I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on August 5, 2008, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:05 p.m. by Mayor Curtis D. Menard. *(Teleconference to Talkeetna Elementary School)*

II. ROLL CALL

Assembly members present and establishing a quorum were:

Ms. Lynne Woods, Assembly District No. 1 *(Deputy Mayor)*
Mr. Pete Houston, Assembly District No. 2
Ms. Michelle R. Church, Assembly District No. 3
Ms. Mary Kvalheim, Assembly District No. 4
Ms. Cindy L. Bettine, Assembly District No. 5 *(arrived at 7:07 p.m.)*
Mr. Robert Wells, Assembly District No. 6 *(arrived at 6:35 p.m.)*
Mr. Tom Kluberton, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Duffy, Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Amanda E. Charles, Executive Assistant to the Borough Clerk
Ms. Tammy Clayton, Finance Director
Mr. Keith Rountree, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Ms. Linda Brenner, Community Development Director
Mr. Mark Mayo, Planning and Land Use Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Dave Hanson, Economic Development Director

III. APPROVAL OF AGENDA

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

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Nicholas Spiropoulos, Borough Attorney.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: 07/15/08

Mayor Menard inquired if there were any corrections to the regular meeting minutes of July 15, 2008.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

2. Matanuska-Susitna Borough School District

Ms. Catherine Esary, Public Information Officer:

- stated that school starts on August 18, 2008, for grades 1 through 12;
- noted that enrollment for the upcoming year is at 16,158, which is approximately 100 students more than last year;
- spoke to the Back-to-School Guide which was provided by the Frontiersman;
- advised that school registration began on August 4, 2008; and
- commented on the School District's strategic plan for the upcoming year.

Assemblymember Kvalheim asked if the classes that were cut from Wasilla High School were being returned to the curriculum.

Ms. Esary stated that she would follow up and get back with Assemblymember Kvalheim.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

(There was no report provided.)

2. Assembly Public Relations

(There were no reports provided.)

B. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:
- spoke to erosion in the Sutton area; and
- stated that the bid award for the Central Landfill would be before the Assembly on August 19, 2008.

C. ATTORNEY COMMENTS

(There was no report provided.)

D. CLERK COMMENTS

Ms. McKechnie:
- spoke regarding the upcoming meeting schedule;
- noted that in the past, when the federal election occurred on the same day as an Assembly meeting, the Assembly had chosen to cancel their regular meeting; and
- inquired if the Assembly would like to cancel the November 4, 2008, regular meeting.

There was no objection noted.

E. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
a. Greater Butte RSA No. 26: 03/13/08, 05/01/08
b. Greater Talkeetna RSA Board or Supervisors: 04/10/08, 05/08/08
c. Port Commission: 04/21/08
d. Transportation Advisory Board: 02/27/08, Resolution Serial Nos. 08-01, 08-02, 08-03, 08-04

2. Community Council Correspondence:
a. Lazy Mountain Community Council: 04/10/08, 05/08/08
b. Talkeetna Community Council: 03/03/08, 04/07/08, 04/24/08

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

F. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

IX. NEW BUSINESS

A. INTRODUCTION (For public hearing 08/19/08, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 08-120: AN ORDINANCE AMENDING THE MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT'S FISCAL YEAR 2008 OPERATING BUDGET FROM $223,960,344 TO $218,630,714.
a. IM No. 08-170

2. Ordinance Serial No. 08-121: AN ORDINANCE REAPPROPRIATING $934,374 FROM FUND 410, PROJECTNO. 35245, POINT MACKENZIE ROAD IMPROVEMENTS, TO FUND 430, PROJECT NO. 35187, HATCHER PASS SKI DEVELOPMENT ROAD.

a. Resolution Serial No. 08-093: A RESOLUTION APPROVING THE AMENDED BUDGETS FOR PROJECT NO. 35245, POINT MACKENZIE ROAD IMPROVEMENTS AND PROJECT NO. 35035, SELDON ROAD EXTENSION WEST, AMENDING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 35187, HATCHER PASS SKI DEVELOPMENT ROAD, AND AUTHORIZING THE BOROUGH MANAGER TO ENTER INTO A TRANSFER OF RESPONSIBILITY AGREEMENT WITH THE STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES FOR THE HATCHER PASS SKI DEVELOPMENT ROAD PROJECT.

(1) IM No. 08-191

3. Ordinance Serial No. 08-122: AN ORDINANCE ACCEPTING AND APPROPRIATING A $38,500 COASTAL MANAGEMENT (306 PROGRAM, REQUIRED TASKS) GRANT TO FUND 480, PROJECT NO. 20158, FOR FISCAL YEAR 2009 REQUIRED TASKS.

a. Resolution Serial No. 08-094: A RESOLUTION ESTABLISHING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA COASTAL MANAGEMENT (306 PROGRAM, REQUIRED TASKS) GRANT FOR FISCAL YEAR 2009.

(1) IM No. 08-197

4. Ordinance Serial No. 08-123: AN ORDINANCE ACCEPTING AND APPROPRIATING $20,180 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT FOR THE BOROUGH LOCAL EMERGENCY PLANNING COMMITTEE, FUND 480, PROJECT NO. 20259, FOR FISCAL YEAR 2009 OPERATIONS.

a. Resolution Serial No. 08-095: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT, PROJECT NO. 20259, FUND 480, FOR THE BOROUGH LOCAL EMERGENCY PLANNING COMMITTEE.

(1) IM No. 08-198

5. Ordinance Serial No. 08-124: AN ORDINANCE APPROPRIATING $120,000 OF INTEREST EARNINGS ON THE 2006 SERIES B, GENERAL OBLIGATION SCHOOL BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40162, FOR LEED CERTIFICATION OF SOUTH PALMER ELEMENTARY SCHOOL.

a. IM No. 08-202

6. Ordinance Serial No. 08-125: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF $328,956 FROM THE UNRESTRICTED NET ASSETS IN THE SOLID WASTE ENTERPRISE FUND, FUND 510, TO FUND 510, FISCAL YEAR 2009 SOLID WASTE TRANSFER SITES OPERATING BUDGET, TO ALLOW FOR WAGE AND BENEFIT FUNDING FOR FIVE TRANSFER SITE POSITIONS FROM OCTOBER 1, 2008, TO JUNE 30, 2009.

a. IM No. 08-205

7. Ordinance Serial No. 08-126: AN ORDINANCE APPROPRIATING $120,000 OF INTEREST EARNINGS ON THE 2006 SERIES B, GENERAL OBLIGATION SCHOOL BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40164, FOR ASBESTOS ABATEMENT AND ASSOCIATED CONSTRUCTION COSTS FOR THE WASILLA MIDDLE SCHOOL UPGRADE PROJECT.

a. IM No. 08-206

8. Ordinance Serial No. 08-127: AN ORDINANCE APPROPRIATING $157,674 OF INTEREST EARNINGS ON THE 2006 SERIES B, GENERAL OBLIGATION SCHOOL BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40162, FOR THE UPGRADE AND PAVING OF THE ACCESS ROAD TO SOUTH PALMER ELEMENTARY SCHOOL AND THE PARKING AREAS.

a. IM No. 08-207

B. INTRODUCTION (For public hearing 09/16/08, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 08-116: AN ORDINANCE CREATING CHISANA WOODS AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 430, 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. 08-188

2. Ordinance Serial No. 08-117: AN ORDINANCE CREATING BRADLEY LAKE AVENUE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 432, 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. 08-189

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Woods moved to introduce the legislation as read into the record by the Clerk and set the public hearings for August 19, 2008, and September 16, 2008, respectively.

VOTE: The motion passed without objection.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Menard requested the following confirmations:

- Animal Care and Regulation Board
  - John Wood
- Board of Adjustment and Appeals
  - Resignation of Alvah Clark Buswell III (from alternate position)
  - Alvah Clark Buswell III (to a regular position)
- Board of Ethics
  - Frank Muncy
- Citizen Advisory Committee on the Point Mackenzie Prison
  - Art Scates
  - Greg Bell
- Health and Social Services Board
  - Reba Brady
- Local Emergency Planning Committee
  - Timothy Nixon

Mayor Menard made the following recommendations:

- Citizen Advisory Committee on the Point Mackenzie Prison
  - Lynn Gattis
  - Gordon Attaliades
- Transportation Advisory Board
  - Henry Cottle
- South Colony RSA No. 16
  - Jeff Nelles

MOTION: Assemblymember Woods moved to confirm the Mayor’s recommendations up for confirmation this evening.

VOTE: The motion passed without objection.

D. OTHER NEW BUSINESS

MOTION: Assemblymember Church moved to suspend the rules to take up the Consent Agenda prior to 7 p.m.

VOTE: The motion passed without objection.

D. CONSENT AGENDA (AM Nos. 08-081 and 08-082 were pulled from the consent agenda and addressed separately. *See pp.29-30*)

a. Resolution Serial No. 08-089: A RESOLUTION AMENDING THE BUDGETS FOR PROJECT NOS. 40128, 40133, AND 40164 TO SUPPLEMENT THE CONSTRUCTION OF A CAFETERIA ADDITION TO THE WASILLA MIDDLE SCHOOL.

(1) IM No. ~~08-115~~ 08-216

b. Resolution Serial No. 08-090: A RESOLUTION ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM AS THE STANDARD IN THE MATANUSKA-SUSITNA BOROUGH FOR INCIDENT MANAGEMENT DURING EMERGENCIES OR DISASTERS.

(1) IM No. 08-192

c. Resolution Serial No. 08-091: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR FISH AND WILDLIFE FISH PASSAGE PROJECT MANAGEMENT, PROJECT NO. 30093.

(1) IM No. 08-195

d. Resolution Serial No. 08-092: A RESOLUTION SUPPORTING THE GOALS AND IDEALS OF THE UNITED STATES CENSUS BUREAU FOR THE 2010 CENSUS.

(1) IM No. 08-203

3. ASSEMBLY MEMORANDUMS

a. AM No. 08-080: AUTHORIZING THE PURCHASE OF SODIUM CHLORIDE FROM BERING MARINE CORPORATION FOR AN AMOUNT NOT TO EXCEED $191,769, UTILIZING THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITY CONTRACT NO. 258024-1.

d. AM No. 08-083: AUTHORIZING THE AMENDMENT OF CONTRACT NO. 08-092 WITH ALASKA PLANNING AND ARCHITECTURE FOR AN AMOUNT NOT TO EXCEED $200,000 FOR PHASE II SERVICES ASSOCIATED WITH THE DEVELOPMENT OF DESIGN-BUILD DOCUMENTS FOR THE POINT MACKENZIE CORRECTIONAL CENTER.

e. AM No. 08-084: AWARD OF BID NO. 08-142 TO H & W EMERGENCY VEHICLES IN THE AMOUNT OF $315,643 FOR THE PURCHASE OF A SUTTON RESCUE APPARATUS.

f. AM No. 08-085: AWARD OF PROPOSAL NO. 09-003 TO RBC CAPITAL MARKETS, MERRILL LYNCH, AND MORGAN STANLEY FOR A SHARED TOTAL ESTIMATED FEE OF $766,062 FOR UNDERWRITING SERVICES.

g. AM No. 08-086: AWARD OF PROPOSAL NO. 09-017 TO COLLINS CONSTRUCTION, INC., FOR THE AMOUNT OF $17,701,214, WITH A CONTRACT AMENDMENT LIMIT OF $500,000, FOR THE CONSTRUCTION OF SUSITNA VALLEY JUNIOR/SENIOR HIGH SCHOOL.

h. AM No. 08-087: AWARD OF QUOTE NO. Q09-003 TO E & E CONSTRUCTION IN THE AMOUNT OF $264,812 FOR THE COMPLETION OF CELL 3, PHASE NO. 1, AT THE CENTRAL LANDFILL.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

VIII. UNFINISHED BUSINESS

(There was no unfinished business.)

(The regular meeting recessed at 6:30 p.m. and reconvened at 7:03 p.m.)

VII. SPECIAL ORDERS (to begin at 7 p.m.)

A. PERSONS TO BE HEARD (MSB 2.12.081; Three minutes per person.)
(Requires 11 days advance notice and must otherwise be in compliance with the necessary code requirements. If no advance notice is given, persons wishing to speak may do so under the Audience Participation section of the agenda.)

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 08-089: AN ORDINANCE AMENDING MSB 15.24.030(B), TO INCLUDE THE REGIONAL AVIATION SYSTEMS PLAN AND AIRPORT LOCATION STUDY.
a. IM No. 08-141

Mr. Mayo provided a staff report.

Mayor Menard opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 08-089: Mr. Robert Hamblen, Chair of the Transportation Advisory Board; Ms. Kathy Wells, Director of Friends of Mat-Su; Ms. Ruth Wood; Ms. Pam Flowers; and Mr. John Strasenburgh.
There being no others present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 08-089.

Assemblymember Kluberton:
- stated that his proposed amendments are to define the property around air strips between residential and commercial use areas;

- spoke to a conditional use permit process for commercial use air strips; and
- commented on amendments to the errata sheet.

MOTION: Assemblymember Kluberton moved a primary amendment to the Errata Sheet; Summary of Primary Changes, Executive Summary, and Main Report; which will be incorporated into the source Regional Aviation Systems Plan (RASP) documents as follows:

<u>Summary of Primary Changes</u>

- by inserting the words “conditional use permit or” under the third bullet point; and
- inserting the words “or planned unit development be enacted” and to strike the words “and eliminate routing variance” in the fourth bullet:
- to read:
- clarified composition of Aviation Advisory Board to be a diverse group.
- Noted web-based mapping of airports might be completed by the DOT&PF instead of the MSB.
- Noted airport compatibility recommendations might be implemented under conditional use permit or a planned unit development ordinance.
- Recommended Title 27 be amended or a planned unit development be enacted to define platting requirements for airports.

<u>Executive Summary</u>

- No. 2, by striking the word “good” and insert in its place the word “diverse”
- No. 4, by inserting the sentence “Add sentence at end or paragraph that reads “These processes shall be implemented concurrently with changes to Title 27, to create a coordinated approach to approving airport locations.”
- No. 5, by striking “and eliminate the existing problem of variances being inadvertently triggered for all new airports” and insert in its placed “to be implemented concurrently with changes to Title 17, creating a coordinated approach to approving airport locations.”
- To read:

  1. Page 1, paragraph 3, last line**.** Add text “ This Regional Aviation System Plan implements a recommendation of the MSB Long Range Transportation Plan.”

  2. Page II, paragraph 1, line 5**.** Substitute for the following “The composition of the Aviation Advisory Board would include a ~~good~~ **<u>diverse</u>** mix of aviation and non-aviation interests, including representatives from airport businesses, private pilots, public and private airport owners, community leaders, business leaders, airport neighbors, and others.”

  3. Page IV, paragraphs 2 and 6. Change text to indicate airport mapping would be on the MSB or DOT&PF web sites

4. Page V, last paragraph. Change text in several places to say conditional use permit, "planned unit development," or land use permit. **<u>Add sentence at end of paragraph that reads: "These processes shall be implemented concurrently with changes to Title 27 to create a coordinated approach to approving airport locations."</u>**

5. Page VI, first line. Add text "The MSB should amend Title 27 of the code to define specific platting requirements for airports, which would specify standards to be met for airports, ~~and eliminate the existing problem of variances being inadvertently triggered for new airports.~~ **<u>to be implemented concurrently with changes to Title 17 creating a coordinated approach to approving airport locations."</u>**

6. Page VII, table 1**.** Under airport compatibility section, **c**hange text to indicate airport mapping would be on the MSB "or DOT&PF" web sites.

7. Page VII, table 1. Under airport compatibility section, change text to say conditional use permit, "planned unit development," or land use permit

8. Page VII, table 1. Under airport compatibility section, add text to "Amend Title 27 to define platting requirements specifically for airports."

<u>Main Report</u>

- by inserting a 20.1 to read: "Page 82, paragraph 5.4.3.6 Conditional Use Permit or Land Use Permit: Insert after the "airport template" in the second to last sentence the words "as well as other relevant land use criteria." The second to last sentence would then read: "The permit would ensure the airport meets minimum airport development standards as shown on an airport template as well as other relevant land use criteria."
- No. 21, by inserting the words "and Title 17" after the words "Title 27" and insert the word "concurrently" after the word "be" and before the word "amended"
- By inserting a 24.1 to read: "Page 88, paragraph 3. In the first sentence, change "should" to "shall." (NOTE: the Planning Commission directed this change but it was not implemented.)"
- By inserting a 25.1 to read: "Page 88, paragraph 5. Preface second sentence with the words "For example" and change the words "with commercial operations" in the second sentence to read "with commercial activity" and delete the word "large" in the last sentence."
- No. 26, by striking the existing language in the first paragraph and insert in its place "Page 88, Re-title paragraph 6, at beginning of the paragraph insert substitute language and add 3 points to the list of standards provided in errata to read:
  - Conditional Use Permit, Planned Unit Development, Platting – The MSB should amend Title 27 and 17 (CUP and PUD) of code to define specific land use and platting requirements for airports:
    And insert the following points to the end of the bullets:
  - Neighborhood acceptance
  - Compatibility with surrounding land use
  - Will not be detrimental to the public health, safety, welfare, or to adjacent property
- To read:

9. Pages 15 – 19. Update maps with FAA's latest registered airports (to be updated with latest information with final report).

10. Page 21. Update Table 7 and associated text with FAA's latest inventory of registered airports (to be updated with latest information with final report).

11. Page 25**.** Insert new map revised based on military input on military airspace (attached).

12. Page 30, 5th paragraph, line 2. Delete the words …,and Talkeetna

13. Page 47, after paragraph 3. Insert "The third public meeting was held in fall, 2007. The meeting was held in Sunshine (near Talkeetna) and Wasilla. The purpose of the third meeting was to present and receive comments on the draft RASP and Location Study reports. Over 100 people attended the meetings. Over 120 written comments were submitted following the meeting. Copies of the public meeting minutes and all written comments on the draft reports are included in Appendix C."

14. Page 61, 5th paragraph, line 1. After the words east-west runway add "(this runway has been closed due to the incompatible commercial development)"

15. Page 62, Figure 14. Add the word "(closed)" to the runway that has been closed.

16. Page 66, 3rd paragraph, line 3. Insert "At the third set of public meetings in Sunshine and Wasilla, the project recommendations were presented and subsequently over 120 written comments were received."

17. Page 67, paragraph 5, line 5. After the word aviation insert "and non-aviation interests" and delete the word activities

18. Page 68, paragraph 2, lines 1 - 4. Substitute for the following "The composition of the AAB would include a ~~good~~ **<u>diverse</u>** mix of aviation and non-aviation interests, including representatives from airport businesses, private pilots, public and private airport owners, community leaders, business leaders, airport neighbors, and others."

19. Page 75, Table 28. Change to "Maps on MSB or DOT&PF web site"

20. Pages 76, 81 and 86, paragraph 1. Change to say web mapping of airports by MSB "or DOT&PF"

<u>20.1. Page 82, paragraph 5.4.3.6 Conditional Use Permit or Land Use Permit: Insert after the "airport template" in the second to last sentence the words "as well as other relevant land use criteria." The second to last sentence would then read: "The permit would ensure the airport meets minimum airport development</u>

<u>standards as shown on an airport template as well as other relevant land use criteria."</u>

21. Page 83, paragraph 1. Add the following after paragraph 1:

"MSB's Title 27 Subdivision Code does not specifically address platting requirements for airports. In a recent platting case where an applicant was platting an airpark (an airstrip and the adjacent lots that could access the airstrip with an airplane), the MSB determined that a variance was required by Title 27 because the block length would exceed 1400 feet (MSB 27.20.065 (A)) and the airstrip tract would exceed a 3:1 length to width ratio (MSB 27.20.065 (B)). While these requirements were not specifically included in the code to address airports, their effect will be to trigger a variance for all future airport developments where land is to be subdivided.

A variance process in the code requires that the development can only exceed 1,400 foot block length and 3:1 length requirements if the platting board finds that:

(1)the granting of the variance shall not be detrimental to the public health, safety or welfare, or to adjacent property; and

(2)the conditions upon which the variance application is based are unique to the property; and

(3)the strict application of MSB 27.20 shall result in undue substantial hardship to the owner of the property due to unusual physical surroundings, shape, or topographical conditions of the property for which the variance is sought, the taking of a part of the property through condemnation, or surrounding development or conditions.

These variance requirements are difficult, at best, for a developer to meet when proposing a subdivision with public road access to a private airstrip. Airstrip safety considerations are not addressed within the current code.

Requiring a variance for all airports was not necessarily the intent of Title 27. Singling out airports for variances and not providing more precise guidance to determine under what conditions a variance should be granted is also not prudent. Therefore, this alternative proposes that Title 27 **<u>and Title 17</u>** be **<u>concurrently</u>** amended to specifically address the platting requirements for airports where subdivision of land is required."

22. Page 85, Table 31. Change text to say web mapping of airports by MSB "or DOT&PF".

23. Page 85, Table 31**.** Change text at bottom of page to say "Amend code to define platting requirements for airports" and show airports, commercial floatplane bases….

24. Page 85, Table 31. Change text at bottom of table to say Amend MSB Title "27".

<u>24.1. Page 88, paragraph 3. In the first sentence, change "should" to "shall". (NOTE: the Planning Commission directed this change but it was not implemented.)</u>

25. Page 88, paragraphs 3 - 5. Change text to say CUP, "PUD (Planned Unit Development)" or Land Use Permit.

25.1 Page 88, paragraph 5: Preface second sentence with the words, “For example” and change the words “with commercial operations” in the second sentence to read’ “with commercial activity” and; delete the word “large” in the last sentence.

26. ~~Page 88, paragraph 6. Add text at the beginning of paragraph: “The MSB should amend Title 27 of the code to define specific platting requirements for airports, which would specify standards to be met for airports and eliminate the existing problem of variances begin inadvertently triggered for all new airports.~~

Page 88, Re-title paragraph 6, at beginning of paragraph inset substitute language and add 3 points to list of standards provided in errata to read:

Conditional Use Permit, Planned Unit Development, Platting – The MSB should amend Titles 27 and 17 (CUP and PUD) of the code to define specific land use and platting requirements for airports.

Considerations for this amendment to Titles 27 and 17 include:

- FAA airspace determination prior to plat submittal
- Opportunity for public comment (public hearing at the Platting Board with newspaper ads and notices of hearing mailed to nearby property owners are already required for platting actions)
- Meeting minimum standards defined in MSB airport templates
- Measures to prevent vehicle traffic across the airport by the general public, particularly if the parcel is adjacent to a public easement
- Initiate airport registration with the FAA after the airport is constructed (registration by FAA sometimes takes up to 2 years so only a record that the applicant has applied to register with the FAA should be required)
- Providing a variance process if there are extenuating circumstances such as unique land features like undevelopable public lands, waters or other features that would mitigate the need for meeting all of the template standards
- Requiring warning signs appropriately placed at all public or private road crossings. Proof of signage could be verified via photograph, and/or inspection by MSB personnel prior to recordation of subdivision.
- Plat notes regarding airstrip issues – possibly to include location, road crossings, noise and ownership of strip”
- **Neighborhood acceptance**

o Compatibility with surrounding land use

o Will not be detrimental to the public health, safety, welfare, or to adjacent property

Assemblymember Bettine queried if the federal funding could be used to finish the work on the code changes.

Mr. Duffy stated that he did not believe that the federal funding could be used.

Assemblymember Bettine queried time frame before the project would be completed.

Mr. Duffy stated that they would be completed prior to the beginning of the next construction season.

Assemblymember Church noted her support of the amendments.

VOTE: The primary amendments passed without objection.

MOTION: Assemblymember Kluberton moved a primary amendment to include the errata within the Regional Aviation Systems Plan.

Assemblymember Houston queried if the RASP would create the Aviation Advisory Board.

Mr. Duffy stated that legislation would need to come forward to the Assembly creating the Board.

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed without objection.

2. Ordinance Serial No. 08-075: AN ORDINANCE RELATING TO THE CONSTRUCTION, ADDITIONS, IMPROVEMENTS, BETTERMENTS, REPAIR, RECONSTRUCTION, OR ACQUISITION OF PUBLIC ROADS AND FACILITIES RELATED THERETO IN THE MATANUSKA-SUSITNA BOROUGH, TOGETHER WITH ALL NECESSARY EQUIPMENT AND TRANSPORTATION FACILITIES, AND THE ACQUISITION OF LANDS OR RIGHTS IN LANDS IN CONNECTION THEREWITH, AND A DEBT OF SAID BOROUGH, AUTHORIZING THE ISSUANCE OF AREAWIDE GENERAL OBLIGATION BONDS OF SAID BOROUGH IN AN AMOUNT NOT TO EXCEED THE SUM OF FIFTEEN MILLION DOLLARS ($15,000,000) TO FINANCE THE COST, IN WHOLE OR IN PART, OF SUCH PUBLIC ROADS AND APPURTENANCES, AND PROVIDING FOR THE SUBMISSION TO THE VOTERS OF SAID BOROUGH OF A PROPOSITION RATIFYING THE AUTHORIZATION OF SAID BONDS AT THE OCTOBER 7, 2008 REGULAR BOROUGH ELECTION. *(Main motion pending from: 06/24/08)*

a. IM No. 08-147

Mr. Sworts provided a staff report on each road project.

Jenson - Soapstone Road Connection

Mr. Sworts stated that this connection would provide another east/west corridor.

Mr. Duffy stated that it provides access from the Glenn Highway to Palmer Fishhook.

Assemblymember Bettine queried if there were substandard roads in the area.

Mr. Sworts stated that a portion of Jenson Road would need to be paved in the future.

Dogwood Extension

Mr. Sworts:
- stated that the Dogwood Extension would be a multiple agency effort; and
- advised that the portion of the road is within the city of Palmer.

Discussion ensued regarding:
- the possibility of future connector roads;
- available funding from other agencies;
- a one-way couplet; and
- expected time frames for the completion of the Dogwood Extension.

Assemblymember Bettine queried if there were other roads on the list that that has joint funding.

Mr. Sworts stated that this is the only road on the list with joint funding.

Seward Meridian Parkway Extension South

Mr. Sworts:
- explained that the parkway would go south of Wal-Mart;
- advised that an overpass would have to be built to go over the railroad; and
- stated that it would connect to Fairview Loop.

Herman Road Extension

Mr. Sworts:
- spoke to the need of the Hermon Road Extension;
- commented on the congestion of the area intersecting with the Palmer-Wasilla Highway; and
- covered the highlights of this project.

Vine Road Upgrade

Mr. Sworts:
- stated that the funding would provide Vine Road with shoulders, intersection improvements, turning lanes, and upgrading the pavement type; and
- noted that the State will be providing improvements to the Knik Goose Bay Road and Vine Road intersection.

Seldon Road Upgrade – Shrock Road to Wards Road

Mr. Sworts:
- stated that this portion of Seldon Road needs shoulders and pedestrian upgrades; and
- advised that this improvement is needed to continue the vision of the Seldon Road corridor.

Assemblymember Wells asked if the intent behind all the projects is to have pedestrian upgrades.

Mr. Sworts stated that the Seldon Road upgrade is the only road planned for pedestrian pathways.

Assemblymember Wells spoke regarding the need to upgrade all the projects with pedestrian pathways.

Mr. Sworts:
- advised that it is approximately $1 million per mile to add pedestrian pathways; and
- noted that more property would have to be acquired in order to allow for pedestrian pathways.

Discussion ensued regarding the need for pedestrian pathways.

Seldon Road Extension - Church Road to Beverly Lakes Road

Mr. Sworts:
- advised that this extension would allow traffic to continue all the way to Pittman Road and then down to the Parks Highway; and
- stated that the homeowners in the Beverly Lakes area are supportive of the extension.

Ms. Clayton:
- spoke to the ordinance as amended;
- stated that the amount to retire the debt would be $13.32 per $100,000 of assessed taxable property value; and
- noted that the bonds would only be issued once the funds were in-hand.

Assemblymember Bettine:
- spoke to the State partially funding the road project list; and
- queried if work could proceed on roads that were funded.

Ms. Clayton:

- stated that the Borough could proceed with the initially funded projects; and
- noted that the Borough could proceed with the other projects if they receive funding in the future.

Assemblymember Wells queried these bonds compared with issuing school bonds.

Ms. Clayton:

- spoke to the authorization of debt service reimbursement; and
- noted the similarities.

Discussion ensued regarding the issuing of the bonds.

Assemblymember Kluberton spoke to inserting language regarding non-motorized pathways.

Ms. Clayton spoke to recommended technical amendments.

Mayor Menard opened the public hearing.

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

(The regular meeting recessed at 8:25 p.m. and reconvened at 8:41 p.m.)

MOTION: Assemblymember Woods moved a primary amendment to Ordinance Serial No. 08-075 as follows:

- section 3, 2nd paragraph, by striking the words "being at least 28,700,000;"
- section 3, first line at the top of the page, by striking the word "such" and insert in its place "each;"
- section 5, by striking the date of "June 24" and insert in its place "August 5;"
- section 6, first sentence, by striking the wording "both for paper ballots and machine ballots;" and
- section 6, by striking the word "BONDS" before "yes" and "no"

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Kluberton moved a primary amendment to Ordinance Serial No. 08-075 as follows:

- Page 2, section 2, first sentence, by striking the wording "twelve million, five hundred seventy-five thousand dollars ($12,575,000)" and inserting in its place "fifteen million ($15,000,000)"
- Page 3, section 3, last sentence of the first paragraph, by striking the amount of "$12,575,000" and inserting in its place "$15,000,000"
- Page 4, section 3, last sentence, by striking the amount of "$12,575,000" and inserting in its place "$15,000,0000"

- Page 5, project list, by inserting the project "Non-motorized pathways" and the corresponding amount of "$2,400,000" after the project Seldon Road Extension, Church Road to Beverly Lake Road, and before the total cost of issuance
- Page 5, project list, by striking the total cost of issuance of "275,000" and inserting in its place "300,000"
- Page 5, project list, by striking the total of "$12,575,000" and inserting in its place "$15,000,000"
- Page 5, last sentence, by inserting the wording "and shall include non-motorized pathways where practicable" after the word "appurtenances" to read as follows: The approved projects may be completed with all necessary equipment and appurtenances and shall include non-motorized pathways where practicable.
- Page 7, section 5, by striking the references to the amount of "twelve million five hundred and seventy-five thousand ($12,575,000)" and inserting in their place the amount of "fifteen million ($15,000,000)"
- Page 8, project list, by inserting the project "Non-motorized pathways" and the corresponding amount of "$2,400,000" after the project "Seldon Road Extension, Church Road to Beverly Lake Road" and before the "total cost of issuance"
- Page 8, project list, by striking the total cost of issuance of "275,000" and inserting in its place "300,000"
- Page 8, project list, by striking the total of "$12,575,000" and inserting in its place "$15,000,000"
- Page 8, first paragraph, by striking the amount of "$13.32" and inserting in its place "$15.89" to read as follows: Voter approval of this bond proposition authorizes each $100,000 of assessed taxable property value (based on the estimated 2009 assessed valuation in the Matanuska-Susitna Borough) an annual increase in taxes of approximately $15.89 to retire the proposed bonds.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Woods moved a primary amendment to Ordinance Serial No. 08-075, by striking "thirty four million, five hundred thousand dollars ($34,500,000)" in the ordinance title and inserting in its place "fifteen million dollars ($15,000,000)."

VOTE: The primary amendment passed without objection.

Assemblymember Bettine:

- spoke regarding the need for a meeting with the State Delegation to discuss the road bonding; and
- noted a need to prioritize the list of projects.

Assemblymember Wells queried whether the Attorney saw any issues with the amendments.

Mr. Spiropoulos:
- stated that the amendments would go before the bond council; and
- stated that if the bond council had any issues with the ordinance they would go before the Assembly.

Assemblymember Woods spoke to the importance of finding matching funds if the funding is not provided by the State.

Assemblymember Bettine opined that the funding should come from the State.

Assemblymember Houston noted concerns with providing enough information to the public regarding the projects.

Ms. McKechnie noted that the Assembly had previously requested that project descriptions be included in the voter pamphlet.

Assemblymember Woods spoke regarding her concerns with adding clarifying information to the ballot language.

MOTION: Assemblymember Bettine moved a primary amendment to Ordinance Serial No. 08-075, page 8, first paragraph, to strike the word "a" and to insert the words "any single" in its place, to read as follows: Bonds may not be issued to pay costs of any single project unless matching funds are received from the State of Alaska.

VOTE: The primary amendment passed without objection.

Discussion ensued regarding the ballot language.

VOTE: The main motion passed as amended without objection.

MOTION: Assemblymember Kvalheim moved to suspend the rules to immediately take up Resolution Serial No. 08-088 followed by Ordinance Serial No. 08-107.

VOTE: The motion passed without objection.

15. Resolution Serial No. 08-088: A RESOLUTION APPROVING AN APPLICATION TO RELOCATE THE DEAD DOG SALOON BEVERAGE DISPENSARY LIQUOR LICENSE TO EVANGELOS RESTAURANT.

a. IM No. 08-184

Mr. Mayo provided a staff report.

Mayor Menard opened the public hearing.

The following person spoke in support of Resolution Serial No. 08-088: Mr. Evangelos Lambernakes.

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

MOTION: Assemblymember Kvalheim moved to adopt Resolution Serial No. 08-088.

VOTE: The motion passed without objection.

8. Ordinance Serial No. 08-107: AN ORDINANCE AMENDING MSB 17.25; TALKEETNA SPECIAL LAND USE DISTRICT, TO INCLUDE THE CHRISTIANSEN LAKE DISTRICT.

b. IM No. 08-173

Ms. Probasco provided a staff report.

Assemblymember Church asked if the Borough is using the Grow Greener by Design in designing the special land use districts (SPUD).

Ms. Probasco:

- stated that the concept has been presented several times throughout the last several years;
- noted that it has been dispersed to the planning team members; and
- added that they are encouraged to utilize the concepts.

Mr. Duffy stated that it also being included in the flex zoning legislation.

Assemblymember Woods queried the definitions portion of the ordinance.

Ms. Probasco stated that these definitions were particular to the TALKEETNA SPUD.

Assemblymember Bettine asked if the Borough owned any land in the proposed area.

Ms. Probasco:

- responded that the Borough owned land at the southern portion of the lake; and
- stated there is also one Borough owned lot in the northwestern corner.

Assemblymember Bettine noted concerns with specifying the lot size in order to control the density.

Ms. Probasco:

- stated that the local community was presented with multiple options;
- noted that the community chose the lot size; and
- stated that the bid for the flex zoning legislation is close to being awarded.

Assemblymember Kluberton:

- spoke to conserving the water quality in the error;
- noted that this region is a high recreation area; and
- spoke regarding lot sizing.

Ms. Probasco:

- stated that the University of Alaska and Cook Inlet Regional, Inc., both own property in the proposed area
- advised that both entities had been notified of all the public meetings; and
- noted that neither entity had provided any comments.

Mayor Menard opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 08-107: Ms. Ruth Wood and Mr. John Strasenburgh.

The following persons spoke (via teleconference) in support of Ordinance Serial No. 08-107: Mr. Roger Robinson, Ms. Pam Robinson, and Ms. Whitney Wolf.

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

MOTION: Assemblymember Kluberton moved to adopt Ordinance Serial No. 08-107.

VOTE: The motion passed without objection.

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

VOTE: The motion passed without objection.

3. Ordinance Serial No. 08-102: AN ORDINANCE PROVIDING FOR THE SALE OF CERTAIN BOROUGHWIDE REAL PROPERTY ACQUIRED THROUGH TAX FORECLOSURE FOR DELINQUENT REAL PROPERTY TAXES YEAR 2002 AND PRIOR AND FOR DELINQUENT SPECIAL ASSESSMENTS FOR THE YEAR 2003 AND PRIOR AND NOT NEEDED FOR PUBLIC PURPOSE.

a. IM No. 08-167

Ms. Brenner provided a staff report.

Mayor Menard opened the public hearing.

The following person spoke in opposition to Ordinance Serial No. 08-102: Ms. Debra Bloom, Mr. Carry Shorthill, and Ms. Tina Shorthill.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 08-102.

Assemblymember Church queried the status of the properties in question during the public testimony.

Mr. Spiropoulos provided a history on the properties in question.

Assemblymember Wells spoke to concerns with foreclosures nationwide.

Discussion ensued regarding taxation and appeal process.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 08-103: AN ORDINANCE REAPPROPRIATING $90,714 FROM FUND 440, PROJECT NO. 10009, WILLOW COMMUNITY CENTER, TO FUND 435, PROJECT NO. 10060, WILLOW COMMUNITY CENTER IMPROVEMENTS.

a. Resolution Serial No. 08-083: A RESOLUTION AMENDING THE SCOPES OF WORK AND BUDGETS FOR PROJECT NOS. 10060 AND 10009 TO SUPPLEMENT THE FUNDING FOR WILLOW COMMUNITY CENTER IMPROVEMENTS.

(1) IM No. 08-154

Mr. Rountree provided a staff report.

Assemblymember Woods queried the cost to treat the arsenic water.

Mr. Rountree stated that the water treatment system would cost approximately $50,000.

Assemblymember Kluberton queried the project list.

Mr. Rountree stated that the list was drafted by the Willow Area Community Organization (WACO).

Assemblymember Bettine spoke to needed improvements for all the Borough buildings.

Assemblymember Woods asked if the funds could be used for other projects.
Mr. Rountree:

- stated that all the Borough facilities have been inspected;
- spoke to the associated ratings for the capital list; and
- commented on WACO’s needs.

Assemblymember Bettine queried who received the funds for the rental of the building.

Ms. Brenner advised that WACO received the rental funds for the building.

Assemblymember Bettine asked if the Borough reviewed WACO's budget.

Ms. Brenner:

- stated that the Borough does not review their budget; and
- advised that WACO does fund the community enrichment program in that area.

Mayor Menard opened the public hearing.

The following person spoke in support of Ordinance Serial No. 08-103 and Resolution Serial No. 08-083: Ms. Linda Oxley, Chair of WACO.

(Assemblymember Bettine exited the meeting at 10:25 p.m.)

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

MOTION: Assemblymember Kluberton moved to adopt Ordinance Serial No. 08-103 and Resolution Serial No. 08-083:

Assemblymember Houston queried if the State had energy relief rebates available for the Borough.

Mr. Rountree stated that his staff is seeking grants for energy related efforts.

Mr. Duffy noted that the Legislature told the Alaska Municipal League that energy relief funds were not available to municipalities.

VOTE: The motion passed without objection.

5. Ordinance Serial No. 08-104: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF $104,000 FROM THE BIG LAKE ROAD SERVICE AREA NO. 21 FUND BALANCE, FUND 277, TO THE BIG LAKE ROAD SERVICE AREA NO. 21 FISCAL YEAR 2009 OPERATING BUDGET, FUND 277.

a. IM No. 08-161

Mr. Rountree provided a staff report.

Mayor Menard 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 Woods moved to adopt Ordinance Serial No. 08-104.

VOTE: The motion passed without objection.

6. Ordinance Serial No. 08-106: AN ORDINANCE ACCEPTING AND APPROPRIATING $40,000 FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR THE RUSSET ROAD AREA PROJECT CULVERT REPLACEMENTS, PROJECT NO. 30097, FUND 410.

a. Resolution Serial No. 08-084: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE RUSSET ROAD AREA PROJECT CULVERT REPLACEMENT, PROJECT NO. 30097.

(1) IM No. 08-168

Mr. Duffy provided a staff report.

Mayor Menard opened the public hearing.

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

Assemblymember Wells:
- stated that Russet Road boarders his property; and
- noted that he did not see a conflict of interest with voting on the culvert replacement.

(There was no objection noted from the Assembly to Assemblymember Wells voting on Ordinance Serial No. 08-106.)

MOTION: Assemblymember Wells moved to adopt Ordinance Serial No. 08-106 and Resolution Serial No. 08-084.

VOTE: The motion passed without objection.

8. Ordinance Serial No. 08-108: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED $19,030,000 TO FINANCE THE UPGRADES, MAJOR RENOVATION, AND RENEWAL OF SCHOOL AND RELATED CAPITAL IMPROVEMENTS, AND TO SUBMIT THE QUESTION OF THE ISSUANCE OF SUCH BONDS TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 7, 2008, BOROUGH ELECTION.

a. IM No. 08-174

Ms. Clayton provided a staff report.

Mayor Menard opened the public hearing.

The following person spoke in support of Ordinance Serial No. 08-108: Mr. Henry Cottle, Director of Operations and Maintenance for the School District.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 08-108.

Assemblymember Woods:

- spoke in objection to the ordinance; and
- commented on the amount of funding that goes towards the schools.

VOTE: The motion passed with Assemblymembers Woods and Kluberton in opposition.

9. Ordinance Serial No. 08-109: AN ORDINANCE APPROVING THE REQUEST BY THE AGRICULTURAL RIGHTS OWNERS OF THE 1983 FARM UNIT DESCRIBED AS GOVERNMENT LOTS 1, 2, AND THE NORTHEAST ¼, SECTION 36, TOWNSHIP 21 NORTH, RANGE 5 WEST, SEWARD MERIDIAN, TO RELOCATE THE 5 ACRE HOME/HEADQUARTERS SITE, RECLASSIFY AND DIVIDE IT FROM THE FARM UNIT, AND PURCHASE THE DEVELOPMENT RIGHTS FROM THE BOROUGH OF THE 5 ACRE SITE. SAID PROPERTY IS LOCATED WITH THE PALMER RECORDING DISTRICT AND THE WILLOW COMMUNITY COUNCIL AREA (MSB 001274 AND MSB 004967).

a. IM No. 08-175

Ms. Brenner provided a staff report.

Mayor Menard 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 Kluberton moved to adopt Ordinance Serial No. 08-109.

VOTE: The motion passed without objection.

10. Ordinance Serial No. 08-110: AN ORDINANCE ACCEPTING AND APPROPRIATING $2,500,000 GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, TO FUND 495, PROJECT NO. 95002, POINT MACKENZIE PRISON.

a. Resolution Serial No. 08-085: A RESOLUTION APPROVING A SCOPE OF WORK AND BUDGET FOR THE FISCAL YEAR 2008 DESIGNATED LEGISLATIVE GRANT PROJECT FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, PROJECT NO. 95002, POINT MACKENZIE PRISON.

(1) IM No. 08-177

Mr. Duffy provided a staff report.

Mayor Menard 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 moved to adopt Ordinance Serial No. 08-110 and Resolution Serial No. 08-085.

VOTE: The motion passed without objection.

11. Ordinance Serial No. 08-111: AN ORDINANCE ESTABLISHING MSB 5.25.144, AND PLACING ON THE BALLOT OF THE OCTOBER 7, 2008, REGULAR ELECTION, THE UNIFICATION OF THE BIG LAKE FIRE SERVICE AREA NO. 33 AND THE MEADOW LAKES FIRE SERVICE AREA NO. 34. *(Sponsored by: Assemblymembers Bettine and Kluberton)*

a. Resolution Serial No. 08-086: A RESOLUTION FINDING THE INCLUSION OF PROPERTIES IN AND AROUND THE BIG LAKE AND MEADOW LAKES COMMUNITIES INTO A SINGLE, UNIFIED SERVICE AREA NO. 136 SERVES THE PUBLIC INTEREST WITHOUT CIRCULATION OF PETITION AMONG THE RESIDENTS IN SAID AREAS, AS ALLOWED BY MSB. 5.10.015, INITIATION BY THE ASSEMBLY.

(1) IM No. 08-179

Mr. Brodigan provided a staff report.

Mayor Menard 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 Kluberton moved to adopt Ordinance Serial No. 08-111 and Resolution Serial No. 08-086.

Assemblymember Kluberton:

- stated that both fire chiefs were in support of the unification; and
- provided his support for the unification.

VOTE: The motion passed without objection.

12. Ordinance Serial No. 08-112: AN ORDINANCE AMENDING MSB 2.20.030, DUTIES OF THE MANAGER, TO MAKE MORE SPECIFIC.

a. IM No. 08-180

Mr. Duffy provided a staff report.

Mayor Menard 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 Woods moved to adopt Ordinance Serial No. 08-112

VOTE: The motion passed without objection.

13. Ordinance Serial No. 08-113: AN ORDINANCE ACCEPTING AND APPROPRIATING $258,086 FROM THE ALASKA STATE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, TO FUND 475, PROJECT NO. 20371, HUMAN SERVICES COMMUNITY MATCHING GRANT.

a. Resolution Serial No. 08-087: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PARTICIPATION IN THE HUMAN SERVICES COMMUNITY MATCHING GRANT PROGRAM.

(1) IM No. 08-182

Mr. Duffy provided a staff report.

Mayor Menard 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 Woods moved to adopt Ordinance Serial No. 08-113 and Resolution Serial No. 08-087.

VOTE: The motion passed without objection.

14. Ordinance Serial No. 08-114: AN ORDINANCE ADOPTING MSB 4.46; COMMISSION ON SALARIES AND EMOLUMENTS. *(Sponsored by: Assemblymembers Woods and Wells)*

a. IM No. 08-183

Ms. McKechnie provided a staff report.

Mayor Menard 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 Woods moved to adopt Ordinance Serial No. 08-114.

VOTE: The motion passed without objection.

16. Ordinance Serial No. 08-115: AN ORDINANCE ADOPTING MSB 3.42, WORKERS' COMPENSATION INSURANCE FUND.

a. IM No. 08-185

Ms. Clayton provided a staff report.

MOTON: Assemblymember Wells moved to extend the meeting past 11 p.m. but not to exceed 11:15 p.m.

VOTE: The motion passed without objection.

Mayor Menard 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 Woods moved to adopt Ordinance Serial No. 08-115.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding issues with a utility corridor: Ms. Linda Oxley, WACO.

(Consent Agenda continued from page 8)

b. AM No. 08-081: APPROVING A CHANGE ORDER TO VALLEY GENERAL CONSTRUCTION IN THE AMOUNT OF $18,930 FOR ADDITIONAL EXCAVATION WORK ON KAREN STREET EXTENSION PROJECT, PROJECT NO. 30047.

Assemblymember Woods queried the cost.

Mr. Rountree stated that it was for unforeseen utility costs.

MOTION: Assemblymember Kluberton moved to adopt AM No. 08-081.

VOTE: The motion passed without objection.

c. AM No. 08-082: APPROVING THE REQUEST FOR AN ADDITIONAL PERMANENT FULL TIME ENVIRONMENTAL TECHNICIAN TO ASSIST WITH THE OPERATIONS OF THE HAZARDOUS WASTE FACILITY AND ENVIRONMENTAL PROGRAMS.

Assemblymember Woods queried if this position was currently in the budget.

Mr. Duffy:
- stated that it was not in the budget;
- advised that there was available funding in the Solid Waste budget; and
- stated that this position was recommended by the management audit.

MOTION: Assemblymember Woods moved to adopt AM No. 08-082.

VOTE: The motion passed without objection.

X. RECONSIDERATION

(There were no reconsiderations presented.)

XI. VETO

(There were no vetoes presented.)

XII. EXECUTIVE SESSION

(There was no executive session held.)

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Wells:
- stated that he had attended the Mat-Su Convention and Visitors Bureau (MSCVB) Board meeting today; and
- noted that MSCVB had requested a change in the tourism summit meeting from October 18, 2008, to October 11, 2008.

Assemblymember Kluberton asked that the Manager and the Public Works Director track issues regarding the Stephen Lakes Subdivision.

Assemblymember Church commented on the tour that the Assembly Members were taken on of Hatcher Pass excursion.

Assemblymember Houston:
- commented that it is difficult to hear individual issues, such as the public comment on Ordinance Serial No. 08-102;
- spoke to the need of following the established processes; and
- opined that the Assembly did the correct thing by passing the ordinance.

XIV. ADJOURNMENT

The regular meeting adjourned at 11:06 p.m.

/ S /

CURTIS D. MENARD, Borough Mayor

ATTEST:

/ S /

LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 08/19/08