

I. CALL TO ORDER

The special meeting of the Matanuska-Susitna Borough Assembly was held on July 5, 2011, 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 for the purpose of discussing the State redistricting plan.

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)(attended telephonically)*
Mr. Mark Ewing, Assembly District No. 4 *(attended telephonically)*
Ms. Cindy L. Bettine, Assembly District No. 5
Mr. Jim Colver, Assembly District No. 6 *(attended telephonically)*
Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Moosey, Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney

III. APPROVAL OF AGENDA

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

GENERAL CONSENT: The agenda was approved without objection.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mr. Nicholas Spiropoulos, Borough Attorney.

V. 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 and matters involving consideration of government records that by law are not subject to public disclosure.)*

A. STATE REDISTRICTING PLAN *(Possible litigation and discussion of attorney work product)*

MOTION: Assemblymember Woods 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 and matters involving consideration of government records that by law are not subject to public disclosure, in particular to discuss the State's Redistricting Plan and providing direction to the Attorney. Those present during the executive session will be the Mayor, the Members of the Assembly, the Attorney, the Manager, and the Clerk.

VOTE: The motion passed without objection and the Assembly entered executive session at 6:02 p.m.

MOTION: Assemblymember Woods moved to exit executive session.

VOTE: The motion passed without objection and the Assembly exited executive session at 6:34 p.m.

Mr. Spiropoulos:

- stated that on June 21, 2011, the Assembly had an executive session;
- noted that the Assembly cannot take action during executive session, except to provide direction to the Attorney on a specific legal matter;
- stated that on that date the Borough Attorney's office was directed to file suit regarding the State Redistricting Plan;
- related that since that date, the Mayor has issued a veto on the Assembly's action; and
- noted that the Assembly has come out of executive session in order to take action on that veto and for the action to be on the record.

Mayor DeVilbiss requested that the Clerk read the veto into the record.

Ms. McKechnie read the Mayor's veto into the record.

MOTION: Assemblymember Keogh moved to override the mayoral veto regarding the State redistricting litigation.

Assemblymember Ewing stated that he would like to limit the amount of funds that could be spent on a lawsuit to \$100,000.

Assemblymember Woods:

- opined that the Borough has no legal stand to litigate redistricting in this case;
- noted that there are many things that must be done so far as federal law;
- stated that the Borough was not terribly harmed; and
- related that he does not support the override.

Assemblymember Bettine:

- opined that it would be appropriate to put a cap on the veto motion;
- stated that she would support a dollar value of \$100,000;
- stated that she will vote to override the veto;
- opined that the Borough needs a seat at the table to protect the Borough's interest;
- commented that it may not be a good idea to just go along with what the State is proposing;
- stated that the population is depending on the Assembly to do the best possible job for the next 10 years; and
- opined that the Borough should file a suit, but with a cap such as what was suggested by Assemblymember Ewing.

Discussion ensued regarding:

- the issues that caused the Assembly to move forward with litigation;
- potential to challenge senate pairings;
- the possibility of providing a dollar limit should a lawsuit be filed; and
- funds that were reimbursed to litigants by the State in the last redistricting plan lawsuit.

VOTE: The motion to override the mayoral veto failed with Assemblymembers Keogh, Bettine, Colver, and Ewing in support (requires five votes).

VI. AUDIENCE PARTICIPATION

(There was no one present who wished to testify.)

VII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Spiropoulos:

- noted that he has heard discussion that the Assembly would like the redistricting issue monitored; and
- queried how the Assembly would like him to report back to them.

Mayor DeVilbiss:

- stated that as he understands it, the entire body would like him to monitor the situation;
- noted that if something were to be time sensitive that perhaps a special meeting could be called in order to conduct discussion; and
- noted that otherwise, Mr. Spiropoulos could report to the body at regular meetings.

Mr. Spiropoulos stated that he would report to the body under Attorney Comments at regular meetings.

Mayor DeVilbiss inquired if there was any objection.

There was no objection noted.

Assemblymember Ewing stated that he would like it if Assemblymember Halter would consider filing for reconsideration on the override of the veto.

Assemblymember Arvin:

- thanked the members who did not support the override;
- opined that the lawsuit would be a waste of funds; and
- stated that the Attorney is more than capable of keeping the body up-to-date.

Assemblymember Keogh noted that he would also like Assemblymember Halter to consider filing for reconsideration on the override of the veto.

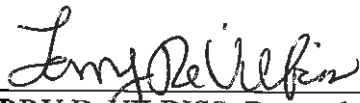
(Assemblymember Halter exited the meeting at 7:01 p.m.)

Mayor DeVilbiss:

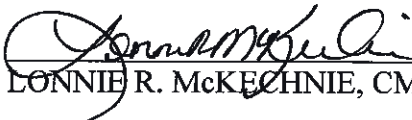
- thanked the body for not overriding the veto;
- opined that the redistricting plan is an improvement over the past plan;
- stated that the Borough will have a controlling interest now;
- thanked the Attorney for securing the fire hall waiver for Caswell Lakes;
- thanked the Public Affairs Director for a job well done on the annual report; and
- thanked the body for the brief meeting.

VIII. ADJOURNMENT

The regular meeting adjourned at 7:04 p.m.


LARRY DeVILBISS, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 08/02/11