

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on July 17, 2012, at the Borough School District Administration Building, 501 N. Gulkana Street, 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*) (*attended telephonically*)
- 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. Nicholas Spiropoulos, Borough Attorney
- Ms. Jamie Newman, Deputy Borough Clerk
- Ms. Tammy Clayton, Finance Director
- Ms. Shaune O'Neil, Public Works Director
- Ms. Eileen Probasco, Acting Planning and Land Use Director
- Mr. Dennis Brodigan, Emergency Services Director
- Mr. Stefan Hinman, Media Design Specialist
- Ms. Nancy Hereford, Land Disposal and Tax Specialist

III. APPROVAL OF AGENDA

Mayor DeVilbiss:

- inquired if there were any changes to the agenda; and
- requested that the Assembly combine the first four public hearings, as all pieces of the legislation relate to the appropriation of State Division of Forestry Volunteer Fire Assistance grants.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Dave Cruz, a member of the Port Commission.

V. MINUTES OF PRECEDING MEETINGS

(There were no minutes presented.)

MOTION: Assemblymember Colligan moved to amend the agenda by moving audience participation ahead of public hearings.

VOTE: The motion passed with Assemblymember Keogh opposed.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Palmer City

Mr. Doug Griffin, City Manager:

- reported that the City Council approved a revision to the sales tax code to reduce the number of filings for small business owners, effective January 1, 2013;
- spoke to proposed housekeeping amendments to the City Charter that will appear on October 2012 ballot; and
- reported that the City Clerk has certified an initiative petition to appear on the October 2012 ballot related to the prohibition of smoking in public places.

Wasilla City

Mr. Burt Cottle, Deputy Administrator:

- thanked the Assembly for the first meeting held to discuss a combined emergency center; and
- spoke to the success of the City's Independence Day parade.

Houston City

Mr. Jim Johansen, Deputy Mayor:

- thanked the Borough for their grant for the Zero Lake parking and trailhead project; and
- reported that Houston is now a "Purple Heart City" per legislative action of the City Council.

2. Matanuska-Susitna Borough School District

(There was no report provided.)

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Colver:

- stated that the District recently appointed a new budget officer;
- reported that some at the District do not feel the Borough is doing enough to communicate the status of school construction projects;
- suggested the development of a project website in an effort to better inform the public of the status of facility improvements;
- added that the School District has agreed to host the site, but will need updates from the Borough; and
- spoke in support of streamlining the appropriation process for funding from the Borough to the School District.

2. Assembly Public Relations

Assemblymember Colligan thanked Mr. Mossey and Mr. Brodigan for hosting today's meeting with stakeholder representatives to discuss consolidated dispatch services.

C. MANAGER COMMENTS

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

Mr. Moosey:

- advised that Donlin Gold would be providing a presentation to the Assembly; and
- introduced Mr. Kurt Parkan.

Mr. Parkan, External Affairs Manager, presented an overview of the Donlin Gold project centered approximately 250 miles west of the Borough near the village of Crooked Creek.

Mr. Moosey:

- reported the Goose Creek Correctional Center is now operational; and
- provided an update on the M/V Susitna.

D. ATTORNEY COMMENTS

(There was no report provided.)

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- affirmed that all ballot propositions must be approved by August 10, and
- asked the Assembly if they would like to schedule a special meeting on August 9 to address any outstanding legislation related to ballot measures.

MOTION: Assemblymember Colligan moved to direct the Clerk to schedule a special meeting on August 9, 2012, beginning at 6 p.m., to discuss any remaining ballot propositions.

VOTE: The motion passed without objection.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Caswell FSA Board of Supervisors: 02/08/12, 04/11/12
 - b. Local Emergency Planning Committee: 04/18/12
 - c. Local Road Service Area Board of Supervisors: 04/19/12, Resolution Serial Nos. 12-04, 12-05
 - d. Parks, Recreation, and Trails Advisory Board: 02/27/12, 03/19/12, 04/09/12, Resolution Serial No. 12-01
 - e. Planning Commission: 05/21/12
 - f. Platting Board: 04/19/12, 05/03/12, 05/17/12
 - g. Port Commission: 03/19/12
 - h. Transportation Advisory Board: 04/25/12
2. Community Council Minutes:

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

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

VII. UNFINISHED BUSINESS

(There was no unfinished business.)

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.)

- C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke in support for Resolution Serial No. 12-083: Ms. Helen Munoz.

The following person spoke in support of AM No. 12-109: Mr. Bill Kramer, Big Lake Community Council President.

The following person spoke in support of storing the M/V Susitna at Port MacKenzie and noted that the Port Commission unanimously passed a resolution in support of the action: Mr. David Cruz, Port Commissioner.

The following person spoke in opposition to Resolution Serial No. 12-084: Ms. Terry Snyder.

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 12-085: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$15,452.60 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING A REAPPROPRIATION OF \$1,716.95 FROM THE SUTTON FIRE SERVICE AREA FISCAL YEAR 2013 OPERATING BUDGET, FUND 253, TO PROJECT NO. 20255, FUND 405, FOR FIRE TRAINING AND EQUIPMENT AND PREVENTION ACTIVITIES RELATED TO WILDLAND FIRE.
 - a. Resolution Serial No. 12-077: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR SUTTON FIRE SERVICE AREA, PROJECT NO. 20255, FUND 405.
 - (1) IM No. 12-121
2. Ordinance Serial No. 12-086: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$20,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING A REAPPROPRIATION \$2,222 FROM THE BUTTE FIRE SERVICE AREA FISCAL YEAR 2013 OPERATING BUDGET, FUND 251, TO PROJECT NO. 20144, FUND 405, FOR FIRE TRAINING AND EQUIPMENT AND PREVENTION ACTIVITIES RELATED TO WILDLAND FIRE.
 - a. Resolution Serial No. 12-078: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR BUTTE FIRE SERVICE AREA, PROJECT NO. 20144, FUND 405.
 - (1) IM No. 12-122
3. Ordinance Serial No. 12-087: AN ORDINANCE ACCEPTING, APPROPRIATING, AND APPROVING THE SCOPE OF WORK AND BUDGET FOR A \$8,511.92 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING A REAPPROPRIATION OF \$945.76 FROM THE CASWELL LAKES FIRE SERVICE AREA FISCAL YEAR 2013 OPERATING BUDGET, FUND 248, TO PROJECT NO. 20150, FUND 405, FOR FIRE TRAINING AND EQUIPMENT AND PREVENTION ACTIVITIES RELATED TO WILDLAND FIRE.

- a. Resolution Serial No. 12-079: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR CASWELL LAKES FIRE SERVICE AREA, PROJECT NO. 20150, FUND 405.
 - (1) IM No. 12-123

- 4. Ordinance Serial No. 12-088: AN ORDINANCE ACCEPTING, APPROPRIATING, AND APPROVING THE SCOPE OF WORK AND BUDGET FOR A \$11,873.51 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING A REAPPROPRIATION OF \$1,319.27 FROM THE WILLOW FIRE SERVICE AREA FISCAL YEAR 2013 OPERATING BUDGET, FUND 258, TO PROJECT NO. 20146, FUND 405, FOR FIRE TRAINING AND EQUIPMENT AND PREVENTION ACTIVITIES RELATED TO WILDLAND FIRE.
 - a. Resolution Serial No. 12-080: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR WILLOW FIRE SERVICE AREA, PROJECT NO. 20146, FUND 405.
 - (1) IM No. 12-124

Mayor DeVilbiss opened the public hearing on items one (1) through four (4).

The following person spoke in opposition to the proposed fee increase for renting the Borough Gym as proposed in Resolution Serial No. 12-086: Ms. Kerri Whittecar.

Mayor DeVilbiss noted that Ms. Whittecar should have spoken under audience participation, but gave her latitude as it was her first time to appear before the Assembly.

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

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 12-085, Resolution Serial No. 12-077, Ordinance Serial No. 12-086, Resolution Serial No. 12-078, Ordinance Serial No. 12-087, Resolution Serial No. 12-079, Ordinance Serial No. 12-088, and Resolution Serial No. 12-080.

VOTE: The motion passed without objection.

- 5. Ordinance Serial No. 12-089: AN ORDINANCE PROVIDING FOR THE SALE OF CERTAIN BOROUGH-WIDE REAL PROPERTY ACQUIRED THROUGH TAX FORECLOSURE FOR DELINQUENT REAL PROPERTY TAXES YEARS 1993 AND PRIOR, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, AND 2012 AND NOT NEEDED FOR PUBLIC PURPOSE.
 - a. IM No. 12-129

Mayor DeVilbiss opened the public hearing.

The following persons spoke in opposition to Ordinance Serial No. 12-089: Mr. David Bartels, Ms. Angel See, Ms. Cheryl Lavigne, and Ms. Lorenda Moss.

The following person spoke to properties that should not be foreclosed upon: Ms. Nancy Sult.

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

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 12-089.

(The meeting recessed at 7:10 p.m. and reconvened at 7:20 p.m.)

MOTION: Assemblymember Halter moved a primary amendment to Ordinance Serial No. 12-089, Exhibit A, to strike the following tax account numbers from the foreclosure list:

- 56541B02L011 (TS028-10)
- 52958B04L005 (TS028-11)
- 52042B05L002 (TS028-18)

Assemblymember Halter spoke to concerns with displacing families from their homes through the foreclosure process.

Ms. Hereford presented a staff report.

Discussion ensued regarding:

- how long certain properties have been on the foreclosure list;
- how many properties on the foreclosure list are occupied; and
- how many property owners have requested a payment plan or latitude with respect to the taxes owed.

Mr. Moosey reported that after extensive research, it appears State law prohibits the Borough from entering into payment plans with property owners with respect to delinquent taxes.

Mr. Spiropoulos:

- noted that the Assembly sets the rates of interest and penalty on delinquent property taxes through the budget process; and
- affirmed that under the law, property tax is a debt owing and forgiving the debt to some and not others may raise an equal protection issue.

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

VOTE: The motion passed without objection.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Salmon moved a primary amendment to Ordinance Serial No. 12-089, Exhibit A, to strike the following tax accounts from the foreclosure list, as the taxes on the parcels have been paid:

- 218N02W13D007 (TS028-01)
- 217N03W05D013 (TS028-35)
- 54005B02L005 (TS028-38)
- 56517B01L003 (TS028-54)

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

6. Ordinance Serial No. 12-090: AN ORDINANCE ACCEPTING AND APPROPRIATING \$20,000 FROM THE FISHHOOK COMMUNITY COUNCIL TO FUND 430, PROJECT NO. 35187, HATCHER PASS ACCESS ROAD AND TRANSIT FACILITY, REAPPROPRIATING \$28,000 FROM FUND 440, PROJECT NO. 15040, \$100,000 FROM FUND 480, PROJECT NO. 20332, AND \$20,000 FROM FUND 475, PROJECT NO. 20343 TO FUND 430, PROJECT NO. 35187, HATCHER PASS ACCESS ROAD, TRANSIT AND COMMUNITY FACILITY.

a. Resolution Serial No. 12-082: A RESOLUTION AMENDING THE BUDGETS FOR PROJECT NO. 15040, PARKS AND RECREATION PROJECTS; PROJECT NO. 20332, TRAFFIC CALMING; PROJECT NO. 20343, MASCOT; AND PROJECT NO. 35187, HATCHER PASS ACCESS ROAD AND TRANSIT FACILITY; TO SUPPLEMENT THE FUNDING TO ALLOW THE CONSTRUCTION OF THE TRANSIT FACILITY AND BUS ACCOMMODATIONS.

(1) IM No. 12-139

(2) IM No. 12-119

Mayor DeVilbiss opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 12-090 and Resolution Serial No. 12-082: Mr. Dave Musgrave, Mat-Su Junior Nordics; Mr. Ralph Renzi, Greater Palmer Chamber Executive Director; Ms. Bonnie Quil, Mat-Su Convention & Visitors Bureau Executive Director; Mr. Ed Strabel, Mat-Su Ski Club President; Ms. Aubrey Smith; Mr. Mark Strabel; Ms. Helen Woodings; and Ms. Cindy Bettine.

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. 12-090 and Resolution Serial No. 12-082.

Assemblymember Colver:

- spoke to the history of the Hatcher Pass Access Road and Transit Facility project;
- affirmed the value of the transit facility and bus accommodation to the Fishhook community; as well as the entire Borough; and

- spoke to the benefits of expanding the project to a multi-functional community center.

Assemblymember Halter:

- expressed trepidation with depleting the tourism and infrastructure fund and the effect on trail grooming in other areas of the Borough; and
- spoke in support of replenishing the fund through future legislative action.

Assemblymember Woods:

- spoke in opposition to the legislation as no community group has formed to assist with maintenance; and
- added that he does not support placing the financial burden of maintaining the facility on tax payers.

Discussion ensued regarding:

- public support for the project;
- the economics of the project;
- the need to replenish the projects that this legislation took from; and
- funding for trail grooming in other areas of the Borough.

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

VOTE: The motion passed without objection.

VOTE: The main motion passed with Assemblymember Woods opposed.

D. CONSENT AGENDA

1. RESOLUTIONS

a. Resolution Serial No. 12-083: A RESOLUTION ENDORSING A PLANNING EFFORT AND SITE SELECTION FOR A REGIONAL WASTEWATER TREATMENT FACILITY. *(Sponsored by Mayor DeVilbiss)*

(1) IM No. 12-150

b. Resolution Serial No. 12-087: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR MASCOT OPERATING ASSISTANCE AND AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT WITH MASCOT REGARDING THE USE OF THE FUNDS.

(1) IM No. 12-163

c. Resolution Serial No. 12-088: A RESOLUTION APPROVING A LOAN FROM THE FIRE SERVICE AREA REVOLVING LOAN FUND, FUND 605, IN THE AMOUNT OF \$90,000, TO THE CASWELL LAKES FIRE SERVICE AREA, FUND 248, TO PROVIDE THE FUNDS NECESSARY TO COVER THE COSTS OF CONSTRUCTING THE CASWELL LAKES FIRE SERVICE AREA'S WARM STORAGE FACILITY.

- (1) IM No. 12-165
- (2) AM No. 12-108: AWARD OF PROPOSAL NO. 12-134 TO WOLVERINE SUPPLY IN THE AMOUNT OF \$319,880 FOR CONSTRUCTING THE CASWELL LAKES FIRE SERVICE AREA'S WARM STORAGE FACILITY.

- d. Resolution Serial No. 12-089: A RESOLUTION APPROVING THE PENDING \$66,970.63 FINANCIAL RESPONSIBILITY FOR THE M/V SUSITNA FOR AN ADDITIONAL MONTH.
- (1) IM No. 12-168

- h. Resolution Serial No. 12-090: A RESOLUTION AUTHORIZING THE MANAGER TO PURSUE A NOTICE OF AVAILABILITY LISTING IN THE CODE OF FEDERAL REGISTER AS WELL AS LISTING THE M/V SUSITNA WITH S & P SHIPBROKERS.
- (1) IM No. 12-169

- 2. ACTION MEMORANDUMS

- a. AM No. 12-107: AWARD OF PROPOSAL NO. 12-166 TO WOLF ARCHITECTURE IN THE AMOUNT OF \$821,254.10 FOR THE MAT-SU DAY SCHOOL DESIGN.

- b. AM No. 12-109: AWARD OF PROPOSAL NO. 12-132 TO HDR, INC. IN THE AMOUNT OF \$244,987.60 FOR THE BIG LAKE, ALASKA COMMUNITY IMPACT ASSESSMENT.

- c. AM No. 12-110: AWARD OF PROPOSAL NO. 12-188 TO YLVISAKER LAND SERVICES FOR THE CONTRACT AMOUNT NOT TO EXCEED \$200,000 FOR REAL ESTATE ACQUISITION SERVICES.

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Salmon moved to approve the consent agenda as read into the record by the Clerk.

MOTION: Assemblymember Arvin moved to divide the question to take Resolution Serial No. 12-090 separately.

VOTE: The motion to divide the question passed without objection.

MOTION: First Segment. Assemblymember Salmon moved to approve the consent agenda as read into the record by the Clerk with the exception of Resolution Serial No. 12-090.

VOTE: The first segment passed without objection.

MOTION: Second Segment. Assemblymember Salmon moved to adopt Resolution Serial No. 12-090.

Assemblymember Arvin noted his objection to listing the ferry on the federal registry until the Assembly fully evaluates the cost of beaching the vessel.

MOTION: Assemblymember Arvin moved to postpone Resolution Serial 12-090 to a time certain of August 21, 2012.

Assemblymember Woods queried the Manager for a cost estimate to bring the ferry from Ketchikan to Port MacKenzie.

Mr. Moosey noted a cost estimate of \$125,000.

Discussion ensued regarding;

- the consequences of putting the ferry on the federal registry;
- procuring a cost study to determine if the vessel could be safely beached or dry docked at Port MacKenzie; and
- alternatives for the use of the vessel.

MOTION: Assemblymember Arvin moved a primary amendment to strike “August 21” and insert in its place “September 18.”

VOTE: Second Segment. The primary amendment passed without objection.

Assemblymember Colver:

- spoke to the complexity of the issues surrounding the ferry; and
- spoke in support of scheduling a special meeting to discuss ferry options in detail.

VOTE: Second Segment. The motion to postpone passed without objection.

(The meeting recessed at 8:42 p.m. and reconvened at 8:53 p.m.)

e. Resolution Serial No. 12-084: A RESOLUTION TO SUBMIT AN ADVISORY QUESTION TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 2, 2012, REGULAR BOROUGH ELECTION TO DETERMINE WHETHER THE PUBLIC SUPPORTS CHANGING THE REGULAR ELECTION DATE FROM THE FIRST TUESDAY IN OCTOBER, TO THE FIRST TUESDAY IN NOVEMBER. *(Sponsored by Assemblymember Colligan)*

(1) IM No. 12-156

MOTION: Assemblymember Keogh moved to adopt Resolution Serial No. 12-084.

Assemblymember Keogh:

- noted that this issue was before the Assembly about three months ago;
- opined that many of the same issues that were previously debated remain unanswered;

- spoke to concerns about how many more election officials would need to be recruited should the date of the election change;
- spoke to concerns about obtaining a ballot tabulation system should the date of the election change; and
- spoke to concerns about a possible delay in election results should the date of the election change.

Assemblymember Colligan:

- spoke to the benefits of holding Borough elections in conjunction with State elections;
- spoke in support of allowing the people to vote on changing the date of the election;
- spoke in support of allowing the people to decide if a November election would be more convenient for them;
- spoke to the success of combined local and state elections in other jurisdictions; and
- noted that if the ballot measure does not come back with a 60 percent approval, the matter would likely not be pursued.

Discussion ensued regarding:

- that fact that the Assembly previously discussed changing the date of the election;
- the need to vet logistical issues before bringing the matter to the people; and
- the need to keep focus on local issues rather than State issues.

MOTION: Assemblymember Colligan moved a primary amendment to strike “October” and insert in its place “April.”

Assemblymember Halter queried if the Clerk could see any issues with an April election date.

Ms. McKechnie advised that an April election date does not hold the same issues as a November election date.

Discussion ensued regarding the implication of changing the election date to April with respect to terms of office for those currently serving.

Mr. Spiropoulos noted that State law specifically prohibits the Assembly from reducing terms for elected officials holding office.

MOTION: Assemblymember Colver moved to postpone Resolution Serial No. 12-084 to a time certain of August 7, 2012.

VOTE: The motion passed with Assemblymember Colligan opposed.

f. Resolution Serial No. 12-085: A RESOLUTION OPPOSING BALLOT MEASURE NO. 2, ESTABLISHMENT OF AN ALASKA COASTAL MANAGEMENT PROGRAM. *(Sponsored by Assemblymember Colligan)*

(1) IM No. 12-157

MOTION: Assemblymember Keogh moved to adopt Resolution Serial No. 12-085.

Assemblymember Keogh queried if any regulations are in place that the Assembly should consider before taking action on the legislation.

Mr. Spiropoulos:

- noted that there is a prohibition on a municipality spending money for or against a ballot proposition;
- added that the prohibition would not apply in this case considering that the measure is a Statewide ballot initiative; and
- noted that the action of the Assembly with respect to Resolution Serial No. 12-085 is considered legislative at the policy level.

Assemblymember Keogh:

- spoke to the success of Alaska's coastal management program for the last 30 years;
- opined that in 2011 the State Legislature and Governor Parnell failed to agree on conditions for extending the coastal management program and therefore the program expired;
- stated that Alaska is now the only State without a coastal management program; added that Alaska has a longer coastline than the coastline in other coastal States combined;
- noted that coastal management gives Alaska direct influence in federal permitting decisions;
- spoke in opposition to the "Whereas" clauses in the legislation that infer the initiative would stop or delay development projects; and
- opined the initiative has wide support in Alaska.

Assemblymember Colligan:

- noted he is not for or against a coastal management program;
- stated the initiative is ill conceived and lacks definition; and
- spoke to consequences of the initiative to the Borough's rivers and lakes.

(Assemblymember Arvin exited at meeting at 9:22 p.m.)

Assemblymember Halter queried as to whether the measure was already slated to appear on State ballot.

Mr. Spiropoulos affirmed the query that the measure is on the 2012 State Primary Election ballot.

(Assemblymember Arvin returned telephonically to the meeting at 9:29 p.m.)

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

g. Resolution Serial No. 12-086: A RESOLUTION ESTABLISHING FEES AT THE BRETT MEMORIAL ICE ARENA, THE PALMER AND WASILLA POOLS, THE BOROUGH LIBRARIES, BOROUGH GYM, PARK FACILITIES, AND THE COMMUNITY ENRICHMENT PROGRAM.

(1) IM No. 12-160

MOTION: Assemblymember Colver moved to adopt Resolution Serial No. 12-086.

MOTION: Assemblymember Colver moved a primary amendment to strike the Borough Gym rental fee of “\$40” and insert in its place “\$25.”

Assemblymember Colver opined that the reduction in fees will not prove to be an economic hardship to the Borough.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 08/07/12, 7 p.m., School District Administration Building)

Mr. Moosey requested that Ordinance Serial No. 12-099 be removed from the agenda.

Mayor DeVilbiss asked if there was any objection.

There was no objection noted.

1. Ordinance Serial No. 12-095: AN ORDINANCE ACCEPTING AND APPROPRIATING \$318,299 FROM THE ALASKA STATE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, TO FUND 475, PROJECT NO. 20385 FOR THE HUMAN SERVICES COMMUNITY MATCHING GRANT.
 - a. Resolution Serial No. 12-091: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PARTICIPATION IN THE HUMAN SERVICES COMMUNITY MATCHING GRANT PROGRAM.
 - b. Resolution Serial No. 12-092: A RESOLUTION ALLOCATING HUMAN SERVICES COMMUNITY MATCHING GRANT FUNDS TO NON-PROFIT HUMAN SERVICE AGENCIES WITHIN THE COMMUNITY AND AUTHORIZING THE MANAGER TO ENTER INTO GRANT AGREEMENTS WITH THE SUB-GRANTEE AGENCIES.
 - (1) IM No. 12-154
2. Ordinance Serial No. 12-096: AN ORDINANCE AMENDING THE APPLICABILITY OF MSB 17.28, INTERIM MATERIALS DISTRICT; AND THE APPLICABILITY OF MSB 17.30, CONDITIONAL USE PERMIT FOR EARTH MATERIAL EXTRACTION ACTIVITIES; FOR THE PORT MACKENZIE SPECIAL USE DISTRICT.
 - a. IM No. 12-155
3. Ordinance Serial No. 12-097: AN ORDINANCE ADOPTING THE MATANUSKA-SUSITNA BOROUGH WETLANDS MANAGEMENT PLAN AND AMENDING MSB 15.24.030, COMPREHENSIVE PLAN AND PURPOSES.
 - a. Resolution Serial No. 12-093: A RESOLUTION APPROVING THE MATANUSKA-SUSITNA BOROUGH WETLANDS MANAGEMENT PLAN.
 - (1) IM No. 12-158

4. Ordinance Serial No. 12-098: AN ORDINANCE PLACING ON THE BALLOT OF THE OCTOBER 2, 2012, REGULAR ELECTION, A QUESTION FOR THE QUALIFIED VOTERS OF THE WILLOW FIRE SERVICE AREA NO. 35 TO INCREASE THE MILL LEVY FOR THE WILLOW FIRE SERVICE AREA NO. 35 FROM 1.37 TO 2.50 EFFECTIVE JULY 1, 2013. *(Sponsored by Assemblymember Halter)*
 - a. IM No. 12-159
 5. ~~Ordinance Serial No. 12-099: AN ORDINANCE APPROVING AN APPROPRIATION OF \$475,000 FROM BIG LAKE ROAD SERVICE AREA NO. 21 FUND BALANCE, FUND 277, TO FUND 410, PROJECT NO. 30043, FOR BIG LAKE ROAD SERVICE AREA NO. 21 CAPITAL PROJECTS.~~
 - a. ~~IM No. 12-161~~
 6. Ordinance Serial No. 12-100: AN ORDINANCE APPROVING AN APPROPRIATION OF \$750,000 FROM BOGARD ROAD SERVICE AREA NO. 25 FUND BALANCE, FUND 279, TO FUND 410, PROJECT NO. 30045, FOR BOGARD ROAD SERVICE AREA NO. 25 CAPITAL PROJECTS.
 - a. IM No. 12-162
 7. Ordinance Serial No. 12-101: AN ORDINANCE APPROVING AN APPROPRIATION OF \$175,000 FROM WILLOW ROAD SERVICE AREA NO. 20 FUND BALANCE, FUND 276, TO FUND 410, PROJECT NO. 30042, FOR WILLOW ROAD SERVICE AREA NO. 20 CAPITAL PROJECTS.
 - a. IM No. 12-164
 8. Ordinance Serial No. 12-102: AN ORDINANCE ACCEPTING AND APPROPRIATING \$150,000 IN GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE WEST LAKES FIRE SERVICE AREA NO. 136, FISCAL YEAR 2013 DESIGNATED LEGISLATIVE GRANT PROJECTS.
 - a. Resolution Serial No. 12-094: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR AN ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT GRANT FOR THE WEST LAKES FIRE SERVICE AREA NO. 136.
 - (1) IM No. 12-166
 9. Ordinance Serial No. 12-103: AN ORDINANCE PROVIDING FOR A RESIDENTIAL REAL PROPERTY TAX EXEMPTION OF \$20,000 OF THE ASSESSED VALUE FOR AN OWNER OCCUPIED RESIDENCE AND SUBMITTING THE QUESTION TO THE QUALIFIED VOTERS AT THE OCTOBER 2, 2012, REGULAR BOROUGH ELECTION. *(Sponsored by Mayor DeVilbiss)*
 - a. IM No. 12-167
- B. INTRODUCTIONS (For public hearing – 08/21/12, Borough School District Administration Building)

1. Ordinance Serial No. 12-092: AN ORDINANCE CREATING HOMESTEAD ESTATES AND ON THE IDITAROD NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 460, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
 - a. IM No. 12-151
2. Ordinance Serial No. 12-093: AN ORDINANCE CREATING EAST DOC McKINLEY AND SOUTH JESSIE JO PLACE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 486, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
 - a. IM No. 12-152
3. Ordinance Serial No. 12-094: AN ORDINANCE CREATING RAVEN'S HILL AND NORMAN LANGE'S HOLIDAY NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 470, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
 - a. IM No. 12-153

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Salmon moved to introduce the legislation as read into the record by the Clerk and set the public hearings for August 7, 2012 and August 21, 2012, respectively.

VOTE: The motion passed without objection.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmations:

Emergency Medical Services Board, Talkeetna Ambulance Alternate
Jennifer Hales
Parks, Recreation & Trails Advisory Board
Removal of Fred Miller

Mayor DeVilbiss made the following recommendations:

Platting Board, Alternate 1
Marty Van Diest (resignation of Stan Gillespie to coincide with confirmation)
Platting Board, Alternate 3

Stan Gillespie (resignation of Marty Van Diest to coincide with confirmation)
Circle View & Stampede Estates Flood & Water Erosion Control Member 2
Linda Smith
Circle View & Stampede Estates Flood & Water Erosion Control Member 4
William Snegirev

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

VOTE: The motion passed without objection.

D. OTHER NEW BUSINESS

(There was no other new business.)

E. REFERRALS (For referral to the Planning Commission for 90 days or other date specified by the Assembly)

(There were no referrals.)

XI. RECONSIDERATION

(There was no reconsideration.)

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Moosey:

- spoke to efforts by staff to mitigate the monthly costs of storing the M/V Susitna in Ketchikan;
- spoke to efforts to transfer the ferry to another entity;
- spoke to the Federal Transit Authority grant requirements in which the Borough is obligated for the M/V Susitna; and
- reported staff is meeting with Governor Parnell's office with regard to the Alaska Marine Highway System using the ferry.

Ms. McKechnie thanked the Assembly for her evaluation.

Assemblymember Salmon:

- commended Ms. McKechnie on her job performance; and
- wished everyone a good evening.

Assemblymember Halter noted he would like to visit or see drawings of the ferry landing built in Whittier as reported on by Port Commissioner Dave Cruz.

Assemblymember Woods:

- thanked the Assembly for their support of Resolution Serial No. 12-085; and

- expressed his appreciation to Clerk's Office staff.

Assemblymember Colligan:

- spoke to the complexity of the ferry issue;
- spoke to losses sustained by the Borough with regard to the ferry;
- noted that the Borough needs to act quickly to further mitigate losses related to the ferry; and
- encouraged the Manager to compile a list of opportunities for the Assembly to consider with respect to the ferry.

Assemblymember Cover:

- requested that Administration implement cost accounting; and
- thanked the public for attending the meeting.

MOTION: Assemblymember Arvin moved for immediate reconsideration of Ordinance Serial No. 12-089.

VOTE: The motion to reconsider failed with Assemblymember Arvin in favor.

Assemblymember Arvin:

- noted he does not feel good about the action taken on Ordinance Serial No. 12-089 with respect to displacing families from their homes;
- added he feels there were some unanswered questions with regard to the legislation; and
- requested that the Clerk review the recording to verify that the main motion on Ordinance Serial No. 12-089 was acted upon.

Mayor DeVilbiss:

- suggested the Assembly schedule a special meeting to discuss the M/V Susitna;
- thanked Assemblymember Salmon for Chairing the special meeting in his stead; and
- asked the Manager if he has clear direction on where the Administration is going with the ferry.

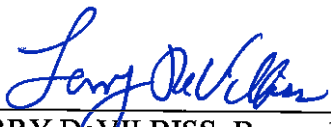
Mr. Moosey affirmed the query noting his intent to review cost mitigation while exploring opportunities for the M/V Susitna.

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 9:53 p.m.



LARRY DeVILBISS, Borough Mayor

ATTEST:



LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 08/21/12