods, 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 (*Deputy Mayor*)
- Ms. Betty Vehrs, Assembly District No. 7

Staff in attendance were:

- Ms. Michelle M. McGehee, CMC, Borough Clerk
- Mr. John Duffy, Borough Manager
- Ms. Teresa S. Williams, Borough Attorney
- Ms. Janice A. Case, Deputy Borough Clerk
- Ms. Marian Romano, Assistant Borough Manager
- Ms. Tammy Clayton, Finance Director
- Mr. Don Shiesl, Public Works Director
- Mr. Dennis Brodigan, Emergency Services Director
- Mr. Ron Swanson, Community Development Director
- Mr. Murph O'Brien, Planning and Land Use Director
- Mr. Marc Van Dongen, Port Director
- Ms. Eileen Probasco, Planner II

III. APPROVAL OF AGENDA

Mayor Anderson:

- noted that Resolution Serial No. 05-067 and AM No. 05-068 were pulled from the agenda;
- added a proclamation for Emergency Medical Services Week as item A under Special Orders of the Day; and
- 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 Houston City Mayor Dale Adams.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: 04/19/05

Mayor Anderson inquired if there were any corrections to the regular meeting minutes of April 19, 2005.

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

B. Regular Assembly Meeting: 05/03/05

Mayor Anderson inquired if there were any corrections to the regular meeting minutes of May 3, 2005.

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

C. Special Assembly Meeting: 05/05/05

Mayor Anderson inquired if there were any corrections to the special meeting minutes of May 5, 2005.

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

VI. SPECIAL ORDERS OF THE DAY

A. Proclamation Re: Emergency Medical Services Week

Mayor Anderson presented a proclamation in recognition of Emergency Medical Services Week.

B. Proclamation Re: Methamphetamine Awareness Month

Mayor Anderson:

- presented a proclamation in recognition of Methamphetamine Awareness Month; and
- urged the residents of the Borough to join in this observance and increase their awareness of the hazardous, and often times deadly drug, by educating themselves on methamphetamines.

Assemblymember Vehrs:

- stated that methamphetamine is a horrible problem in the Borough; and
- discussed the importance of people being aware of methamphetamine.

Assemblymember Kvalheim:

- agreed that methamphetamine is a horrible problem in the Borough;
- thanked the emergency medical service employees for dealing with this issue on a daily basis; and
- thanked the Information Technology Department for placing the methamphetamine awareness page on the Borough website.

Assemblymember Colver:

- stated that methamphetamine leads to a lot of other crimes such as burglaries; and
- suggested approaching local retailers regarding placing the items needed to make methamphetamine behind the counter.

C. Proclamation in Honor of Mr. John Nash, Former Member of the Assembly

Mayor Anderson presented Ms. Diana Bollen, John Nash's daughter, with a proclamation in honor of Mr. John Nash, a former member of the Assembly from 1973 through 1980, for his years of dedication and service to the people of the Borough and for his actions that greatly enhanced the quality of life for past and future generations of Alaskans.

Ms. Bollen stated that this would have meant a lot to her father and that they are honored to receive the proclamation.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Houston City

Mayor Dale Adams reported that the city's second police officer has completed his training and a the third police officer will start this month.

Assemblymember Vehrs inquired how much revenue the Police Department has earned for the city of Houston.

Mayor Adams replied that they have earned between \$5,000 and \$10,000 in revenue.

2. Matanuska-Susitna Borough School District

School Board President Chmielewski:

- commended the Assembly for issuing the proclamations;
- noted that the School District has drug awareness programs to help combat the problem;
- invited the members of the Assembly to attend the various graduations;
- stated that the School Board has adopted a comprehensive strategic plan;
- noted that a performance-based budget is a component of the plan;

- stated that at the next School Board meeting they will be considering some changes to the school calendar;
- stated that students in career and technical organizations from Wasilla High School and Colony High School placed in the top ten national competitions;
- noted that the School Board will be honoring these students at their next meeting;
- commented they have been tracking the State Legislature in Juneau;
- stated that the School District is in support of the Assembly exploring alternative sources of revenue; and
- admitted to having a gonomous interest in legislative confuselment and stated that he will give a whoot when the legicrastination ends.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Mayor Anderson noted that the Joint Assembly/School Board Committee on School Issues has not met since the last report.

2. Regional Transportation Planning Organization (RTPO)

Mayor Anderson noted that the Regional Transportation Planning Organization has not met since the last report.

C. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- reported that he was recently in Juneau for the end-of-session issues related to the Borough's State priorities;
- stated that Mr. Gillespie has recently informed him that Senate Bill 46 has become two different bills, Senate Bill 46 and House Bill 97;
- noted that the financial reports for April have been included in the Manager's report;
- stated that Mayor Anderson has requested the drafting of a conditional use permit ordinance for transmission lines;
- noted that the ordinance has been prepared and is included in the Manager's report; and
- reported that Admiral Cohen of the Office of Naval Research has requested a two-day set of meetings to discuss and agree upon the ferry vessel's requirements prior to moving forward with the final design and construction.

2. Design of the Nutrition Services Facility – Mr. Gary Wolf, Wolf Architecture

Mr. Gary Wolf provided a presentation on the design of the Nutrition Services Facility.

D. ATTORNEY COMMENTS

Ms. Williams:

- reported on the current status of pending Board of Adjustment and Appeal cases;
- noted that the motion to dismiss the Valley Board of Realtors case was filed today; and
- provided a summary of the costs of the Matanuska Electric Association case, the tax cap petition case, and the Valley Board of Realtors case.

E. CLERK COMMENTS

Ms. McGehee:

- reviewed the upcoming meeting schedule for May and June;
- noted that the Municipality of Anchorage has requested to schedule two joint work sessions for September 15, 2005, and November 29, 2005;
- stated that the agendas for May 24 and May 26 have been included in the Clerk's report;
- noted that the tax cap petition was turned in today with a total of 4,404 signatures;
- stated that the Canvass Board would be meeting on May 20 and May 23 to certify the petition;
- noted that budget amendment forms have been included in the red folders;
- commented that an update on the quasi-judicial boards have been included in the Clerk's report;
- noted that she would be out of the office from June 6 to June 8 at the Northwest Clerk's Institute in Seattle; and
- noted that the tracking report is attached for the Assembly's review.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Local Road Service Area Advisory Board: 03/17/05, 04/21/05
 - b. Mat-Su Fire Chief Association: 03/23/05, 04/27/05
 - c. Parks, Recreation, and Trails Advisory Board: Resolution Serial No. 05-05
 - d. Senior Citizens Advisory Board: 04/18/05
 - e. Talkeetna Sewer and Water SSA No. 36: 03/31/05
2. Community Council Correspondence:
 - a. Gateway Community Council: 04/13/05
 - b. Glacier View Community Council: 04/21/05, Amended By-Laws

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

G. INFORMATIONAL MEMORANDUMS

1. IM No. 05-121: AN INFORMATIONAL MEMORANDUM REVISING MSB 23.10.270(B), ADOPTED BY ORDINANCE SERIAL NO. 04-088 ON MAY 18, 2004, TO CORRECT A TYPOGRAPHICAL ERROR.

The informational memorandum was presented and no comments were noted.

IX. NEW BUSINESS

A. INTRODUCTION (For public hearing – 06/07/05, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 05-071: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$10,000 GRANT TO FUND 480, PROJECT NO. 45015, FROM THE ALASKA STATE DIVISION OF COMMUNITY ADVOCACY, DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, TO ESTABLISH IMPROVED PUBLIC ACCESS TO WOLVERINE LAKE.
 - a. Resolution Serial No. 05-060: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO ESTABLISH IMPROVED PUBLIC ACCESS ON BOROUGH-OWNED LAND AT THE NORTHEAST END OF WOLVERINE LAKE.
(1) IM No. 05-101
2. Ordinance Serial No. 05-072: AN ORDINANCE AMENDING MSB. 24.10.070(A) TO CHANGE THE LICENSE REGISTRATION FEES FOR KENNELS AND CATTERIES AND NEWLY ADOPTED ANIMALS FROM THE ANIMAL CARE AND REGULATION SHELTER.
 - a. Resolution Serial No. 05-061: A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REVISING THE ANIMAL CARE AND REGULATION SHELTER'S FEE SCHEDULE FOR KENNEL AND CATTERY LICENSE REGISTRATION AND NEWLY ADOPTED ANIMALS FROM THE ANIMAL CARE AND REGULATION SHELTER. (*Sponsor: Assemblymember Vehrs*)
(1) IM No. 05-120
3. Ordinance Serial No. 05-073: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$14,500 FROM FUND 480, PROJECT NO. 15012, TO FUND 440, PROJECT NO. 10157, FOR REMODELING AND BUILDING IMPROVEMENTS AT THE BRETT MEMORIAL ICE ARENA.
 - a. Resolution Serial No. 05-062: A RESOLUTION AMENDING THE BUDGETS FOR CAPITAL PROJECT NOS. 15012 AND 10157.
(1) IM No. 05-122
4. Ordinance Serial No. 05-074: AN ORDINANCE ACCEPTING AND APPROPRIATING \$26,638 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT PROGRAM, TO FUND 480, PROJECT NO. 45126, TO EMPLOY A CITIZEN CORPS COORDINATOR AND PURCHASE SUPPLIES.
 - a. Resolution Serial No. 05-063: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, PROJECT NO. 45125, FUND 480, TO EMPLOY A CITIZEN CORPS COORDINATOR AND PURCHASE SUPPLIES.
(1) IM No. 05-124

5. Ordinance Serial No. 05-075: AN ORDINANCE ACCEPTING AND APPROPRIATING \$195,200 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT PROGRAM, TO FUND 480, PROJECT NO. 10061, TO CONDUCT EXERCISES, DEVELOP AND CONDUCT ASSESSMENTS, AND PURCHASE EQUIPMENT AND SUPPLIES.
 - a. Resolution Serial No. 05-064: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT, PROJECT NO. 10061, FUND 480, TO CONDUCT EXERCISES, DEVELOP AND CONDUCT ASSESSMENTS, AND PURCHASE EQUIPMENT AND SUPPLIES.
 - (1) IM No. 05-125
6. Ordinance Serial No. 05-076: AN ORDINANCE EXTENDING THE TIME LIMIT FOR COMPLETION OF BOROUGH CAPITAL PROJECTS.
 - a. IM No. 05-130
7. Ordinance Serial No. 05-077: AN ORDINANCE AMENDING MSB 5.25.060(C), TALKEETNA SEWER AND WATER SERVICE AREA NO. 36, AND AMENDING THE OPERATING RULES, RATES, AND PROCEDURES FOR THE USE OF SUPPLY OF PUBLIC SEWER AND WATER SYSTEMS IN TALKEETNA. (*Sponsor: Assemblymember Vehrs*)
 - a. IM No. 05-131

Ms. McGehee read the above legislation 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 June 7, 2005.

VOTE: The motion passed without objection.

(The regular meeting recessed at 6:53 p.m. and reconvened at 7:03 p.m.)

VII. 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. 05-058: AN ORDINANCE REAPPROPRIATING \$105,097 FROM THE PLANNING DIVISION'S FISCAL YEAR 2005 OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NOS. 20129, 45135, 45172, 20338, 45173, 20358, AND 45174, FOR THE PURPOSE OF PLANNING STUDY SERVICES AND \$10,000 FROM THE PLANNING DIVISION'S FISCAL YEAR 2005 OPERATING

BUDGET, FUND 100, TO FUND 480, PROJECT NO. 45175, FOR THE PURPOSE OF DISPUTE RESOLUTIONS.

- a. IM No. 05-097

Mr. O'Brien provided a staff report.

Mayor Anderson 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. 05-058.

VOTE: The motion passed without objection.

- 2. Ordinance Serial No. 05-059: AN ORDINANCE CLASSIFYING BOROUGH-OWNED LAND DESCRIBED AS A PORTION OF TAX PARCEL 26N04W31D002, LOCATED TWO MILES SOUTH OF TALKEETNA AT THE INTERSECTION OF TALKEETNA SPUR ROAD AND SOUTH COMSAT ROAD AS PUBLIC RECREATION LANDS.
 - a. IM No. 05-105

Mr. Swanson provided a staff report.

Mayor Anderson 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 Vehrs moved to adopt Ordinance Serial No. 05-059.

VOTE: The motion passed without objection.

- 3. Ordinance Serial No. 05-060: AN ORDINANCE CLASSIFYING BOROUGH-OWNED LAND DESCRIBED AS LOTS 6 AND 7, EAST 1/2 SOUTHWEST 1/4, SECTION 6, TOWNSHIP 17 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE CREVASSE MORAINES AREA, AS RESERVED USE/PUBLIC RECREATION LANDS.
 - a. IM No. 05-106

Mr. Swanson provided a staff report.

Mayor Anderson 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 Colberg moved to adopt Ordinance Serial No. 05-060.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 05-061: AN ORDINANCE CLASSIFYING BOROUGH-OWNED LAND DESCRIBED AS TAX PARCEL 17N01E10A011, LOCATED AT THE INTERSECTION OF TRUNK ROAD AND EAST COLLEGE DRIVE, AS RESERVED USE LANDS FOR AN EMERGENCY SERVICES FACILITY.
 - a. IM No. 05-107

Mr. Swanson provided a staff report.

Mayor Anderson 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 Colberg moved to adopt Ordinance Serial No. 05-061.

VOTE: The motion passed without objection.

5. Ordinance Serial No. 05-062: AN ORDINANCE CLASSIFYING BOROUGH-OWNED LAND DESCRIBED AS SOUTH 1/2 SOUTHEAST 1/4, SECTION 11, SOUTHWEST 1/4 SOUTHWEST 1/4, SECTION 12, AND NORTH 1/2 NORTHWEST 1/4, SECTION 13, TOWNSHIP 17 NORTH, RANGE 1 EAST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE CREVASSE MORAIN/KEPLER-BRADLEY LAKES AREA, AS PUBLIC RECREATION LANDS.
 - a. IM No. 05-108

Mr. Swanson provided a staff report.

Mayor Anderson 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 Colberg moved to adopt Ordinance Serial No. 05-062.

VOTE: The motion passed without objection.

6. Ordinance Serial No. 05-063: AN ORDINANCE ADOPTING THE LITTLE LONELY LAKE LAKE MANAGEMENT PLAN AND AMENDING MSB 15.24.030, COMPREHENSIVE PLAN AND PURPOSES, AND MSB 17.59, LAKE MANAGEMENT PLAN IMPLEMENTATION.
 - a. IM No. 05-109

Ms. Probasco provided a staff report.

Mayor Anderson opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 05-063: Mr. Charles Wade, Ms. Katie Conover, Mr. James Miller, Ms. Natalie Knox, Ms. Rosalind Johnson, Mr. Steven Johnson, and Mr. Fred Schwaderer.

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

MOTION: Assemblymember Vehrs moved to adopt Ordinance Serial No. 05-063.

Assemblymember Vehrs:

- stated that she is glad that the Borough has a lake management process;
- thanked the members of the staff for their work; and
- asked for support of the legislation.

VOTE: The motion passed without objection.

7. Ordinance Serial No. 05-064: AN ORDINANCE APPROPRIATING \$250,000 FROM THE LAND MANAGEMENT FUND BALANCE, FUND 203, TO FUND 400, PROJECT NO. 40147 FOR THE DESIGN, RIGHT-OF-WAY ACQUISITION, UPGRADE, AND CONSTRUCTION OF NORTH FRANCE ROAD, WHICH PROVIDES ACCESS TO 160 ACRES OF BOROUGH-OWNED LAND, AND ACCESS TO THE PALMER ALTERNATIVE SCHOOL (VALLEY PATHWAYS).
 - a. Resolution Serial No. 05-056: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR NORTH FRANCE ROAD, WHICH PROVIDES ACCESS TO BOROUGH-OWNED LAND, AND ACCESS TO THE PALMER ALTERNATIVE SCHOOL (VALLEY PATHWAYS), PROJECT NO. 40147.
 - (1) IM No. 05-110

Mr. Shiesl provided a staff report.

Mayor Anderson 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 Allen moved to adopt Ordinance Serial No. 05-064 and Resolution Serial No. 05-056.

VOTE: The motion passed without objection.

8. Ordinance Serial No. 05-068: AN ORDINANCE ESTABLISHING AN EXCISE TAX ON CIGARETTES AND TOBACCO PRODUCTS ACQUIRED WITHIN OR BROUGHT INTO THE MATANUSKA-SUSITNA BOROUGH AND PROVIDING FOR PENALTIES FOR FAILURE TO PAY TAXES DUE BY ADOPTING MSB 3.30, EXCISE TAX ON CIGARETTES AND TOBACCO PRODUCTS.
 - a. IM No. 05-115

Mr. Duffy:

- reported that this legislation will impose a \$1 excise tax on cigarettes and tobacco products;
- noted that the estimated revenue from excise tax is \$4 million from cigarettes and \$570,000 from other tobacco products;
- stated that the anticipated costs of collecting the excise tax is \$60,000, which includes the cost of one collection clerk and association support;
- reported that the tax is collected at the whole sale level;
- noted that the purpose is to alleviate the real property tax burden throughout the Borough; and
- discussed other benefits associated with the excise tax on cigarettes and tobacco products.

Mayor Anderson opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 05-068: Mr. John Stein, Mr. Robert Doyle, Ms. Kate Herring, Ms. Kim Floyd, Mr. Gilbert Lucero, Ms. Kattaryna Stiles, Mr. Ben Archer, Ms. Diana Lucero, Ms. Emily Nenon, Mr. Mark Vingo, Ms. Christie Garbe, Mr. Rick Dwight, Ms. Sarah Hoffman, Mr. Marty Klasbach, Ms. Michelle Touley, and Ms. Jenny Murray.

The following person opined that this item has already been taxed enough and suggested taxing alcohol products: Mr. Ron Cox.

The following persons spoke in opposition to Ordinance Serial No. 05-068: Mr. Kenneth Young, Ms. Rachelle Jenlen, Mr. Kevin Robinson, Ms. Brenda Arney, Ms. Toni Cooper, Mr. James Allen, Mr. Michael Butler, Mr. Emery Friend, Mr. Tom Warden, Ms. Tony Erman, Ms. Amber Smithlin, Ms. Sue Smithlin, Mr. Duane Hart, Ms. Lisa Wellmar, Ms. Gwen Corcoran, Ms. Suellen Erickson, Mr. Walt Schumacher, Mr. Marvin Baff, Ms. Jay Nolfi, Mr. Scott Frank, Ms. Lucille Frey, and Ms. Marilyn Eek.

The following person spoke regarding preventing children from smoking: Mr. Dan Contini.

(The regular meeting recessed at 8:30 p.m. and reconvened at 8:38 p.m.)

(Assemblymember Colver exited the meeting during recess and returned at 8:55 p.m.)

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 05-068.

MOTION: Assemblymember Colver moved a primary amendment to Ordinance Serial No. 05-068 to add an effective date clause to read, "Section 3. Effective date. This ordinance shall become effective on July 1, 2005." and to further amend all references to the effective date throughout the ordinance to reflect an effective date of July 1, 2005.

VOTE: The primary amendment passed without objection.

Assemblymember Colver:

- spoke in support of Ordinance Serial No. 05-068;
- noted that he has discussed this legislation with some smokers in the Valley who have stated that the tax might help them quit;
- commented that if this will help prevent children from starting smoking, they will have achieved a major accomplishment; and
- stated that this tax will offer property tax relief for all property owners in the Borough.

Assemblymember Vehrs:

- stated that she started smoking at the age of 13 and discussed how difficult it was for her to quit smoking; and
- spoke in support of Ordinance Serial No. 05-068.

Assemblymember Colberg:

- opined that smoking is a terrible habit;
- stated that this legislation is not about helping people quit smoking, it is about the Borough's inability to control spending in a reasonable way;
- stated that the budget last year was \$207 million and it is proposed for \$232 million this year;
- discussed the increased growth in the Borough and the growth of the budget;
- stated that if the goal of the legislation is to stop smoking, it needs to be made unaffordable or the funds need to be dedicated to education to stop smoking; and
- stated that a tax cap is needed to impose fiscal discipline.

Assemblymember Woods stated that she cannot support this legislation without a vote of the people.

Discussion ensued regarding Ordinance Serial No. 05-068.

VOTE: The motion passed with Assemblymembers Woods, Colberg, and Simpson in opposition.

MOTION: Assemblymember Vehrs moved to reconsider Ordinance Serial No. 05-068.

VOTE: The motion to reconsider failed unanimously.

(The regular meeting recessed at 9:28 p.m. and reconvened at 9:31 p.m.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding the Enhanced 911 board nominee for the city of Houston: Houston City Mayor Dale Adams.

The following persons spoke in support of Resolution Serial No. 05-068: Mr. Robert Howard, Mr. Todd Clark, Ms. Jean Woods, and Mr. Kenny Barber.

The following person thanked Mr. Swanson for his response to her inquiry regarding her property: Ms. Lucille Frey.

The following person spoke regarding Ordinance Serial No. 05-076 and stated that funds not expended in a project should revert back to the general fund: Mr. Dan Contini.

VIII. UNFINISHED BUSINESS

(There was no unfinished business.)

B. CONSENT AGENDA *(Resolution Serial Nos. 05-068 was pulled from the consent agenda and addressed separately. See pp. 14-15 of 17)*

1. RESOLUTIONS

a. Resolution Serial No. 05-066: A RESOLUTION AUTHORIZING THE MANAGER TO SUBMIT TO THE STATE OF ALASKA AN APPLICATION FOR A FEDERAL GRANT FOR THE NATIONAL HERITAGE AREAS DESIGNATION STUDY.

(1) IM No. 05-100

2. ACTION MEMORANDUMS

a. AM No. 05-065: APPROVAL OF VACATION OF THE 66-FOOT-WIDE SECTION LINE EASEMENT WITHIN LOT 9, BEAVER GREEN SUBDIVISION WITHIN SECTIONS 4 AND 9, TOWNSHIP 17 NORTH, RANGE 3 WEST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE BIG LAKE COMMUNITY COUNCIL AREA.

b. AM No. 05-066: APPROVAL OF VACATION OF THE WEST 30-FEET OF MASONIC HALL PLACE PUBLIC USE EASEMENT WITHIN THE PROPOSED GEMSTONE ESTATES, LOCATED IN SECTION 31, TOWNSHIP 18 NORTH, RANGE 1 EAST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE NORTH LAKES COMMUNITY COUNCIL AREA.

- c. AM No. 05-067: APPROVAL OF CHANGE ORDER NO. 4 TO MCCOOL CARLSON GREEN IN THE AMOUNT OF \$84,133 FOR ADDITIONAL DESIGN SERVICES AND CONSTRUCTION MONITORING FOR THE WASILLA AREA ELEMENTARY SCHOOL, PROJECT NO. 40146.
- e. AM No. 05-069: AWARD OF BID NO. 05-107 TO MECHANICAL SPECIALIST INC., FOR THE CONTRACT AMOUNT OF \$167,420 FOR THE WASILLA HIGH SCHOOL FIRE PUMP AND DOMESTIC WATER BOOSTER PUMP INSTALLATION.
- f. AM No. 05-071: APPROVAL OF AN AMENDMENT TO THE ROAD MAINTENANCE AND REPAIR CAPITAL PROJECTS LIST FOR THE GOLD TRAILS ROAD SERVICE AREA NO. 28 TO INCLUDE THE PAVING OF SNOW GOOSE DRIVE.

Ms. McGehee 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.

- c. Resolution Serial No. 05-068: A RESOLUTION SUPPORTING THE STATE DESIGNATION OF LAND IN THE KNIK RIVER WATERSHED AS A STATE SPECIAL MANAGEMENT AREA AND THE STATE TO PROVIDE FUNDING TO THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES TO DEVELOP A MULTIPLE-USE MANAGEMENT PLAN FOR THE AREA.

(Sponsor: Assemblymember Woods)

- (1) IM No. 05-126

MOTION: Assemblymember Woods moved to adopt Resolution Serial No. 05-068.

MOTION: Assemblymember Woods moved a primary amendment to strike the existing NOW, THEREFORE, BE IT RESOLVED clause and to replace it with the following, "NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly support the State creating a public use area for public land in the Knik River watershed and urges the appropriation of funds to the Alaska State Department of Natural Resources to initiate a management planning process which includes all user groups and appropriate agencies for the public land in the area. The State funding should include sufficient resources to implement the management plan and provide enforcement of land-use regulations as provided to them under state statute for their stewardship of public lands."

Assemblymember Woods spoke in support of the legislation and the amendment.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Woods moved a primary amendment to strike “State Special Management Area” in the title of the legislation and to insert “Public Use Area.”

VOTE: The primary amendment passed without objection.

Assemblymember Colver spoke in support of Resolution Serial No. 05-068.

VOTE: The main motion passed as amended without objection.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Board of Adjustment and Appeals
Elinros Laber
Enhanced 911 Advisory Board
Jeff Barron
Gina Wheeler
Local Emergency Planning Committee
Elinros Laber
Port Commission
Dave Cruz
Sutton FSA No. 4
Vincent Volpe
Mark Bertels
Talkeetna FSA No. 24
Randolph McLean Russell
Big Lake RSA No. 21
Michael Graves
Midway RSA No. 9
John Graham

Mayor Anderson requested the following confirmations:

Emergency Medical Services Board
Nicolas Mihalow
Sheila Lamar
Enhanced 911 Advisory Board
Richard Roberts
Resignation of Jerry Nelson
George Boatright
Clint Vardeman
Platting Board
Michelle Church

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

MOTION: Assemblymember Simpson moved to divide the question to address the confirmation of Michelle Church to the Platting Board separately.

VOTE: The motion to divide the question failed with Assemblymembers Simpson and Allen in support.

VOTE: The motion passed without objection.

MOTION: Assemblymember Colver moved to reconsider the confirmations of the Mayor's appointments and resignations.

VOTE: The motion to reconsider failed unanimously.

D. OTHER NEW BUSINESS

X. RECONSIDERATION

(There were no reconsiderations presented.)

XI. VETO

(There were no vetoes presented.)

XII. EXECUTIVE SESSION

(There was no executive session.)

XIII. MAYOR AND ASSEMBLY COMMENTS

(There were no comments presented.)

XIV. ADJOURNMENT

The regular meeting adjourned at 10 p.m.

/s/

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

/s/

MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: June 7, 2005