

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on June 5, 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, Acting Planning Director
Mr. Dennis Brodigan, Emergency Services Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Eric Phillips, Community Development Director
Ms. Sonya Conant, Human Resources Director
Ms. Elaine Flagg, Records Micrographics Specialist
Mr. Paul Hulbert, Platting Officer

III. APPROVAL OF AGENDA

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

Assemblymember Salmon requested to pull Resolution Serial No. 12-057 from the consent agenda for further discussion.

Assemblymember Keogh requested to remove Resolution Serial No. 12-065 completely from the agenda.

There was no objection noted.

Assemblymember Halter requested to pull AM No. 12-071 from the consent agenda for further discussion.

Assemblymember Arvin requested to pull Resolution Serial No. 12-060 from the consent agenda for further discussion.

Assemblymember Colver requested to pull Resolution Serial Nos. 12-059 and 12-061 from the consent agenda for further discussion.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. John Klapperich, Planning Commissioner.

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 05/03/12
- B. Special Assembly Meeting: 05/07/12
- C. Special Assembly Meeting: 05/08/12
- D. Special Assembly Meeting: 05/14/12

Mayor DeVilbiss inquired if there were any corrections to the special meeting minutes of May 3, 2012, May 7, 2012, May 8, 2012, or May 14, 2012.

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, City Manager:

- spoke to AM Nos. 12-050, 12-051, and 12-052, which pertain to contracts with the city of Palmer;
- noted that the dollar figure has not changed and that the City supports adoption of the legislation;
- advised that the parking agreement with the Borough has been finalized; and
- stated that at the last council meeting, the Council provided direction to begin negotiations to turn over ownership of the old senior citizen building to the Palmer Senior Citizen Center.

Wasilla City

Mr. Burt Cottle, Deputy City Administrator:

- related that approval of the library land exchange should be before the Assembly in July;
- stated that the Lake Lucille ownership transfer will be before the Assembly by the end of June; and
- reiterated his appreciation for the assistance of Ms. Pam Ness and Mr. Alex Strawn in Juneau with regards to concerning flood hazard areas.

2. Matanuska-Susitna Borough School District

Ms. Lucy Hope, Director of Student Support Services:

- thanked the Assembly for the three percent increase in the budget for the School District;
- related that due to the funding, the District was able to rehire almost all of the teachers that were hired within the last two years;
- spoke to the literacy projects have been implemented in pre-school;
- stated that the District is continuing to work on design of the Mat-Su Day School; and
- invited the body to attend a special recognition ceremony at the School District Administration building tomorrow evening at 5 p.m.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Colver:

- stated that future meetings of the Committee will be held in the School District Superintendent's conference room;
- spoke to the ceiling tiles having tested positive for asbestos in the new Administrative Building Chambers, which caused an increase of the funds needed for the roofing project;
- related that the Colony and Palmer High School turfs will be installed by fall; and
- spoke to the progress regarding the parcel acquisition for the new Iditarod Elementary.

2. Assembly Public Relations

(There were no reports provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. Donlin Gold – Mr. Kurt Parkan

Mr. Moosey:

- spoke recent meetings that have been conducted with the Federal Transportation Administration (FTA) regarding the M/V Susitna;
- noted that FTA has been understanding of the situation;
- spoke to the options that are being looked at for use or sale of the ferry; and
- noted that Mr. Kurt Parkan from Donlin Gold will speak at the July 17 meeting rather than this evening due to the large agenda.

Assemblymember Arvin queried if Administration was getting a cost of bringing the ferry to the Borough and putting it on the beach.

Mr. Moosey affirmed the query.

Discussion ensued regarding options that are being vetted for the M/V Susitna.

D. ATTORNEY COMMENTS

(There was no report provided.)

E. CLERK COMMENTS

Ms. McKechnie noted the upcoming meeting schedule.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Greater Talkeetna RSA Board of Supervisors: 02/09/12
 - b. MSB Fish and Wildlife Commission: 02/16/12, 03/15/12
 - c. Planning Commission: 04/02/12
 - d. Platting Board: 04/05/12
 - e. Transportation Advisory Board: 03/28/12
2. Community Council Minutes:
 - a. Chase Community Council: 01/05/12
 - b. South Knik River Community Council: 02/16/12
 - c. Trapper Creek Community Council: 03/15/12

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. 12-056: AN ORDINANCE AMENDING MSB 15.24.030, COMPREHENSIVE PLAN AND PURPOSES, BY ADOPTING THE 2011 WILLOW

AREA COMMUNITY HISTORIC PRESERVATION PLAN INTO THE OVERALL BOROUGH WIDE COMPREHENSIVE PLAN. (Previously Ordinance Serial No. 11-148.)

1. IM No. 12-090

MOTION PENDING: Assemblymember Halter moved to adopt Ordinance Serial No. 12-056.

MOTION: Assemblymember Woods moved a primary amendment to IM No. 12-090, Willow Area Community Historic Preservation Plan, by striking Section 4, Vision Statement, Goals, Objectives and Recommendations in its entirety.

Assemblymember Woods directed the Manager to form a working group to include residents, user groups, business owners, natural resource users, and the Alaska Railroad to draft a new set of goals, objectives, and recommendations with a report to the Assembly by December 31, 2012.

There was no objection noted.

Assemblymember Woods stated that the reason for the amendment is that he is uncomfortable committing Borough resources without clear input from the Manager with his analysis of the recommendations, what their impact would be, and his opinions about the use of Borough resources and staff regarding the plan.

Mayor DeVilbiss spoke to concerns that homesteads could unintentionally be designated as a historical site if the legislation is adopted.

Assemblymember Salmon:

- noted that whether or not the legislation is adopted that the inventory of the properties still exists; and
- noted that the inventory would still be helpful to future developers if the legislation was not adopted.

Discussion ensued regarding:

- the funds that would be spent for National Heritage Designation;
- that the plan is only an inventory of the area, not a historical designation of the properties included;
- the many participants who assisted with compiling the plan;
- that the plan does have support in the community;
- that the historical information is valuable and relevant;
- if there would be any unintentional impacts if the legislation is postponed; and
- if the legislation has to be referred back to the Planning Commission after it is amended.

MOTION: Assemblymember Halter moved to postpone Ordinance Serial No. 12-056 to a time certain of December 18, 2012.

VOTE: The motion to postpone passed with Assemblymembers Keogh and Arvin 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. 12-068: AN ORDINANCE REAPPROPRIATING \$40,000 FROM THE LAND AND RESOURCE MANAGEMENT DIVISION FISCAL YEAR 2012 OPERATING BUDGET, FUND 203, TO FUND 480, PROJECT NO. 45128, AND APPROVING THE SCOPE OF WORK AND BUDGET FOR MASTER PLAN FOR THE JIM CREEK PARCEL.
 - a. Resolution Serial No. 12-054: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE MASTER PLAN FOR THE JIM CREEK PARCEL.
 - (1) IM No. 12-105

Mayor DeVilbiss opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 12-068 and Resolution Serial No. 12-054 and for public testimony concerning the plan to be completed by August 15, 2012: Mr. Ken Barber; and Mr. Russell Simkins, Alaska ATV Club President.

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

MOTION: Assemblymember Keogh moved to adopt Ordinance Serial No. 12-068 and Resolution Serial No. 12-054.

Assemblymember Keogh:

- noted that the plan was to be completed last summer;
- spoke to the frustration that the plan has not been developed;
- acknowledged the Alaska ATV Club for their efforts in the area; and
- stated that he is in support of the plan not being completed until fall of this year.

Mr. Phillips:

- noted that there has been strong public support to not rush through the plan;
- stated that the intent has always been to complete the plan by fall; and
- stated that it is his intent to receive as much public input as possible in order to have the best possible plan.

Discussion ensued regarding:

- the timeframe in which to finalize the plan;
- that input from the public is already being collected;
- the desire of the public to finalize the plan in the fall; and
- the desire to ensure that all user groups that want to provide input are included.

MOTION: Assemblymember Arvin moved a primary amendment to Ordinance Serial No. 12-068 and Resolution Serial No. 12-054, as follows:

- Ordinance Serial No. 12-068, Section 2, to insert the word “motorized” before the words “master plan” to read: “There is hereby reappropriated by the Matanuska-Susitna Borough Assembly \$40,000 from the Land and Resource Management Division fiscal year 2012 operating budget, fund 203, to fund 480, project no. 45128, for the Motorized Master Plan for the Jim Creek Parcel; and
- Resolution Serial No. 12-054, Scope of Work, by inserting the word “Motorized” before the words “Master Plan” and by inserting the words “to plan for motorized access and motorized use of the parcel” after the words “Jim Creek Parcel” to read: “Motorized Master Plan for the Jim Creek Parcel to plan for motorized access and motorized use of the parcel.”

Assemblymember Arvin:

- noted that there are areas within the Borough that the overriding use has been designated as “non-motorized;”
- stated that historically, Jim Creek has been primarily a motorized use area;
- related that he would like to provide an expectation that the area will remain a motorized use area;
- noted that it would not be exclusionary; and
- opined that it is important to ensure that motorized use over time will not be diminished.

Assemblymember Keogh:

- stated that he is opposed to the amendment;
- spoke to the history of equestrian use in the area;
- opined that Jim Creek needs to be a shared use space; and
- noted that he does not have the Butte Asset Management Plan before him, but that there is nothing contained in the plan to designate the area as motorized use only.

Discussion ensued regarding:

- that the trails in the Jim Creek area are a result of logging during the development of Palmer;
- that the amendment is not intended to be exclusionary;
- the desire to ensure a motorized use area within the Borough; and
- that there are certain Borough public lands that have a primary designation as non-motorized;

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

VOTE: The motion passed without objection.

VOTE: The primary amendment passed with Assemblymember Keogh opposed.

VOTE: The main motion passed as amended with Assemblymember Keogh opposed.

(The meeting recessed at 7:03 p.m. and reconvened at 7:15 p.m.)

2. Ordinance Serial No. 12-069: AN ORDINANCE ACCEPTING AND APPROPRIATING \$240,000 FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR FIVE CULVERT REPLACEMENTS UNDER THE FISH PASSAGE IMPROVEMENTS PROJECT, PROJECT NO. 30114, FUND 410.
 - a. Resolution Serial No. 12-055: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR UP TO FIVE CULVERT REPLACEMENTS UNDER THE FISH PASSAGE IMPROVEMENTS PROJECT, PROJECT NO. 30114.
 - (1) IM No. 12-106

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. 12-069 and Resolution Serial No. 12-055.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 12-070: AN ORDINANCE TO ACCEPT AND APPROPRIATE \$20,000 FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, OFFICE OF HISTORY AND ARCHAEOLOGY TO FUND 480, PROJECT NO. 47011, ARCHAEOLOGICAL SURVEYS, TO CONDUCT AN ARCHAEOLOGICAL SURVEY AND INVENTORY OF HISTORIC AND PREHISTORIC SITES ON BOROUGH LANDS IN THE MIDDLE SUSITNA RIVER VALLEY.
 - a. Resolution Serial No. 12-056: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO RESEARCH AND CONDUCT AN ARCHAEOLOGICAL SURVEY AND INVENTORY OF ARCHAEOLOGICAL SITES ON BOROUGH LANDS IN THE MIDDLE SUSITNA RIVER VALLEY.
 - (1) IM No. 12-107

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. 12-070 and Resolution Serial No. 12-056.

MOTION: Assemblymember Woods moved a primary amendment to Resolution Serial No. 12-056, by striking the “Scope of Work” in its entirety and inserting in its place, “Scope of Work. Staff will conduct an archaeological survey and compile a professional report on public lands north of Trapper Creek along bluffs overlooking the Chulitna River Valley and bluffs above the Talkeetna River overlooking Chulitna Creek to be limited to the Chulina Village mapping and survey and open test excavations at TAL92.”

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

Mayor DeVilbiss requested a definition be provided on what constitutes an official historic site.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke in support of Resolution Serial No. 12-060: Mr. Andre Ciostek; Ms. Alice Ciostek; Ms. Bonnie Zirkle; Ms. Heidi Zimmer; Ms. Jennifer Harrison, Executive Director of Chickaloon Traditional Council; Ms. Lisa Wade, Health and Social Services Director for Chickaloon Traditional Council; Ms. Aubry Spangler; Ms. Krista Masiolek; Mr. Jeremiah Millen, Friends of Mat-Su Executive Director; Ms. Liz Snyder; Dr. Michele Provost; Ms. Jessica Winnstaffer; Dr. Gary Benedetti; and Ms. Michelle Church.

The following person spoke to concern regarding Ordinance Serial No. 12-056: Mr. Doyle Holmes.

The following person spoke in opposition to Resolution Serial No. 12-060: Mr. Marvin Yoder, Mat-Su Business Alliance.

The following persons spoke in support of Ordinance Serial No. 12-073 and Resolution Serial No. 12-064: Mr. John Klapperich; Ms. Taffina Katkus; and Ms. Lyn Carden, Wasilla Chamber of Commerce Executive Director.

D. CONSENT AGENDA

1. RESOLUTIONS

b. Resolution Serial No. 12-058: A RESOLUTION SETTING THE SURCHARGE RATE FOR THE WIRELINE AND WIRELESS ENHANCED 911 SYSTEMS FOR THE PERIOD OF JULY 1, 2012, THROUGH JUNE 30, 2013.

(1) IM No. 12-111

f. Resolution Serial No. 12-062: A RESOLUTION APPROVING THE START UP OF THE COMPREHENSIVE PLANNING PROCESS FOR FISHHOOK COMMUNITY COUNCIL.

(1) IM No. 12-118

~~g. Resolution Serial No. 12-063: A RESOLUTION PROVIDING PUBLIC COMMENT ON THE MARCH 12, 2012, JOINT PACIFIC ALASKA RANGE COMPLEX ENVIRONMENTAL IMPACT STATEMENT REGARDING THE EXPANSION OF EXISTING MILITARY OPERATING AREAS WITHIN THE BOROUGH BOUNDARIES AND ADJACENT AREA, PARTICULARLY THE FOX 3 MILITARY OPERATING AREA AND THE PAXSON MILITARY OPERATING AREA. (Sponsored by Assemblymember Keogh)~~

(1) ~~IM No. 12-120~~

h. Resolution Serial No. 12-066: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET IN THE AMOUNT OF \$325,000 FOR CONSTRUCTING AND IMPROVING PARKING AREAS AND TRAILHEADS FOR SNOWMOBILERS IN THE HOUSTON AND HATCHER PASS AREAS, FUND 440, PROJECT 15032.

(1) IM No. 12-125

2. ACTION MEMORANDUMS

a. AM No. 12-050: AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF PALMER FOR THE CONTRACT PERIOD OF JULY 1, 2012, TO JUNE 30, 2013, IN THE AMOUNT OF \$265,357 FOR FIRE PROTECTION SERVICES.

b. AM No. 12-051: AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF PALMER FOR THE CONTRACT PERIOD OF JULY 1, 2012, TO JUNE 30, 2013, IN THE AMOUNT OF \$36,000 FOR RESCUE SERVICES.

c. AM No. 12-052: AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF PALMER FOR THE CONTRACT PERIOD OF JULY 1, 2012, TO JUNE 30, 2013, IN THE AMOUNT OF \$806,898 FOR 911 DISPATCH SERVICES.

d. AM No. 12-067: AUTHORIZING THE MANAGER TO ENTER INTO THE 2012 COOPERATIVE AGREEMENT WITH THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF FORESTRY IN AN AMOUNT NOT TO EXCEED \$200,000 THROUGH DECEMBER 31, 2012, FOR WILDFIRE FUEL REDUCTION.

f. AM No. 12-072: REQUEST TO CHANGE THE COMMUNITY DEVELOPMENT OPERATIONS MANAGER, PERMANENT FULL-TIME POSITION, WITHIN THE COMMUNITY DEVELOPMENT DEPARTMENT TO A RECREATION AND LIBRARY SERVICES MANAGER.

- h. AM No. 12-073: AUTHORIZATION FOR EXTENSION OF CONTRACT NO. 04-098 WITH NORTH STAR GROUP IN AN AMOUNT NOT TO EXCEED \$75,000 FOR FEDERAL LOBBYIST SERVICES.
- i. AM No. 12-074: APPROVAL OF UTILITY RELOCATION COSTS TO MATANUSKA TELEPHONE ASSOCIATION IN THE AMOUNT OF \$121,304.28 FOR THE WINDY BOTTOM ROAD UPGRADE PROJECT, PROJECT NO. 30047.
- j. AM No. 12-075: AWARD OF BID NO. 12-145 TO ATS ALASKA FOR THE CONTRACT AMOUNT OF \$108,455 FOR FIRE ALARM AND SECURITY UPGRADES AT VARIOUS BOROUGH SITES.
- k. AM No. 12-076: AWARD OF BID NO. 12-115 TO TRIPLE V CONTRACTING FOR THE CONTRACT AMOUNT OF \$275,552 FOR WEST LAKES STATION 7-3 UPGRADES.
- l. AM No. 12-077: AWARD OF BID NO. 12-135 TO MARSHALL'S ELECTRIC, INC. FOR THE CONTRACT AMOUNT OF \$867,421.87 FOR BOROUGH FIRE ALARM REPLACEMENT.

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.

(The meeting recessed at 8:05 p.m. and reconvened at 8:15 p.m.)

- a. Resolution Serial No. 12-057: A RESOLUTION ADOPTING THE SCHEDULE OF FEES AUTHORIZED UNDER MSB 43.05.035, FEES; FOR PLAT, VARIANCE, WAIVER, AND VACATION APPLICATIONS AND FOR APPEALS UNDER TITLE 43.

(1) IM No. 12-100

MOTION: Assemblymember Salmon moved to adopt Resolution Serial No. 12-057.

MOTION: Assemblymember Salmon moved a primary amendment to Resolution Serial No. 12-057, Fee Schedule Authorized under MSB 43.05.035, as follows:

- MSB 43.15.015, Regular Plat 1-12 lots/tracts – striking “\$1,000” and inserting in its place “\$500” and Over 12 lots/tracts striking “\$1000” and inserting “\$500;”
- MSB 43.15.025, Abbreviated Plat - striking “\$500” and inserting in its place “\$250;”

- MSB 43.15.022, Waiver Subdivision - striking “\$500” and inserting in its place “\$250;”
- MSB 43.15.012, Forty Acre Exemption - striking “\$500” and inserting in its place “\$250;”
- MSB 43.15.040, Vacation of Section Line Easement or RS 2477 - striking “\$500” and inserting in its place “\$250;”
- MSB 43.15.035, Vacation of Dedicated Right-of-Way with Regular Plat striking “\$300” and inserting in its place “\$200;”
- MSB 43.15.035, Vacation of Public Use Easement, Stand Alone with Regular Plat - striking “\$300” and inserting in its place “\$200;”
- MSB 43.15.021, Public Hearing, Variance, Public Use Easement striking “\$400” and inserting in its place “\$250;”
- MSB 43.15.054, Elimination of Common Lot Lines on a Recorded Plat - striking “\$300” and inserting in its place “\$200;” and
- MSB 43.15.075, Variance to Subdivision Development Standards with Regular Plat - striking “\$400” and inserting in its place “\$250.”

Mr. Moosey:

- opined that staff did a good job laying out anticipated costs versus expenses;
- noted that he understands the intent of encouraging development; and
- stated that he wants the body to be aware that the proposed fees do not cover the costs.

MOTION: Assemblymember Arvin moved a secondary amendment MSB 43.15.054, Elimination of Common Lot Lines on a Recorded Plat - striking “\$200” and inserting in its place “\$75.”

Assemblymember Colligan queried the notification costs for platting actions.

Mr. Hulbert:

- stated that Title 43 requires that public hearing notices have to be mailed out to all properties within 1,200 feet of the property in question;
- noted that it also requires that all lots within the subdivision have to receive public notice; and
- provided an example of rising costs of postage affecting the costs of mailing public hearing notices.

VOTE: The secondary amendment passed with Assemblymembers Colver and Keogh opposed.

Assemblymember Halter opined that the fees for Waiver Subdivision and Forty-Acre Exemption were high.

Mr. Hulbert:

- stated that they are non-public hearing fees that are administrative in nature;
- noted that he is hopeful that the increase will cover the costs;

- related that the amendment is proposing the same figures from 15 years ago that were included in Title 16; and
- advised that the fees were increased in 2004.

Discussion ensued regarding:

- application fees for waivers under Title 27;
- that the current fees do not cover costs;
- concerns that decreased fees would end up being a burden on tax payers;
- the desire to not subsidize developers;
- the volume of staff time required to move through the process; and
- the number of subdivision plats done in 2011.

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

VOTE: The motion passed without objection.

VOTE: The primary amendment passed with Assemblymember Keogh opposed.

VOTE: The main motion passed as amended without objection.

c. Resolution Serial No. 12-059: A RESOLUTION REVISING THE SCHEDULE OF FEES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE.

(1) IM No. 12-114

MOTION: Assemblymember Colver moved to adopt Resolution Serial No. 12-059.

Ms. O'Neill provided a staff report.

Assemblymember Arvin:

- noted that two years ago, the Assembly had discussions regarding how to slow the rate of the debt increasing;
- spoke of a three year window to reach the goal; and
- stated that he is happy to hear that the Borough is on schedule with the plan.

Discussion ensued regarding:

- that the solid waste enterprise fund will be out of debt within four years;
- ways that costs are being reduced at the landfill;
- that items are being diverted to the recycling center;
- that costs will reduce as the waste stream becomes significantly smaller; and
- that the climate is too cold and not enough methane is produced to be converted into energy.

VOTE: The motion passed without objection.

d. Resolution Serial No. 12-060: A RESOLUTION REQUESTING THAT THE ALASKA STATE DEPARTMENT OF HEALTH AND SOCIAL SERVICES EXPAND THE

PRELIMINARY DRAFT WISHBONE HILL RAPID HEALTH IMPACT ASSESSMENT INTO A COMPREHENSIVE HEALTH IMPACT ASSESSMENT.

(Sponsored by Assemblymember Keogh)

(1) IM No. 12-116

MOTION: Assemblymember Arvin moved to adopt Resolution Serial No. 12-060.

Assemblymember Keogh:

- spoke to the rapid health impact assessment;
- noted that the public testimony this evening has been in support of the resolution;
- opined that now is the appropriate time to request the expansion;
- spoke to the differences between a health impact assessment and a comprehensive health impact assessment; and
- requested support of the resolution.

Assemblymember Colligan:

- stated that he has received a lot of comment in opposition to the resolution;
- noted that the State's comment period is still open and he supports the original process; and
- stated that he opposes the resolution.

Discussion ensued regarding:

- that the current health assessment, as directed by the State, will be considered in the decision making process;
- that the State will decide if its applicable or if they will be making additional requirements of Usibelli Coal Mine;
- that the comprehensive assessment is warranted;
- that Sutton is more of a populated area than Healy;
- that the State should consider going from a rapid assessment to a more comprehensive one; and
- that the comprehensive assessment will not impact Usibelli Coal Mine at all and that it will provide a better idea of how to mitigate the impacts of coal mining on residents.

VOTE: The motion failed with Assemblymembers Keogh, Colver, and Halter in support.

e. Resolution Serial No. 12-061: A RESOLUTION REVISING THE EMERGENCY SERVICES FEE SCHEDULE FOR AMBULANCE SERVICES EFFECTIVE JULY 1, 2012.

(1) IM No. 12-117

MOTION: Assemblymember Colver moved to adopt Resolution Serial No. 12-061.

Assemblymember Colver:

- stated that he is against raising fees, as it occurs every year;
- spoke to people who do not have insurance that end up paying very large bills; and
- stated that he opposes the legislation.

Assemblymember Woods:

- opined that lack of insurance is not the point;
- noted that costs go up as the equipment that is required to provide good service becomes more expensive; and
- opined that the fees are reasonable considering the results from the services rendered.

Discussion ensued regarding:

- that the fee increase is a 52 percent offset of the operating and capital budget;
- that the insurance collection rate is 82 percent;
- that the fee increase is independent of the increase of pay for responders;
- the formula that is used to determine the rate increase each year; and
- whether or not the fee increased was figured into the recently adopted budget.

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

VOTE: The motion passed without objection.

VOTE: The main motion passed with Assemblymember Colver and Colligan opposed.

- e. AM No. 12-071: AUTHORIZING THE BOROUGH MANAGER TO AMEND THE EXISTING AGREEMENT WITH MATANUSKA-SUSITNA CONVENTION AND VISITORS BUREAU FOR AN AMOUNT OF \$650,000 TO EXTEND TO JUNE 30, 2013.

MOTION: Assemblymember Halter moved to adopt AM No. 12-071.

MOTION: Assemblymember Halter moved a primary amendment to AM No. 12-071, under Recommendation of Administration, by inserting at the end “plus 65 percent of transient accommodation tax over \$1,000,000.”

Assemblymember Halter:

- noted that this amendment has to be made every year; and
- requested that the legislation be drafted in the future so that the amendment is not necessary.

Assemblymember Colligan queried if this impacts the budget just passed.

Ms. Clayton stated that it was included in the budget as projected revenues.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

X. NEW BUSINESS

- A. INTRODUCTIONS (For public hearing – 06/28/12, 7 p.m., Borough Assembly Chambers)
 - 1. Ordinance Serial No. 12-071: AN ORDINANCE EXTENDING THE TIME LIMIT FOR COMPLETION OF BOROUGH CAPITAL PROJECTS.
 - a. IM No. 12-109
 - 2. Ordinance Serial No. 12-072: AN ORDINANCE ACCEPTING AND APPROPRIATING GRANT FUNDS IN THE AMOUNT OF \$5,000 FROM THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS FOR WEEKEND SPAY/NEUTER EVENTS FOR LOW INCOME RESIDENTS.
 - a. Resolution Serial No. 12-065: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 47028, TO ALLOW WEEKEND SPAY/NEUTER EVENTS FOR LOW INCOME RESIDENTS.
 - (1) IM No. 12-110
 - 3. Ordinance Serial No. 12-073: AN ORDINANCE REAPPROPRIATING \$95,000 FROM THE ECONOMIC DEVELOPMENT DEPARTMENT’S FISCAL YEAR 2012 OPERATING BUDGET FUND 200, TO FUND 480, PROJECT NO. 47029, FOR ECONOMIC DEVELOPMENT CULTIVATION.
 - a. Resolution Serial No. 12-064: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 47029, ECONOMIC DEVELOPMENT CULTIVATION.
 - (1) IM No. 12-112
 - 4. Ordinance Serial No. 12-074: AN ORDINANCE APPROPRIATING \$389,153 FROM THE SCHOOL SITE ACQUISITION RESERVE, FUND 100, TO FUND 400, PROJECT NO. 4019, FOR IDITAROD ELEMENTARY SCHOOL REPLACEMENT SITE AND AUTHORIZING REIMBURSEMENT OF THE FUNDS FROM THE 2013 GENERAL OBLIGATION SCHOOL CONSTRUCTION BONDS.
 - a. IM No. 12-113
 - 5. Ordinance Serial No. 12-075: AN ORDINANCE APPROVING THE LAND ACQUISITION OF TRACT A, PJC SUBDIVISION AND ADJACENT MSB TAX PARCEL 17N01W03C021, LOCATED WITHIN THE CITY OF WASILLA, CONTAINING APPROXIMATELY 20.32 ACRES COMBINED, AND CLASSIFICATION OF SAID PARCELS AS RESERVED USE LANDS FOR THE FUTURE IDITAROD ELEMENTARY SCHOOL REPLACEMENT SITE (MSB006599).
 - (1) IM No. 12-113
 - 6. Ordinance Serial No. 12-076: AN ORDINANCE REPEALING THE BUSINESS INVENTORY TAX EFFECTIVE JANUARY 1, 2013. (*Sponsored by Assemblymember Colligan*)
 - a. IM No. 12-115

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 June 28, 2012.

MOTION: Assemblymember Colligan moved to divide the question to set the public hearing for Ordinance Serial No. 12-076, separately.

VOTE: The motion passed without objection.

MOTION: First segment. Assemblymember Arvin moved to introduce the legislation as read into the record by the Clerk and set the public hearings for June 28, 2012, with the exception of Ordinance Serial No. 12-076.

VOTE: The first segment passed without objection.

MOTION: Second segment. Assemblymember Colligan moved to introduce Ordinance Serial No. 12-076 and set the public hearing for August 21, 2012.

VOTE: The second segment passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmations:

Board of Adjustment and Appeals
H. Paul Campbell
Emergency Medical Services Board
Joseph Kiren, resignation
Library Board
Pam Ockerlander, resignation
Platting Board
Jay Van Diest

Mayor DeVilbiss made the following recommendations:

Parks, Recreation, and Trails Advisory Board
George Brown
Midway RSA No. 9
Daniel Tucker
Talkeetna Sewer and Water Service Area No. 36
Karen Schapansky
James Okonek

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

VOTE: The motion passed without objection.

D. OTHER NEW BUSINESS

1. MOTION TO AMEND SOMETHING PREVIOUSLY ADOPTED

a. Ordinance Serial No. 12-058: AN ORDINANCE AMENDING AND REPEALING PORTIONS OF MSB 3.15 RELATING TO THE BUSINESS INVENTORY TAX.
(Adopted May 15, 2012)(Requested by Assemblymember Arvin)

(1) IM No. 12-081

MOTION: Assemblymember Arvin moved to amend Ordinance Serial No. 12-058, which was previously adopted on May 15, 2012, in Section 3, by striking the effective date of "July 1" and inserting in its place "January 1."

VOTE: The motion passed without objection.

E. 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

Assemblymember Colver spoke to concerns that job costs are not being applied to specific projects.

MOTION: Assemblymember Colver moved to direct the manager to implement job costing for staff work on all capital projects and professional contracts.

VOTE: The motion passed with Assemblymembers Keogh and Salmon opposed.

MOTION: Assemblymember Colligan moved to extend the meeting past 10 p.m. and not to exceed 11 p.m.

VOTE: The motion passed without objection.

Assemblymember Colligan noted that he received the list of Assembly priorities from the Manager and queried when the body would be conducting the planning session.

Mr. Moosey noted that there were many dates that would not work the last time it was discussed.

Discussion ensued regarding:

- possibly scheduling a planning session; and
- what the body would like to accomplish at the next planning session.

Assemblymember Keogh:

- noted that the Assembly previously had this discussion; and
- inquired to what the Assembly had decided at that time.

Ms. McKechnie advised that it was requested that she bring back the issue of the planning session in August, for scheduling in September.

Assemblymember Woods:

- spoke to attending a meeting last night regarding the Environmental Protection Agency (EPA) attempting to halt industry that could impact a clear water supply;
- related that they are planning to use that against Pebble Mine;
- noted that the discussion was quite agitated on both sides;
- stated that he is discouraged with the current Administration's concern for development;
- noted that the residents who will be impacted the most by Pebble Mine are in support of it;
- related that rural communities are losing people due to lack of employment, which means schools are closing down;
- opined that there are good arguments both for and against the Pebble Mine; and
- opined that because they went to Seattle to take comments and then came here afterward showed that they were not really interested.

Assemblymember Halter:

- requested that new copies of the road service area contracts be provided to each Assembly member;
- stated that he would like to have the contracts reviewed by the Assembly;
- related that the Talkeetna Road Service Area and the Talkeetna Community Council are concerned with funds for the Seward Meridian and Christianson Lake trade off;
- requested a roll out plan for the road bond projects from Mr. Sworts; and
- spoke to concerns with vacancies on the Talkeetna Sewer and Water Special Service Area Board of Supervisors.

Assemblymember Arvin:

- related that he appreciates the body moving forward with the Jim Creek Master Plan; and
- requested a cost analysis of what it would cost to bring the M/V Susitna to the Borough.

Mayor DeVilbiss:

- stated that he will be in the dunk tank for Colony Days;
- advised that he will be bringing forward a resolution regarding preservation of farm land at the next meeting;

- stated that there are farmers in the Springer Loop System receiving notices inquiring if they are willing to sell land;
- noted that the soil is quite different on each side of the highway;
- stated that he would like to avoid the use of lands, that have the potential for farm land, from being used for other things.
- spoke to the Alaska Municipal League Summer Conference being held in Bethel; and
- reiterated his request for a definition of what constitutes a historic site.

XIII. EXECUTIVE SESSION *(for matters that 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; direction may be given to the Attorney or labor negotiator regarding labor negotiations.)*

A. LABOR CONTRACT NEGOTIATIONS WITH THE MATANUSKA-SUSITNA BOROUGH EMPLOYEES ASSOCIATION.

MOTION: Assemblymember Arvin moved to enter 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; direction may be given to the attorney or labor negotiator regarding labor negotiations, in particular to discuss labor contract negotiations with the Matanuska-Susitna Borough Employees Association. Those present during the executive session will be the Mayor, the Members of the Assembly, the Clerk, the Attorney, the Finance Director, the Human Resources Director, and the Acting Assistant Manager.


VOTE: The motion passed without objection and the Assembly moved into executive session at 9: 45 p.m.

MOTION: Assemblymember Arvin moved to exit executive session.

VOTE: The motion passed without objection and the Assembly exited executive session at 10:25 p.m.

XIV. ADJOURNMENT

The regular meeting adjourned at 10:25 p.m.


LARRY DeVILBISS, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 06/28/12