

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on September 2, 2014, at the Big Lake Lions Club Recreation Center, 2942 Lions Circle, Big Lake, 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. Jim Sykes, Assembly District No. 1
- Mr. Matthew Beck, Assembly District No. 2
- Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)(*arrived at 6:05 p.m.*)
- Mr. Steve Colligan, Assembly District No. 4 (*arrived at 6:05 p.m.*)
- 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. George Hays, Assistant Borough Manager
- Mr. Nicholas Spiropoulos, Borough Attorney
- Ms. Brenda J. Henry, Assistant Clerk
- Ms. Tammy Clayton, Finance Director
- Mr. Terrance Dolan, Public Works Director
- Mr. Dennis Brodigan, Emergency Services Director
- Mr. Eric Phillips, Community Development Director
- Mr. Michael Brown, Capital Projects Director
- Ms. Joell Church, Records Management Officer
- Ms. Lauren Driscoll, Chief of Planning

III. APPROVAL OF AGENDA

Mayor DeVilbiss:

- advised that the Manager had requested to postpone Ordinance Serial No. 14-071 indefinitely;
- added that Ordinance Serial No. 14-119 would also be postponed but that the public hearing would be held prior to that occurring; and
- 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. William Haller, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

A. Special Assembly Meeting: 08/21/14

Mayor DeVilbiss inquired if there were any corrections to the special meeting minutes of August 21, 2014.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Houston City

Mayor Virgie Thompson:

- spoke in opposition to Ordinance Serial No. 14-107;
- spoke to concerns that the Transportation Advisory Board has not yet reviewed Resolution Serial No. 14-087;
- requested that Resolution Serial No. 14-087 not be adopted until after the city of Houston's community impact assessment (CIA) is completed; and
- spoke to concerns that the City was not able to have an ambulance at a football game due to lack of funding.

2. Matanuska-Susitna Borough School District

(There was no report provided.)

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

(There was no report provided.)

2. Joint MSB Assembly/MOA Assembly Transportation Subcommittee

(There was no report provided.)

3. Assembly Public Relations

(There were no reports provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

Mr. Moosey spoke to ongoing negotiations with the Federal Transit Authority (FTA) regarding the M/V Susitna.

D. ATTORNEY COMMENTS

Mr. Spiropoulos:

- advised that he requested and received a 60-day extension from the FTA for the payment demand deadline;
- spoke to having filed for attorney's fees in the rail extension litigation;
- related that the ruling came from the judge denying the request for fees;
- stated that the Public Employees Retirement Systems litigation will be moved from State Court into Federal Court; and
- spoke to a memorandum that was provided to the Assembly regarding the Animal Care and Regulation Board's Title 24 rewrite.

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- reported on the parliamentary procedure and open meetings act training conducted in conjunction with the Borough Attorney's Office; and
- noted she would be out of the office September 8 through September 16 and that Jamie Newman would be Acting Clerk in her absence.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Big Lake RSA Board of Supervisors: 03/27/14, Resolution Serial No. 14-01
- b. Caswell Lakes FSA Board of Supervisors: 04/09/14
- c. Greater Talkeetna RSA Board of Supervisors: 06/12/14
- d. Local Emergency Planning Committee: 04/16/14
- e. Local Road Service Area Advisory Board: 06/19/14
- f. MSB 8.32 Review Commission: 07/15/14, 07/31/14
- g. Port Commission: 05/19/14, 06/16/14

2. Community Council Minutes:

- a. Chickaloon Community Council: 06/11/14
- b. Meadow Lakes Community Council: 05/14/14, 06/11/14

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

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

VII. UNFINISHED BUSINESS

A. **Ordinance Serial No. 14-071:** An Ordinance Approving The Land Classification Of Certain Borough Parcels Lying Within Township 14 North, Range 4 West, Sections 2, 3, 16, 17, And 18, Seward Meridian Alaska, As Commercial, Industrial, And Watershed Lands For The Purpose Of Inclusion In The Future Boundary Expansion Of Port MacKenzie Special Land Use District (MSB006894).

1. IM No. 14-109

MOTION PENDING: Assemblymember Arvin moved to adopt Ordinance Serial No. 14-071.

MOTION: Assemblymember Sykes moved to postpone Ordinance Serial No. 14-071 indefinitely.

VOTE: The motion passed without objection.

B. **Ordinance Serial No. 14-107:** An Ordinance Allowing For Permanent Registration Of Motor Vehicles Over Eight Years Old And For Permanent Registration Of Noncommercial Trailers.

1. **Ordinance Serial No. 14-108:** An Ordinance Amending MSB 3.24.030(B), And Providing For Delayed Implementation Dates. *(Sponsored by Assemblymember Colver)*

(1) IM No. 14-161

MOTION PENDING: Assemblymember Colver moved to adopt Ordinance Serial Nos. 14-107 and 14-108.

MOTION: Assemblymember Colver moved a primary amendment to Ordinance Serial No. 14-108, by striking Section 2 in its entirety and inserting the following two sections in its place to read:

“Section 2. Amendment of Section. MSB 3.24.030(B) is amended to add new subsection (3) and (4) to read as follows:

(B)(3) The allocation of the revenue shall be the following starting July 1, 2015:

Areawide	\$15.00
Non-areawide	\$3.00
Special Service Areas	\$3.00
Fire Service Areas	\$2.00
Road Service Areas	\$8.00

Cities with property tax exemptions equal to or greater than the Borough	\$7.00
Cities without property tax exemptions equal to or greater than the Borough	\$1.00

(B)(4) The allocation of the revenue shall be the following starting July 1, 2016:

Areawide	\$0
Non-areawide	\$0
Special Service Areas	\$3.00
Fire Service Areas	\$2.00
Road Service Areas	\$8.00
Cities with property tax exemptions equal to or greater than the Borough	\$7.00
Cities without property tax exemptions equal to or greater than the Borough	\$1.00

Section 3. Amendment of section. MSB 3.24.030(C) is amended to add a new subsection to read as follows: (C)(3) Up to \$500,000 per fiscal year is authorized for the above allocations. If more than \$500,000 in matching funds is requested for funded paving projects, the available match funds will be prorated. Any amount over \$500,000 shall be allocated to a nonlapsing capital reserve account for future use for the above purposes.”

MOTION: Assemblymember Sykes moved to postpone Ordinance Serial Nos. 14-107 and 108 to a time certain of November 19, 2014.

MOTION: Assemblymember Colligan moved a primary amendment by striking “November 19, 2014” and inserting “September 16, 2014” in its place.

VOTE: The primary amendment failed with Assemblymembers Colligan and Colver in support.

VOTE: The motion to postpone to November 19, 2014, passed without objection.

VIII. VETO

(There were no vetoes presented.)

IX. SPECIAL ORDERS

A. PERSONS TO BE HEARD (Three minutes per person.)

(There were no persons to be heard.)

B. PUBLIC HEARINGS (Three minutes per person.)

1. **Ordinance Serial No. 14-104:** An Ordinance Amending MSB 17.58.005 And 17.58.110, Motorized Uses On Lakes And Waterways To Prohibit The Use Of Airboats On Finger Lake; And Amending MSB 1.45.100, Schedule Of Fines For Infractions To Enforce The Prohibition Of Airboats On Finger Lake.
 - a. IM No. 14-157

Mayor DeVilbiss opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 14-104: Ms. Mary Kate Johnston, Ms. Janet Kincaid, Ms. Cynthia Nelson, Mr. Barry Dearborn, Mr. Robert Neibrugge, and Mr. Gary Senesac.

The following persons spoke in opposition to Ordinance Serial No. 14-104: Mr. Carol Christiansen and Mr. Patrick Minder.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 14-104.

MOTION: Assemblymember Colligan moved to postpone Ordinance Serial No. 14-104 to a time certain of September 16, 2014.

VOTE: The motion to postpone passed with Assemblymembers Sykes, Halter, and Arvin opposed.

(The meeting recessed at 7:16 p.m. and reconvened at 7:25 p.m.)

MOTION: Assemblymember Beck moved to reconsider the motion to postpone Ordinance Serial No. 14-104 to a time certain of September 16, 2014.

VOTE: The motion to reconsider passed with Assemblymembers Colligan and Salmon opposed.

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

VOTE: The motion passed without objection.

VOTE: The motion to postpone Ordinance Serial No. 14-104 to a time certain of September 16, 2014, failed with Assemblymembers Colligan and Salmon in support.

MOTION: Assemblymember Beck moved a primary amendment to Ordinance Serial No. 14-104, MSB 17.58.110, by inserting the following language: "Airboats are allowed on Finger Lake May 15 through May 31."

MOTION: Assemblymember Colver moved a secondary amendment by striking the words “are allowed” and inserting the words “may only be operated” in its place.

VOTE: The secondary amendment passed with Assemblymembers Colligan, Salmon, and Arvin opposed.

MOTION: Assemblymember Arvin moved to postpone Ordinance Serial No. 14-104 to a time certain of September 16, 2014.

VOTE: The motion to postpone passed without objection.

2. **Ordinance Serial No. 14-112:** An Ordinance Accepting And Appropriating \$60,000 From Howard Nugent For Paving Odsather Circle In Fred Hurd Subdivision No. 2, As Part Of The 2014 Paving Project, Project No. 30045.

a. **Resolution Serial No. 14-079:** A Resolution Setting The Scope Of Work And Budget For Paving Odsather Circle In Fred Hurd Subdivision No. 2, As Part Of The 2014 Paving Project, Project No. 30045.

(1) IM No. 14-095

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 14-112 and Resolution Serial No. 14-079: Mr. Howard Nugent.

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

MOTION: Assemblymember Colligan moved to adopt Ordinance Serial No. 14-112 and Resolution Serial No. 14-079.

VOTE: The motion passed without objection.

3. **Ordinance Serial No. 14-113:** An Ordinance Conveying Two Parcels With An Aggregate 4.06 Acres, More Or Less, With Certain Covenants, Conditions, Restrictions, And Reversionary Rights, To Alpine Historical Society For The Public Purpose Of A Historical Park (MSB004366).

a. IM No. 14-098

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 14-113: Ms. Nancy Dryden.

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

MOTION: Assemblymember Sykes moved to adopt Ordinance Serial No. 14-113.

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

VOTE: The motion passed without objection.

VOTE: The main motion passed without objection.

4. **Ordinance Serial No. 14-114:** An Ordinance Adopting The South Big Lake Road Realignment, West Susitna Parkway Access Management Plan And Amending MSB 15.24.030, Comprehensive Plan And Purposes.
 - a. IM No. 14-117

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 14-114: Ms. Cindy Bettine.

The following person spoke to concerns with how the legislation came to be: Ms. Roberta Rutter.

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. 14-114.

VOTE: The motion passed without objection.

5. **Ordinance Serial No. 14-115:** An Ordinance Accepting And Appropriating \$2,595.21 From The Alaska State Department Of Natural Resources, Office Of History And Archaeology To Fund 480, Project No. 47011, For The Purpose Of A Historic Preservation Commission Member To Attend The 2014 National Alliance For Preservation Commissions' Conference In Philadelphia.
 - a. **Resolution Serial No. 14-080:** A Resolution Approving The Scope Of Work And Budget For The Purpose Of A Historical Preservation Commission Member To Attend The 2014 National Alliance For Preservation Commissions' Conference In Philadelphia.
 - (1) IM No. 14-166

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 14-115 and Resolution Serial No. 14-080.

VOTE: The motion passed without objection.

6. **Ordinance Serial No. 14-116:** An Ordinance Accepting And Appropriating \$630,000 For A Portion Of The Fiscal Year 2015 Designated Legislative Grant Projects From The Alaska State Department Of Commerce, Community, And Economic Development For The Oilwell Road Upgrade Project, Project No. 35437, Fund 430.
 - a. **Resolution Serial No. 14-081:** A Resolution Approving The Scope Of Work And Budget For A Portion Of The Fiscal Year 2015 Designated Legislative Grant Projects From The Alaska State Department Of Commerce, Community, And Economic Development For The Oilwell Road Upgrade Project, Project No. 35437, Fund 430.
- (1) IM No. 14-169

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 14-116 and Resolution Serial No. 14-081.

VOTE: The motion passed without objection.

7. **Ordinance Serial No. 14-117:** An Ordinance Approving An Appropriation Of \$75,000 From The West Lakes Fire Service Area Fund Balance, Fund 249, To Fund 405, Project No. 45244, To Allow For The Purchase Of A Fleet Mechanic Vehicle And Related Equipment For The West Lakes Fire Service Area.
 - a. **Resolution Serial No. 14-082:** A Resolution Approving The Scope Of Work And Budget For Project No. 45244, To Allow For The Purchase Of A Fleet Mechanic Vehicle And Related Equipment For The West Lakes Fire Service Area.
- (1) IM No. 14-170

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 14-117 and Resolution Serial No. 14-082

VOTE: The motion passed without objection.

8. **Ordinance Serial No. 14-118:** An Ordinance Accepting And Appropriating \$2,337,000, For A Portion Of The 2015 Alaska State Department Of Commerce, Community, And Economic Development Grants For The West Lakes Fire Service Area.
 - a. **Resolution Serial No. 14-083:** A Resolution Approving The Scope Of Work And Budget For A Portion Of The Alaska State Department Of Commerce, Community, And Economic Development Grants For The West Lakes Fire Service Area.
- (1) IM No. 14-171

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 14-118 and Resolution Serial No. 14-083.

VOTE: The motion passed without objection.

9. **Ordinance Serial No. 14-119:** An Ordinance Approving A Supplemental Appropriation Of \$450,000 From The Wasilla-Lakes Fires Service Area Fund Balance, Fund 250, To The Fiscal Year 2015 Wasilla-Lakes Fire Service Area Operating Budget, Fund 250, For Wages And Benefits For Four New Permanent Fire Service Captain Positions.
 - a. IM No. 14-175

Mayor DeVilbiss opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 14-119: Mr. Ken Slauson and Mr. Carol Christiansen.

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

MOTION: Assemblymember Colligan moved to adopt Ordinance Serial No. 14-119.

MOTION: Assemblymember Colligan moved to postpone Ordinance Serial No. 14-119 to a time certain of November 19, 2014.

VOTE: The motion passed without objection.

10. **Ordinance Serial No. 14-120:** An Ordinance Accepting And Appropriating \$10,835,000 For A Portion Of The Fiscal Year 2015 Designated Legislative Grant Projects From The Department Of Commerce, Community, And Economic Development, To Fund 400, Project Nos. 40187 And 40201; Fund 415, Project No. 25013; Fund 430, Project No. 35299; And Fund 435, Project No. 10022.
 - a. **Resolution Serial No. 14-084:** A Resolution Approving The Scope Of Work And Budget For A Portion Of The Fiscal Year 2015 Designated Legislative Grant Projects Form The Department Of Commerce, Community, And Economic Development.
 - (1) IM No. 14-177

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 14-120 and Resolution Serial No. 14-084: Ms. Beth Fread.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 14-120 and Resolution Serial No. 14-084.

VOTE: The motion passed without objection.

11. **Ordinance Serial No. 14-121:** An Ordinance Approving The Covenants, Conditions, And Restrictions; Application Requirements, And Farm Conservation Plan Requirements For Agricultural Property In The 2014 Land Sale.
 - a. IM No. 14-182

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 14-121.

VOTE: The motion passed without objection.

12. **Ordinance Serial No. 14-122:** An Ordinance Accepting and Appropriating A Portion Of The Alaska State Department Of Commerce, Community, And Economic Development Grants In The Amount Of \$30,000, For Use Toward The Community Council Upgrades And Support.
 - a. **Resolution Serial No. 14-085:** A Resolution Approving The Scope Of Work And Budget For A Portion Of The Alaska State Department Of Commerce, Community, And Economic Development Grants For Use Toward The Community Council Upgrades And Support.
 - (1) IM No. 14-186

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 14-122 and Resolution Serial No. 14-085.

VOTE: The motion passed without objection.

13. **Ordinance Serial No. 14-123:** An Ordinance Amending MSB 5.25.145, To Annex Properties Located In The West Bernie Circle And North Dan Joe Street Area Into The West Lakes Fire Service Area No. 136.

- a. **Resolution Serial No. 14-086:** A Resolution Finding The Annexation Of Properties Located In The West Bernie Circle And North Dan Joe Street Area Into The West Lakes Fire Service Area No. 136 Serves The Public Interest Without The Placement Of The Question On The Ballot.
- (1) IM No. 14-187

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 14-123 and Resolution Serial No. 14-086.

VOTE: The motion passed without objection.

(The meeting recessed at 8:26 p.m. and reconvened at 8:30 p.m.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke in support of the proposed amendment to Resolution Serial No. 14-087: Mr. Dan Mayfield, Mr. Ken Walch, Ms. Carol Kane, and Mr. Jim Faiks.

The following persons spoke in support of the Borough assisting with the transportation of recyclables from Big Lake to the Valley Community for Recycling Solutions facility: Ms. Patty Fisher, Ms. Sammy Taylor, Ms. Joanna Walch, Ms. Claudia Buzzard, and Mr. Ralph Buzzard.

The following person opined that Resolution Serial No. 14-087 should be postponed until the Houston CIA is completed and to the need for more recycling within the Borough: Mr. Floyd Shalanski.

The following persons opined that Resolution Serial No. 14-087 should be postponed until the city of Houston's CIA is completed: Mr. Lance Wilson and Ms. Cindy Bettine.

The following person thanked the Assembly for supporting Jordan Lake Park: Ms. Cathi Kramer.

The following person spoke to what a cohesive community Big Lake is and the need to be fiscally responsible: Mr. Bill Haller.

The following person spoke to the need for an arterial corridor to alleviate traffic congestion: Ms. Beth Fread.

The following person opined that Resolution Serial No. 14-087 should be reviewed by the Transportation Advisory Board: Mr. Eugene Haberman.

The following person spoke in opposition to the postponement of Ordinance Serial No. 14-119 regarding the Permanent Fire Service Captain positions: Mr. Ken Slauson.

The following person spoke in support of the amendment to Ordinance Serial No. 14-104 and in support of Valley Community for Recycling Solutions: Mr. Carol Christiansen.

D. CONSENT AGENDA

1. RESOLUTIONS

2. ACTION MEMORANDUMS

- a. **AM No. 14-121:** Approval Of Change Order No. 1 To Contract No. 14-018B With Alaska Construction And Paving, Inc. In An Amount Not To Exceed \$600,000 Per Year To Fully Fund The Contract For The Annual Operations And Maintenance Of The Central Landfill.
- b. **AM No. 14-124:** Approval Of Contract Amendment No. 4 To Contract No. 14-016B With Western Construction And Equipment, LLC. In The Amount Of \$179,832 For The Caswell Lakes Road Upgrade, Project No. 35408; And Granting Change Order Authority Not To Exceed \$275,000 For Additive Alternate No. 1, South Bendapole Road.
- c. **AM No. 14-128:** Approval Of Contract Amendment No. 2 To Contract No. 14-032B With Scarsella Brothers, Inc. In The Amount Of \$521,043.35 For The South Big Lake Road Realignment Improvements, Project No. 30043; And Grant Change Order Authority Up To \$400,000 For Future Contract Amendments.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

- a. **Resolution Serial No. 14-087:** A Resolution Nominating Route 3A Of The Big Lake Community Impact Assessment To The Statewide Transportation Improvement Program For Funding Of The Environmental Phase Of The Point Mackenzie Road To Parks Highway Connection.

(1) IM No. 14-184

MOTION: Assemblymember Salmon moved to adopt Resolution Serial No. 14-087.

MOTION: Assemblymember Salmon moved a primary amendment to Resolution Serial No. 14-087 as follows:

- In the title, by striking the words “route 3A of the Big Lake Community Impact Assessment to the Statewide Transportation Improvement Program

- for” after the word “nominating,” and by inserting the word “EIS” between the word “phase” and “of,” and by inserting the words “the statewide transportation improvement program” at the end of the title to read: “A resolution of the Matanuska-Susitna Borough Assembly nominating funding of the environmental phase (EIS) of the Point MacKenzie road to the parks highway connection to the statewide transportation improvement program;”
- in the 6th whereas clause, by striking the words “the big lake” after the word Whereas and by inserting the words “are being used” after the word CIA, to read: “Whereas, the Community Impact Assessments (CIA) are being used to provide public involvement, preliminary design and reconnaissance information on a number of additional routes to move Knik Arm Crossing and Port MacKenzie traffic to the Parks Highway;”
 - in the 7th whereas clause, by inserting the words “by State of Alaska went” after the word “route” and inserting the word “and” after the words “Big Lake” to read: “Whereas, the originally proposed route by the state of Alaska went through the city center of Big Lake and is not consistent with the 2009 Big Lake Comprehensive Plan nor the desires of the community;”
 - in the 8th whereas clause, by inserting the words “the city of Houston have” after the words “Council and”, by striking the words “the CIA” after the words “participated in” and by inserting the “community impact assessments (CIA) for their respective communities” after the words “participated in” and by striking the words “and studied the findings, and the Big Lake Community Council endorses route 3A as most consistent with the Big Lake Community Comprehensive Plan and the community’s desires” to read: “Whereas, the Big Lake Community Council and the city of Houston have participated in the Community Impact Assessments (CIA) for their respective communities;”
 - in the 9th whereas clause, by inserting the words “and Houston” after the words “Big Lake” and by making the word “assessment” plural, and by striking the word “was” to read: “Whereas, the Big Lake and Houston Community Impact Assessments are meant to assist decision makers as they go through future process to select a preferred alignment;”
 - by inserting a new 10th whereas clause to read: “Whereas, results of the Big Lake Community Impact Assessment prompted the Big Lake Community Council to pass Resolution No. 2014-102 nominating funding for the environmental phase (EIS) of the Port to Parks Highway project and support route 3A as identified in the Big Lake CIA;”
 - by inserting a new 11th whereas clause to read: “Whereas, the city of Houston’s CIA is not yet complete but the findings of that assessment will be made available to the Assembly for their consideration;”
 - in the Now, Therefore, Be It Resolved clause, by striking the words “supports Big Lake Community Council Resolution No. 2014-102” and by inserting the words “hereby acknowledges receipt of Resolution No. 2014-102 from the Big Lake Community Council” to read: “Now, Therefore, Be It Resolved, that the Matanuska-Susitna Borough Assembly hereby acknowledges receipt of Resolution No. 2014-102 from the Big Lake Community Council;”

- by inserting the words “Be It Further Resolved” before the words “that the” and by striking the words “route 3A of the Big Lake Community Impact Assessment into the” and “to provide” and to make a last clause that reads: “Be It Further Resolved, that the Matanuska-Susitna Borough Assembly hereby nominates to the Alaska State Department of Public Transportation and Facilities Statewide Transportation Improvement Program funding for the environmental phase (EIS) of the Point MacKenzie Road to Parks Highway connection.”

MOTION: Assemblymember Colver moved a secondary amendment by striking the 11th whereas clause in its entirety that reads: “Whereas, the city of Houston’s CIA is not yet complete but the findings of that assessment will be made available to the Assembly for their consideration.”

VOTE: The secondary amendment failed with Assemblymembers Colver, Sykes, and Beck in support.

MOTION: Assemblymember Halter moved secondary amendment to insert a new 11th whereas clause to read: “Whereas, the city of Houston welcomes the highway corridor from Point MacKenzie to the Parks Highway and recommends and encourages Route 2.”

VOTE: The secondary amendment failed with Assemblymember Halter in support.

MOTION: Assemblymember Sykes moved a secondary amendment as follows:

- in the first whereas clause, by striking the words “estimated to begin in 2016” to read: “Whereas, the state of Alaska Legislature is proposing to fund construction of the Knik Arm Crossing;” and
- in the second whereas clause, by striking the words “anticipated in 2016” to read: “Whereas, the Port MacKenzie rail extension is proceeding on schedule with service to the Port.”

VOTE: The secondary amendment failed with Assemblymember Sykes in support.

MOTION: Assemblymember Sykes moved secondary amendment by inserting a whereas clause to read: “Whereas, the Big Lake community finds it unacceptable to route a major highway supporting an estimated 21,500 vehicles per day through the city center of Big Lake.”

VOTE: The secondary amendment passed with Assemblymember Salmon opposed.

VOTE: The primary amendment passed as amended without objection.

VOTE: The main motion passed as amended without objection.

- b. **Resolution Serial No. 14-091:** A Resolution Requesting Staff Organize A Public Forum Regarding Borough Agricultural Lands For The Purpose Of Making Recommendations To The Assembly On Setting A Policy For The Use Of Borough Agricultural Parcels That Have Been Sold. *(Sponsored by Assemblymembers Colver and Beck)*
- (1) IM No. 14-201

MOTION: Assemblymember Sykes moved to adopt Resolution Serial No. 14-091.

MOTION: Assemblymember Salmon moved to postpone Resolution Serial No. 14-091 to a time certain of September 16, 2014.

VOTE: The motion to postpone failed with Assemblymember Salmon in support.

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

VOTE: The motion failed with Assemblymembers Colligan and Salmon in support.

MOTION: Assemblymember Arvin moved to suspend the rules to extend the meeting past 10 p.m. and not to exceed 10:30 p.m.

VOTE: The motion passed without objection.

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

VOTE: The motion passed without objection.

VOTE: The main motion passed with Assemblymember Sykes opposed.

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 09/16/14, Assembly Chambers)

1. **Ordinance Serial No. 14-129:** An Ordinance Approving The Colaska, Inc. Application To Purchase The Development Rights On 213.05 Acres Of Agricultural Rights Only Property Purchased By Colaska, Inc. For Gravel And Fill Extraction (MSB001878).
 - a. IM No. 14-183
2. **Ordinance Serial No. 14-130:** An Ordinance Approving An Appropriation Of \$50,000 From Trapper Creek Road Service Area No. 30 Fund Balance, Fund 284, To Fund 410, Project No. 30050, For Trapper Creek Road Service Area No. 30 Capital Projects.
 - a. IM No. 14-192
3. **Ordinance Serial No. 14-131:** An Ordinance Accepting And Appropriating A Fiscal Year 2015 Designated Legislative Grant In The Amount Of \$13,000,000 From The Alaska State Department Of Commerce, Community, And Economic Development; And

Accepting And Appropriating \$1,269.60 In Rental Income For The Rail Extension From Port Mackenzie To The Mainline, To Fund 490, Project No. 75001

- a. **Resolution Serial No. 14-088:** A Resolution Approving The Scope Of Work And Budget For The Rail Extension From Port Mackenzie To The Mainline Project.

(1) IM No. 14-193

- 4. **Ordinance Serial No. 14-132:** An Ordinance Accepting And Appropriating \$1,620,000 For A Portion Of The Fiscal Year 2015 Designated Legislative Grant Projects From The Alaska State Department Of Commerce, Community, And Economic Development.

- a. **Resolution Serial No. 14-089:** A Resolution Approving The Scope Of Work And Budget For A Portion Of The Fiscal Year 2015 Designated Legislative Grant Projects From The Alaska State Department Of Commerce, Community, And Economic Development.

(1) IM No. 14-194

- 5. **Ordinance Serial No. 14-133:** An Ordinance Classifying Lands And Approving Lands For Sale By Competitive Bid (MSB006910).

a. IM No. 14-198

- 6. **Ordinance Serial No. 14-134:** An Ordinance Approving The Revocation Of The Public Dedication By Ordinance Serial No. 78-45 For Property Identified As Lot 1002, Caswell Lakes Subdivision, And Sale Of Lot 1002 To Charles Shultz, The Adjacent Property Owner (MSB006949).

a. IM No. 14-199

- 7. **Ordinance Serial No. 14-135:** An Ordinance Accepting And Appropriating \$437,000 From The Federal Aviation Administration And Reappropriating \$23,000 From The Fiscal Year 2015 Areawide Grant Match Appropriation To Fund 480, Project No. 20338 For Development Of The Regional Aviation Systems Plan, Phase 2.

- a. **Resolution Serial No. 14-090:** A Resolution Approving The Scope Of Work And Budget And Authorizing The Manager To Enter Into Necessary Agreements With The Federal Aviation Administration For Development Of The Regional Aviation Systems Plan, Phase 2.

(1) IM No. 14-200

B. INTRODUCTIONS (For public hearing – 10/21/14, Assembly Chambers)

- 1. **Ordinance Serial No. 14-124:** An Ordinance Creating East Carney Road No. 2 Natural Gas Local Improvement District No. 553, 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. 14-196

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Arvin moved to introduce the legislation as read into the record by the Clerk and set the public hearings for September 16, 2014 and October 21, 2014, 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
Paul Gavell, resignation
Port Commission
Steven Borell
Greater Butte RSA No. 26
Roy Nuttall
Knik RSA No. 17
James "Mike" Hales

MOTION: Assemblymember Arvin moved to approve the Mayor's resignation and appointments 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 presented.)

XI. RECONSIDERATION

(There was no reconsideration presented.)

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Moosey:

- noted earlier questions regarding Ordinance Serial No. 14-115, concerning reimbursement for a Historical Preservation Commission member to attend the national conference; and
- requested that Ms. Driscoll come forward to speak to that.

Ms. Driscoll:

- advised that reimbursement was related to the way the grant was structured;
- noted the grant provided that if a member's way to the conference was paid, that the grant would provide reimbursement; and
- related that the funds were in an existing travel and training account and that the grant funds were to be placed into the same account.

Ms. McKechnie:

- thanked the Big Lake Community for inviting the Assembly to conduct a meeting at the facility; and
- thanked the lady who baked the delicious cookies.

Assemblymember Salmon:

- noted that he may not be able to attend the Joint Assembly/School Board meeting on September 9;
- spoke to upcoming cataract surgery and cornea transplant that he will be having on September 4; and
- stated that he would be present for the September 16 meeting.

Mr. Spiropoulos noted that Assemblymember Salmon would still be seated until the October 21, 2014, regular Assembly meeting.

Assemblymember Sykes:

- thanked the Big Lake community for inviting the Assembly to hold a meeting at the Big Lake Lions Club facility;
- thanked the public for their testimony;
- thanked the participants of the community impact assessments for their input; and
- wished everyone a wonderful fall.

Assemblymember Halter:

- noted how short the drive from Willow to the meeting was for him;
- spoke to his legislation regarding Title 24 licensing mushing facilities;
- advised that it is separate from the Animal Care and Regulation Board's Title 24 revisions; and
- stated that his legislation would come before the body first.

Assemblymember Colver:

- thanked the Big Lake and Houston communities for their testimony this evening;
- requested that the Manager work with Ms. Clayton and Mr. Dolan to find funding in the fiscal year 2015 budget to transfer recyclables from the Big Lake transfer site to the Valley Community Recycling Solutions facility; and
- noted the testimony in support of recycling.

Assemblymember Colligan:

- spoke to a reception on October 21, 2014, at 4 p.m. in honor of Assemblymember Salmon and his long history of public service;
- spoke to concerns with the government restricting the use of airboats on Finger Lake;
- noted his surprise at the volume of traffic on the Parks Highway;
- spoke in support of addressing transportation needs of the Big Lake and Houston communities;
- summarized a history of transportation development in the city of Wasilla; and
- stated that he is looking forward to honoring Assemblymember Salmon.

Assemblymember Beck:

- opined that it is impressive how the community of Big Lake has done so much for themselves;
- thanked staff for supporting the Assembly as they do the public's work; and
- thanked the body for the meeting.

Assemblymember Arvin:

- thanked Mr. Haller for his work on the Big Lake Lions Club facility;
- opined that it is a very impressive facility;
- noted State requirements that increase the expense of building schools;
- noted that the meetings have not had to be extended in quite some time; and
- thanked the public for their community involvement.

Mayor DeVilbiss:

- thanked the community for inviting the body to the facility;
- spoke to his anticipation that the agricultural rights issues will not be resolved by the forum proposed in Resolution Serial No. 14-091; and
- noted that he suspects a lot of useful information will be collected.

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 10:07 p.m.



LARRY DeVILBISS, Borough Mayor

ATTEST:



LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 10/21/14