

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on September 6, 2005, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Timothy L. Anderson.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Ms. Lynne Woods, Assembly District No. 1
Mr. Bill Allen, Assembly District No. 2
Mr. Talis J. Colberg, Assembly District No. 3 (*arrived at 6:25 p.m.*)
Ms. Mary Kvalheim, Assembly District No. 4
Ms. Jody Simpson, Assembly District No. 5
Mr. Jim Colver, Assembly District No. 6 (*Deputy Mayor*)
Ms. Betty Vehrs, Assembly District No. 7

Staff in attendance were:

Ms. Michelle M. McGehee, CMC, Borough Clerk
Mr. John Duffy, Borough Manager
Ms. Teresa S. Williams, Borough Attorney
Ms. Lonnie McKechnie, Executive Assistant to the Borough Clerk
Ms. Tammy Clayton, Finance Director
Mr. Keith Rountree, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Mr. Steve Cypra, Chief of Land and Resource Management
Mr. Murph O'Brien, Planning and Land Use Director

III. APPROVAL OF AGENDA

Mayor Anderson:

- advised that a proclamation would be added to the agenda under Special Orders of the Day to honor Ms. May Carter for her years of service to the people of the Matanuska-Susitna Borough; and
- inquired if there were any other changes to the agenda.

Assemblymember Vehrs:

- requested that the proclamation presenting the LN Curtis Responder of the Year Award for 2004 be postponed to September 20, 2005; and
- advised that the responders are not available to accept the award.

Mr. Brodigan:

- advised that there have been major fires in the Willow and Wasilla areas; and
- noted that the recipients are fighting the fires and are not available to accept the awards.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Jarel Vinduska.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: 08/16/05

Mayor Anderson inquired if there were any corrections to the regular meeting minutes of August 16, 2005.

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

VI. SPECIAL ORDERS OF THE DAY

A. Proclamation Re: Family Day – A Day to Eat Dinner With Your Children

Mayor Anderson read the proclamation into the record.

B. Proclamation Re: Pain Awareness Month

Mayor Anderson:

- read the proclamation into the record; and
- presented the proclamation to Dr. Mayschak.

Dr. Mayschak:

- spoke to the month of September being National Pain Awareness month; and
- thanked the Mayor and Assembly for the proclamation.

C. ~~Award to Borough Responders that won the LN Curtis Responder of the Year Award for 2004~~

D. Proclamation Re: In recognition of May Carter for her years of service to the people of the Matanuska-Susitna Borough

Mayor Anderson:

- read the proclamation into the record;
- advised that Ms. Carter was not available to accept the proclamation; and
- requested that Assemblymember Kvalheim present the proclamation to Ms. Carter in honor of her dedication and service to the Borough.

VII. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There were no reports provided.)

2. Matanuska-Susitna Borough School District

(There was no report provided.)

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Mayor Anderson advised that the Joint Assembly/School Board Committee on School Issues has not met since the last report.

2. Regional Transportation Planning Organization

Mayor Anderson advised that the August 29, 2005, meeting was cancelled and would be rescheduled.

C. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy advised that Mr. Rountree, Public Works Director, has prepared handouts on the Susitna Valley School regarding the cost of renovation verses the cost of replacement, and a synopsis of the chain of events on the school's condition.

D. ATTORNEY COMMENTS

(There were no comments provided.)

E. CLERK COMMENTS

Ms. McGehee:

- reviewed the upcoming meeting schedule;
- advised that the management review audit on October 18, 2005, has been rescheduled to begin at 4 p.m.;
- noted that the agendas for the September 13, 2005, Joint Assembly/School Board meeting and the September 15, 2005, Joint Assembly/Municipality of Anchorage meeting are attached for review;

- provided an election update;
- spoke regarding the annual Alaska Municipal League Conference scheduled for November; and
- advised that lap tops would be available for the Assembly for Borough use only in the near future.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Circle View and Stampede Estates Flood and Water Erosion Control Special Service Area No. 131: 06/23/05, 07/26/05, 08/04/05
 - b. Greater Willow Road Service Area No. 20: 06/30/05
 - c. Local Road Service Area Advisory Board: 08/18/05, Resolution Serial No. 05-01
 - d. Parks, Recreation, and Trails Advisory Board: 07/18/05, Resolution Serial No. 05-10
 - e. Planning Commission: 08/01/05
 - f. Platting Board: 01/20/05, 02/17/05, 07/07/05, 07/21/05, 07/28/05,
 - g. Senior Citizen Advisory Board: 06/20/05, 08/15/05
 - h. Talkeetna Sewer and Water Special Service Area No. 36: 06/30/05
 - i. Trapper Creek Road Service Area No. 30: 06/16/05
 - j. Wasilla-Lakes Fire Service Area No. 130: 06/06/05
2. Community Council Correspondence:
 - a. Willow Area Community Organization: 08/01/05

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

G. INFORMATIONAL MEMORANDUMS

1. IM No. 05-236: AN INFORMATIONAL MEMORANDUM PROVIDING NOTIFICATION OF CERTIFICATION OF 2005 REGULAR REAL PROPERTY ASSESSMENT ROLL.

The informational memorandum was presented and no comments were noted.

IX. UNFINISHED BUSINESS

(There was no unfinished business presented.)

X. NEW BUSINESS

- A. INTRODUCTION (For public hearing - 09/20/05, 7 p.m., Borough Assembly Chambers)
 1. Ordinance Serial No. 05-161: AN ORDINANCE APPROVING AN APPROPRIATION OF \$19,918 FROM THE AREAWIDE FUND BALANCE, FUND 100, TO FUND 410, FOR THE DUST CONTROL PROGRAM.
 - a. IM No. 05-235

2. Ordinance Serial No. 05-162: AN ORDINANCE APPROVING AN APPROPRIATION OF \$10,000 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO PROJECT NO. 45152, FUND 405, TO SUPPLEMENT THE PURCHASE OF A PUMPER/TANKER VEHICLE AND RELATED EQUIPMENT.
 - a. Resolution Serial No. 05-125: A RESOLUTION AMENDING THE BUDGET OF PROJECT NO. 45152, FUND 405, TO SUPPLEMENT THE PURCHASE OF MEADOW LAKES PUMPER/TANKER VEHICLE AND RELATED EQUIPMENT.
 - (1) IM No. 05-238
3. Ordinance Serial No. 05-163: AN ORDINANCE ADOPTING THE RECLASSIFICATION TO PUBLIC RECREATION AND SELECTION FOR USE AS A PUBLIC SHOOTING SITE, THAT PORTION OF THE WEST ½ WITHIN SECTION 9, TOWNSHIP 15 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE POINT MACKENZIE AREA (MSB 4508).
(Sponsor: Assemblymember Colver)
 - a. IM No. 05-239
4. Ordinance Serial No. 05-164: AN ORDINANCE APPROPRIATING \$30,000 OF INTEREST EARNINGS ON THE 1998 SERIES A GENERAL OBLIGATION SCHOOL BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40128, TO FUND THE CONSTRUCTION OF TURN LANES AND HIGHWAY LIGHTING ON PITTMAN ROAD TO THE MEADOW LAKES ELEMENTARY SCHOOL.
 - a. IM No. 05-240
5. Ordinance Serial No. 05-165: AN ORDINANCE AMENDING MSB 24.05.080(A)(4), TO FURTHER DEFINE HUMANE ANIMAL CARE, AND MSB 24.26.080(A)(2), ALLOWING THE ANIMAL CARE AND REGULATION BOARD TO MAKE A RECOMMENDATION, AFTER THE HEARING PROCESS, TO SHORTEN THE TIME FRAME IN WHICH THE CHIEF ANIMAL CARE AND REGULATION OFFICER CAN REMOVE, REDUCE, OR MODIFY A CLASSIFICATION OF AN ANIMAL THAT HAS BEEN CLASSIFIED AT A LEVEL 3 OR 4. *(Sponsor: Assemblymember Vehrs)*
 - a. IM No. 05-245
6. Ordinance Serial No. 05-166: AN ORDINANCE APPROPRIATING \$83,681 OF INTEREST EARNINGS ON THE 2001 SERIES A GENERAL OBLIGATION SCHOOL BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40138, FOR FLASHING SAFETY LIGHTS AT THE SHERROD ELEMENTARY SCHOOL ZONE.
 - a. IM No. 05-246
7. Ordinance Serial No. 05-167: AN ORDINANCE APPROVING AN APPROPRIATION OF \$19,000 FROM THE CIRCLE VIEW DEBT SERVICE FUND BALANCE, FUND

310, TO THE MATANUSKA RIVER FLOOD EROSION CONTROL PROJECT, FUND 445, PROJECT NO. 55008, FOR THE CONSTRUCTION AND/OR MAINTENANCE OF FLOOD EROSION CONTROL STRUCTURES ON THE MATANUSKA RIVER.

- a. Resolution Serial No. 05-126: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE CONSTRUCTION AND/OR MAINTENANCE OF MATANUSKA RIVER FLOOD EROSION CONTROL STRUCTURES.

(1) IM No. 05-248

- 8. Ordinance Serial No. 05-168: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY TO AUTHORIZE MATANUSKA-SUSITNA BOROUGH TO INCUR INDEBTEDNESS IN THE PRINCIPAL AMOUNT OF \$296,000 FROM THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO BUILD A COVERED STORAGE AREA FOR SALTED SAND.

- a. IM No. 05-158

Ms. McGehee read the above legislation into the record.

MOTION: Assemblymember Colver moved to introduce the legislation as read into the record by the Clerk and set the public hearings for September 20, 2005.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Parks, Recreation, and Trails Advisory Board
Arthur Mannix

Mayor Anderson requested the following confirmations:

Enhanced 911 Advisory Board
Eileen Markiel
Human Services Citizen Advisory Committee
Resignation of Joani Welch
Library Board
Removal of Elaine Nash
Resignation of Dorothea Taylor
Board RSA No. 25 Board of Supervisors
Gary Hessmer
Fairview RSA No. 14 Board of Supervisors
David Hopper

MOTION: Assemblymember Colver moved to confirm the Mayor's appointments and resignations up for confirmation this evening.

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

(The regular meeting recessed at 6:38 p.m. and reconvened at 7 p.m.)

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

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

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 05-160: AN ORDINANCE REAPPROPRIATING \$432,000 OUT OF THE RESERVE FOR MAJOR REPAIR AND RENOVATION, FUND 100, TO FUND 400, SCHOOL DISTRICT PORTABLE CONSTRUCTION PROJECT, FOR THE PURPOSE OF ADDRESSING THE EMERGENCY SITUATION AT SUSITNA VALLEY SCHOOL. *(Sponsors: Mayor Anderson and Assemblymembers Colver and Vehrs)*
 - a. Resolution Serial No. 05-120: A RESOLUTION AMENDING THE SCOPE OF WORK FOR PROJECT NO. 40158, FOR THE SUSITNA VALLEY HIGH SCHOOL, TO ALLOW CONSTRUCTION OF PORTABLE FACILITIES.
 - (1) IM No. 05-241
 - (2) IM No. 05-247
 - (3) AM No. 05-159: AUTHORIZING THE PURCHASE OF UP TO 6 PORTABLE CLASSROOM UNITS FOR THE AMOUNT OF \$482,000 TO PROVIDE HOUSING FOR STUDENTS DISPLACED BY THE UNSAFE CONDITIONS AT SU-VALLEY HIGH SCHOOL.

Mr. Duffy:

- opined that this item should be postpone based on the School District's decision to remain at Susitna Valley School;
- noted that postponing this item would allow for all the possibilities to be looked at and alternatives identified that meet the community's needs; and
- advised that the Borough is moving forward with the final engineering and design of the roof, as well as the mold issue at Susitna Valley School.

Assemblymember Vehrs queried if the reason for postponement was to wait for additional information to come forward.

Mr. Duffy:

- confirmed that postponing the matter would allow for more information to come forward;
- advised that there may also be a possibility of leasing portables; and
- stated that there are some people who would like to volunteer labor to build portables for the students.

Assemblymember Allen queried if the design on the roof would continue so the roof could be rebuilt.

Mr. Duffy advised that an action would be brought forward to the Assembly to award the roof design contract.

Assemblymember Allen noted his objection on spending more money on the current Susitna Valley School facility.

Mayor Anderson:

- advised that the legislation is no longer urgent due to the School Board's decision; and
- noted that postponing the legislation will give the Borough more time to review information.

Mayor Anderson opened the public hearing.

The following people spoke in favor of Ordinance Serial No. 05-160 and Resolution Serial No. 05-120: Ms. Durwanda Twigg and Ms. Sandra White.

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

MOTION: Assemblymember Vehrs moved to adopt Ordinance Serial No. 05-160 and Resolution Serial No. 05-120.

Assemblymember Vehrs:

- advised that she supports postponement;
- opined that the community needs to have the opportunity to give their opinion regarding any decisions on researching the possibilities for the Susitna Valley School;
- spoke regarding the possibility of leasing a building rather than building portables; and
- noted that there are some good ideas out there; however, there has not been enough time to research all of the them.

MOTION: Assemblymember Vehrs moved to postpone Ordinance Serial No. 05-160 and Resolution Serial No. 05-120 to a time certain of October 18, 2005.

VOTE: The motion to postpone to a time certain of October 18, 2005, passed without objection.

2. Ordinance Serial No. 05-111: AN ORDINANCE CREATING RAVEN DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 412, 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. 05-181

Ms. Clayton provided a staff report.

Mayor Anderson 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 Colver moved to adopt Ordinance Serial No. 05-111.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 05-112: AN ORDINANCE CREATING JADE LAKE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 407, 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. 05-185

Ms. Clayton provided a staff report.

Mayor Anderson 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 Simpson moved to adopt Ordinance Serial No. 05-112.

MOTION: Assemblymember Simpson moved to amend IM No. 05-185 by replacing the map of the area with the correct version provided by the Finance Department.

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed with Assemblymember Simpson in opposition.

4. Ordinance Serial No. 05-113: AN ORDINANCE CREATING CHINOOK AVENUE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 410, 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 IMPROVEMENT.

- a. IM No. 05-189

Ms. Clayton provided a staff report.

Mayor Anderson 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 Colberg moved to adopt Ordinance Serial No. 05-113.

MOTION: Assemblymember Colberg moved to amend Ordinance Serial No. 05-113 by replacing the legal description as provided by the Finance Department.

Assemblymember Colver:

- spoke regarding the legal description referring to Alaska Estates No. 2;
- advised that Alaska Estates No. 2 was never filed with the Platting Division; and
- noted that the amendment refers to the plat by book and page rather than Alaska Estates No. 2.

VOTE: The primary amendment passed without objection

VOTE: The main motion as amended passed with Assemblymember Simpson in opposition.

5. Ordinance Serial No. 05-123: AN ORDINANCE ADOPTING MSB 17.28, INTERIM MATERIALS DISTRICT.
- a. Ordinance Serial No. 05-124: AN ORDINANCE ADOPTING MSB 17.30, CONDITIONAL USE PERMIT (CUP) FOR EARTH MATERIALS EXTRACTION ACTIVITIES.
- b. Ordinance Serial No. 05-125: AN ORDINANCE ADOPTING MSB 17.125, DEFINITIONS. (*Proposed substitutes included in packet pocket—Ordinance Serial No. 05-123(SUB-1), Ordinance Serial No. 05-124(SUB-1), Ordinance Serial No. 05-125(SUB-1), and IM No. 05-242.*)
- (1) IM No. 05-196

Ms. Probasco:

- spoke regarding the gravel extraction conflicts;
- advised that since the introduction of this legislation to the Assembly the Planning Commission made some amendments, which is the reason for the substitute ordinances; and
- noted that public comments have been received; therefore, the staff is recommending six additional changes that are included in IM No. 05-242.

Mr. O'Brien spoke regarding the staff's recommended changes regarding the annual volume of extraction of materials from 3,000 cubic yards to 5,000 cubic yards.

Assemblymember Colberg:

- spoke regarding the chart that was provided that differentiates the administrative permit, the conditional use permit, and the interim materials district; and
- queried if 30 acres or 30 months would be a conditional use permit or an interim materials district.

Mr. O'Brien:

- advised that the developer would have a choice between the two;
- noted if there were 20 acres or more that there would be a choice for either a conditional use permit or an interim materials district; and
- advised that if over 40 acres, then the interim materials district would be required.

Assemblymember Colver queried how someone would be affected if they were working on their own property.

Mr. O'Brien:

- advised that this does not apply if there is no material removal from the site and the material is used on the property; and
- advised that it does apply if the material leaves the site and enters onto the road system.

Assemblymember Colver queried if a permit was required if a person had different pieces of property and the material is moved from one property to another.

Mr. O'Brien:

- advised that they would be required to get a permit; and
- noted that the impact study applies if you enter onto the road system.

Assemblymember Woods queried if there was anything in the legislation regarding the impact of the truck traffic on Borough roads.

Ms. Probasco:

- advised that there are site development standards in the legislation; and
- noted that a traffic impact plan must be provided.

Discussion ensued regarding the impact on Borough roads.

Assemblymember Colberg:

- noted that there is no definition for "continuous" that appears in the Interim Materials District legislation; and
- queried if it should be time specific.

Mr. O'Brien:

- advised that "continuous" means operation on a daily basis; and
- stated when the development plan is received that it should give the estimated duration of the proposed operation.

Assemblymember Colberg:

- spoke regarding setting a timeframe; and
- noted that someone may not think they need to get a permit if they will not be running continuously.

Mr. O'Brien advised that they were anticipating that the plan of operation would give the estimated duration of the operation.

Discussion ensued regarding the determination of the duration of operation.

Mayor Anderson opened the public hearing.

The following persons spoke in favor of Ordinance Serial No. 05-123(SUB), Ordinance Serial No. 05-124(SUB), and Ordinance Serial No. 05-125(SUB): Mr. Steve Lovs, Ms. Sherry Rusher, Ms. Rose Johnson, and Mr. Johnnie Davis.

The following persons spoke to including reclamation language into the legislation: Mr. Jarel Vinduska and Mr. Doug Warner.

The following person spoke regarding including reclamation language into the legislation and stricter regulations: Ms. Helen Ashley.

The following person spoke regarding the gravel extractors helping to pay for the repairs to the roads: Ms. Helen Munoz.

The following person spoke regarding a conflict in the language in MSB 17.30.140, Violations, Enforcement, and Penalties: Ms. Lucille Frey.

The following persons spoke regarding concerns on how the legislation will affect the small pit operators: Mr. Marc Cotini, Mr. Reed Dilley, Mr. Sig Register, Mr. Pio Cotini, and Mr. Lewis Miller.

The following person spoke to road maintenance issues: Ms. Jay Nolfi.

The following persons spoke to concerns regarding water quality: Mr. Mark Clark; and Ms. Kathy Wells, Director of Friends of the Mat-Su.

(The Assembly recessed at 8:27 p.m. and reconvened at 8:40 p.m.)

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 05-123 Ordinance Serial No. 05-124, and Ordinance Serial No. 05-125.

MOTION: Assemblymember Colver moved to amend Ordinance Serial No. 05-123, Ordinance Serial No. 05-124, and Ordinance Serial No. 05-125 by substitute Ordinance Serial No. 05-123(SUB), Ordinance Serial No. 05-124(SUB), and Ordinance Serial No. 05-125(SUB).

MOTION: Assemblymember Colver moved a secondary amendment to Ordinance Serial No. 05-123(SUB), Ordinance Serial No. 05-124(SUB), and Ordinance Serial No. 05-125(SUB) to approve the technical amendments recommended by the staff in IM No. 05-242, noting the following changes:

- MSB 17.30.040(A)(2)(b), striking “3,000” and inserting “7,000;” and
- MSB 17.28.020(C), to strike the word “continuous” and to insert the phrase “for more than two years.”

VOTE: The secondary amendment passed without objection.

Assemblymember Allen:

- spoke regarding the need to add reclamation language to the legislation; and
- recommended that this not be done this evening, but rather have the staff come back with a reclamation ordinance at a later date.

MOTION: Assemblymember Woods moved a secondary amendment to Ordinance Serial No. 05-123(SUB), MSB 17.28.010(A)(2), by inserting after the word “areas” the phrase “by the owner/permittee in a manner that will not devalue the extraction site or neighboring properties for future beneficial uses upon completion of gravel extraction” to read as follows: (2) enhancing the character and stability of residential, agricultural, business, commercial, and industrial areas, and promoting the orderly and beneficial development of such areas by the owner/permittee in a manner that will not devalue the extraction site or neighboring properties for future beneficial uses upon completion of gravel extraction.

Assemblymember Woods spoke regarding landowners wanting the value of their land maintained.

VOTE: The secondary amendment passed without objection.

MOTION: Assemblymember Woods moved a secondary amendment to Ordinance Serial No. 05-124(SUB), MSB 17.30.010(A)(2), by inserting after the word “areas” the phrase “by the owner/permittee in a manner that will not devalue the extraction site or neighboring properties for future beneficial uses upon completion of gravel extraction” to read as follows: (2) enhancing the character and stability of residential, agricultural, business, commercial, and industrial areas, and promoting the orderly and beneficial development of such areas by the owner/permittee in a manner that will not devalue the extraction site or neighboring properties for future beneficial uses upon completion of gravel extraction.

VOTE: The secondary amendment passed without objection.

Assemblymember Woods queried whether the water quality issue would be included in the reclamation legislation.

Mr. Duffy stated that these are two separate issues.

MOTION: Assemblymember Woods moved a secondary amendment to Ordinance Serial No. 05-123(SUB), MSB 17.28.060(A), by adding paragraph (8) to read as follows: (8) require that an undisturbed layer of gravel at least six feet above aquifer.

Assemblymember Colver:

- advised that he supports the intent to protect the water;
- noted that alot of the mining that is taking place is below the water table;
- remarked that the Assembly needs to hear expert testimony from a hydrologist; and
- spoke regarding having guidelines in place.

Assemblymember Vehrs:

- noted that one of the concerns in her district is the water table and aquifer;
- advised that a new operation has started that can last for 20 to 30 years; and
- spoke regarding concerns that damage could be done to the water table.

Assemblymember Allen:

- opined that the technical expertise is required to advise the Assembly on the issue; and
- requested that this issue be reviewed by the staff along with the reclamation issue.

Discussion ensued regarding protection of the aquifer.

VOTE: The secondary amendment failed with Assemblymembers Woods, Kvalheim, and Vehrs in support.

MOTION: Assemblymember Colver moved a secondary amendment to:

- Ordinance Serial No. 05-123(SUB), MSB 17.28.80(C)(1), by striking the phrase “one-quarter mile (1320 feet)” and inserting the phrase “one mile” to read as follows: (1) The public hearing shall be held in conformance with MSB 15.04.016, and notice of the hearing shall be made pursuant to the standards of MSB 17.03, except that the notification area will be one mile from the exterior boundary of the subject property; and
- Ordinance Serial No. 05-124(SUB), MSB 17.30.035(C), by striking the phrase “one-quarter mile (1320 feet)” and inserting the phrase “one-half mile” to read as follows: (C) If the minimum criteria for an administrative permit can be met, the director will notify surrounding property owners in accordance with MSB 17.03 public notification, except that the notification area will be one-half mile. Within 30 days of acceptance of the application, the administrative permit will be issued with conditions to address concerns raised by neighboring property owners, and as deemed appropriate by the director, to protect the public health, safety, and general welfare; and
- Ordinance Serial No. 05-124(SUB), MSB 17.30.035(E), by striking the phrase “one-quarter mile (1320 feet)” and inserting the phrase “one-half mile” to read as follows: (E) If the application is elevated or if the proposed development exceeds the minimum criteria for an administrative permit, a public hearing before the planning commission shall be conducted within 45 calendar days of

the acceptance of a complete application or elevation of an administrative permit, in accordance with MSB 17.03 public notification, except that the notification area will be one-half mile. The applicant may waive the 45 day limit.

VOTE: The secondary amendment passed without objection.

MOTION: Assemblymember Colver moved a secondary amendment to Ordinance Serial No. 05-123(SUB), 17.28.060(A)(3), by adding subparagraph (a) to read as follows: road maintenance may be required of permittee.

Assemblymember Simpson queried the mechanism that is in place that would allow for the Borough to accept funds from users of road service areas and appropriate those funds.

Mr. Duffy advised that the funds would be accepted and appropriated by the Assembly.

Assemblymember Colver advised that his intention was that the permittee would use their own road grader.

Discussion ensued regarding private funds being accepted.

VOTE: The secondary amendment passed without objection.

(The meeting recessed at 9:13 p.m. and reconvened at 9:20 p.m.)

MOTION: Assemblymember Colver moved a secondary amendment to Ordinance Serial No. 05-124(SUB):

- MSB 17.30.040(B), by adding a paragraph (3) to read as follows: (3) road maintenance may be required of permittee; and
- MSB 17.30.050(B), by adding a paragraph (3) to read as follows: (3) road maintenance may be required of permittee.

Assemblymember Allen queried how administration will determine who caused the damage to the road.

Mr. Duffy:

- noted that this would be part of the application process;
- advised that a site development plan would be received that will speak to the number of vehicles that will be moving per day;
- stated that with the consultation of the Public Works Director, a determination will be made regarding the impact on the road system; and
- noted that at that point, a fee determination shall be made.

Assemblymember Woods spoke to the impact that loaded trucks make on the road system.

Mr. Duffy advised that administration's recommendations regarding the conditional use process would be reviewed by the Planning Commission and the interim materials district would be reviewed by the Assembly.

Assemblymember Allen:

- stated that he does not want to see the small operators be harmed; and
- advised that he would like to review the rules on this as they develop.

VOTE: The secondary amendment passed without objection.

MOTION: Assemblymember Colver moved a secondary amendment to Ordinance Serial No. 05-124 (SUB), MSB 17.30.20, by adding subsection (F) to read as follows:
(F) An annual exemption from an administrative permit for 500 cubic feet or less.

VOTE: The secondary amendment passed without objection.

Assemblymember Colberg queried whether the definitions in Ordinance Serial No. 05-125(SUB) give the definitions for the areas that are in the sound level table in Ordinance Serial No. 05-123(SUB).

Mr. O'Brien advised that the definitions do explain the areas in the sound level table.

Discussion ensued regarding the definitions of the areas in the sound level table.

Mayor Anderson noted that he has been advised by administration that legislation regarding reclamation and the water quality issue would be coming forward to the Assembly within six weeks.

VOTE: The motion to amend by substitute passed without objection.

VOTE: The main motion as amended by substitute passed without objection.

MOTION: Assemblymember Allen moved to reconsider Ordinance Serial No. 05-123(SUB), Ordinance 05-124(SUB), and Ordinance Serial No. 05-125(SUB).

VOTE: The motion to reconsider failed unanimously.

6. Ordinance Serial No. 05-142: AN ORDINANCE REQUESTING A SUPPLEMENTAL APPROPRIATION OF \$5,500 FROM THE BUTTE FIRE SERVICE AREA FUND BALANCE, FUND 251, TO THE BUTTE FIRE SERVICE AREA FISCAL YEAR 2006 OPERATING BUDGET, FUND 251, TO SUPPLEMENT THE PURCHASE OF FIRE EQUIPMENT.
 - a. IM No. 05-206

Mr. Brodigan provided a staff report.

Mayor Anderson 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. 05-142.

VOTE: The motion passed without objection.

7. Ordinance Serial No. 05-143: AN ORDINANCE DELETING THE TERMINAL MORaine DISTRICT, MSB 17.23.140, FROM THE POINT MACKENZIE PORT SPECIAL USE DISTRICT AND ADDING THE AREA TO THE PORT INDUSTRIAL DISTRICT – ONE, MSB 23.17.110.
 - a. IM No. 05-208

Mr. O'Brien provided a staff report.

Mayor Anderson queried the reason that this legislation is in front of the Assembly prior to the appeal hearing to Board of Adjustment and Appeals.

Mr. O'Brien advised that the ordinance addresses the issue in the appeal, and would make the appeal moot.

Discussion ensued regarding the appeal to the Board of Adjustment and Appeals.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 05-143.

VOTE: The motion passed without objection.

8. Ordinance Serial No 05-144: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$40,000 ALASKA COASTAL MANAGEMENT (306 PROGRAM REQUIRED TASKS) GRANT TO FUND 480, PROJECT NO. 20158, FOR FISCAL YEAR 2006 REQUIRED TASKS.
 - a. Resolution Serial No. 05-110: A RESOLUTION ESTABLISHING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA COASTAL MANAGEMENT (306 PROGRAM REQUIRED TASKS) GRANT FOR FISCAL YEAR 2006.
 - (1) IM No. 05-212

Mayor Anderson opened the public hearing.

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

Assemblymember Woods queried if the State changed regulations than required the Borough to make changes to cover the costs.

Mr. O'Brien:

- advised that the funds are continued requirements for coastal zone management; and
- advised that the changes to the program have been extended.

Mr. Duffy:

- advised that this is the funding for the coastal zone management plan; and
- stated that this is one of the only State and Federal mandates that has funds that come with it.

Mayor Anderson queried if there was any objection to moving Ordinance Serial No. 05-144, Resolution Serial No. 05-110, Ordinance Serial No. 05-145, and Resolution Serial No. 05-111 together.

There was no objection noted.

9. Ordinance Serial No. 05-145: AN ORDINANCE ACCEPTING AND APPROPRIATING AN \$11,000 ALASKA COASTAL MANAGEMENT (SPECIAL PROJECTS) GRANT AND REAPPROPRIATING \$25,500 TO FUND 480, PROJECT NO. 20158, FOR THIS PROGRAM DURING FISCAL YEAR 2006.
 - a. Resolution Serial No. 05-111: A RESOLUTION ESTABLISHING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA COASTAL MANAGEMENT GRANT FOR FISCAL YEAR 2006 FOR COMPLETION OF THE MATANUSKA-SUSITNA BOROUGH COASTAL MANAGEMENT PLAN AMENDMENT.
- (1) IM No. 05-213

Mayor Anderson 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 Colver moved to adopt Ordinance Serial No. 05-144, Resolution Serial No. 05-110 and Ordinance Serial No. 05-145 and Resolution Serial No. 05-111.

VOTE: The motion passed without objection.

10. Ordinance Serial No. 05-146: AN ORDINANCE REPEALING MSB 4.44, AGRICULTURAL AND FORESTRY ADVISORY BOARD, IN ITS ENTIRETY AND RECODIFYING IT AS MSB 4.45, THE REAL PROPERTY ASSET MANAGEMENT BOARD.
 - a. Ordinance Serial No. 05-147: AN ORDINANCE ESTABLISHING THE REAL PROPERTY ASSET MANAGEMENT BOARD AND ESTABLISHING THE BOARD'S COMPOSITION, FUNCTIONS, AND DUTIES WITHIN TITLE 23.
- (1) IM No. 05-217

Mr. Cypra provided a staff report.

Assemblymember Woods queried whether the Board members could teleconference into the meetings.

Mr. Cypra advised that the Board members could not teleconference into the meetings.

Mr. Duffy advised that some boards have been allowed to teleconference when the technical expertise were available.

Assemblymember Woods spoke to the need to allow for board members to teleconference into meetings.

Assemblymember Vehrs:

- advised that the board applications ask if they can regularly attend meetings;
- noted that the Local Road Service Area Advisory Board has the technology to teleconference and is comprised of members throughout the Borough; however, they attend their local road service area meetings in person; and
- remarked that when people apply for the boards, they need to look at if they can regularly attend meetings.

Mayor Anderson 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 Colver moved to adopt Ordinance Serial No. 05-146 and Ordinance Serial No. 05-147.

MOTION: Assemblymember Simpson moved to amend Ordinance Serial No. 05-146, MSB 23.60.040(B), to strike the language “or the mayor” from the first sentence, to read as follows: (B) The board shall establish regular meetings and may hold additional meetings as are called by its chairperson or one-third of its members.

Assemblymember Simpson:

- advised that she did some research and found no boards or commissions that meet on the call of the mayor, except a mayoral task force; and
- stated that boards and commissions operate autonomously through a majority vote of the Assembly and the board reports directly to the Assembly.

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed without objection.

11. Ordinance Serial No. 05-148: AN ORDINANCE AMENDING MSB 23.10.120(B), REGARDING THE METHOD OF APPROVAL BY THE ASSEMBLY FOR A MATERIAL SALE.

a. IM No. 05-218

Mr. Cypra provided a staff report.

Mayor Anderson 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 Colver moved to adopt Ordinance Serial No. 05-148.

VOTE: The motion passed without objection.

12. Ordinance Serial No. 05-149: AN ORDINANCE REESTABLISHING THE PARKS, RECREATION, AND TRAILS ADVISORY BOARD AND ESTABLISHING THE BOARD'S COMPOSITION, FUNCTION, AND DUTIES WITHIN TITLE 4 OF BOROUGH CODE.

a. IM No. 05-219

Mr. Cypra provided a staff report.

Mayor Anderson 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 Colver moved to adopt Ordinance Serial No. 05-149.

MOTION: Assemblymember Colver moved to amend Ordinance Serial No. 05-149, the ninth Whereas Clause, (2)(e), to add (3) to read as follows: (3) a board member may serve for two consecutive terms.

Assemblymember Colver:

- noted that the two-term policy is consistent with other boards; and
- commented that by having a two-term policy, it gives other people the chance to serve on the board.

VOTE: The amendment passed without objection.

VOTE: The main motion as amended passed without objection.

13. Ordinance Serial No. 05-150: AN ORDINANCE AMENDING MSB 15.24.030(B), BY ADDING THE MATANUSKA-SUSITNA BOROUGH PARKS, RECREATION, AND OPEN SPACE PLAN.

a. IM No. 05-221

Mr. Cypra provided a staff report.

Mayor Anderson 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 Colver moved to adopt Ordinance Serial No. 05-150.

VOTE: The motion passed without objection.

Mayor Anderson advised that the following legislation would be moved together: Ordinance Serial No. 05-151, Resolution Serial No. 05-112, Ordinance Serial No. 05-152, Resolution Serial No. 05-113, Ordinance Serial No. 05-153, Resolution Serial No. 05-114, Ordinance Serial No. 05-154, Resolution Serial No. 05-115, Ordinance Serial No. 05-155, Resolution Serial No. 05-116, Ordinance Serial No. 05-156, Resolution Serial No. 05-117, Ordinance Serial No. 05-157, and Resolution Serial No. 05-118.

There was no objection noted.

14 Ordinance Serial No. 05-151: AN ORDINANCE TO ACCEPT AND APPROPRIATE \$300,272 OF GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE FIRE ALARM UPGRADE AT THE PALMER JUNIOR/MIDDLE SCHOOL, FUND 400.

a. Resolution Serial No. 05-112: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FIRE ALARM UPGRADE AT THE PALMER JUNIOR/MIDDLE SCHOOL.

(1) IM No. 05-223

15. Ordinance Serial No. 05-152: AN ORDINANCE TO ACCEPT AND APPROPRIATE \$35,000 OF GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE ACADEMY CHARTER ADMINISTRATIVE BUILDING IMPROVEMENTS, FUND 400, PROJECT NO. 40159.

a. Resolution Serial No. 05-113: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ACADEMY CHARTER SCHOOL ADMINISTRATIVE BUILDING IMPROVEMENTS, PROJECT NO. 40159.

(1) IM No. 05-224

16. Ordinance Serial No. 05-153: AN ORDINANCE TO ACCEPT AND APPROPRIATE \$172,502 OF GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE COLONY HIGH SCHOOL RUNNING TRACK, FUND 400.
 - a. Resolution Serial No. 05-114: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE COLONY HIGH SCHOOL RUNNING TRACK.
 - (1) IM No. 05-225
17. Ordinance Serial No. 05-154: AN ORDINANCE TO ACCEPT AND APPROPRIATE \$100,000 OF GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE IDITAROD ELEMENTARY SCHOOL FENCING, FUND 400.
 - a. Resolution Serial No. 05-115: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE IDITAROD ELEMENTARY SCHOOL FENCING.
 - (1) IM No. 05-226
18. Ordinance Serial No. 05-155: AN ORDINANCE TO ACCEPT AND APPROPRIATE \$200,000 OF GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE MATANUSKA RIVER FLOOD EROSION CONTROL, FUND 445.
 - a. Resolution Serial No. 05-116: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE MATANUSKA RIVER FLOOD EROSION CONTROL.
 - (1) IM No. 05-227
19. Ordinance Serial No. 05-156: AN ORDINANCE TO ACCEPT AND APPROPRIATE \$75,000 OF GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT FOR ROAD PAVING ON MEADOW LAKES DRIVE, FUND 410.
 - a. Resolution Serial No. 05-117: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR ROAD PAVING ON MEADOW LAKES DRIVE.
 - (1) IM No. 05-228
20. Ordinance Serial No. 05-157: AN ORDINANCE TO ACCEPT AND APPROPRIATE \$85,000 OF GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE CHIP SEAL TEST PROJECT ON CRYSTAL LAKE ROAD IN WILLOW.
 - a. Resolution Serial No. 05-118: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE CHIP SEAL TEST PROJECT ON CRYSTAL LAKE ROAD IN WILLOW.
 - (1) IM No. 05-229

Mr. Duffy provided a staff report.

Mayor Anderson 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 Vehrs moved to adopt Ordinance Serial No. 05-151, Resolution Serial No. 05-112, Ordinance Serial No. 05-152, Resolution Serial No. 05-113, Ordinance Serial No. 05-153, Resolution Serial No. 05-114, Ordinance Serial No. 05-154, Resolution Serial No. 05-115, Ordinance Serial No. 05-155, Resolution Serial No. 05-116, Ordinance Serial No. 05-156, Resolution Serial No. 05-117, Ordinance Serial No. 05-157, and Resolution Serial No. 05-118.

VOTE: The motion passed without objection.

21. Ordinance Serial No. 05-159: AN ORDINANCE ACCEPTING AND APPROPRIATING \$5,880,942 FROM THE FEDERAL TRANSIT ADMINISTRATION, TO FUND 450, PROJECT NO. 70001, FOR THE FERRY VESSEL.
- a. Resolution Serial No. 05-119: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FERRY VESSEL.
- (1) IM No. 05-231

Mr. Duffy provided a staff report.

Mayor Anderson 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 Simpson moved to adopt Ordinance Serial No. 05-159 and Resolution Serial No. 05-119.

MOTION: Assemblymember Simpson moved to amend Resolution Serial No. 05-119, to change the scope of work as follows:

- Ferry engineering and design: to strike “\$3,000,000” and insert “\$3,330,942;”
- Ferry outfitting and furnishings: to strike “\$500,000” and insert “\$1,000,000;”
- Ferry post-delivery costs: to strike “\$500,000” and insert “\$1,000,000;”
- Anchorage side terminal infrastructure: to strike the line item in its entirety; and
- Ferry project administration and oversight: to strike “\$845,898” and insert “\$550,000.”

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed with Assemblymember Colberg in opposition.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

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

- D. CONSENT AGENDA (Resolution Serial No. 05-123 and AM No. 05-160 were pulled from the consent agenda and addressed separately. *See pp. 25-26 of 27*)

1. RESOLUTIONS

- a. Resolution Serial No. 05-121: A RESOLUTION AMENDING THE BUDGET FOR TOURISM INFRASTRUCTURE (BED TAX) PROJECT NOS. 15006 AND 15030, FUND 480.

(1) IM No. 05-233

- b. Resolution Serial No. 05-122: A RESOLUTION AMENDING THE SCOPE OF WORK FOR THE TALKEETNA TRANSFER SITE IMPROVEMENTS PROJECT TO INCLUDE IMPROVEMENTS TO THE WILLOW TRANSFER SITE, PROJECT NO. 25040.

(1) IM No. 05-237

- d. Resolution Serial No. 05-124: A RESOLUTION AMENDING THE BUDGETS FOR THE TEELAND MIDDLE SCHOOL CONSTRUCTION PROJECT AND THE NUTRITION SERVICES FACILITY CONSTRUCTION PROJECT.

(1) IM No. 05-244

2. ASSEMBLY MEMORANDUMS

- a. AM No. 05-153: RETROACTIVE APPROVAL OF LATE FILED DISABLED VETERAN EXEMPTION APPLICATIONS AND SENIOR CITIZEN EXEMPTION APPLICATIONS.

- b. AM No. 05-154: AWARD OF BID NO. 06-013 TO NYE FRONTIER FORD, INC. FOR THE CONTRACT AMOUNT OF \$123,928 FOR THE PURCHASE OF FOUR VEHICLES FOR THE OPERATIONS AND MAINTENANCE DIVISION OF PUBLIC WORKS.

- c. AM No. 05-155: AWARD OF BID NO. 06-045 TO MANSON CONTRACTING FOR THE CONTRACT AMOUNT OF \$181,000 FOR THE PORT MACKENZIE DREDGING, OBSTACLE REMOVAL, AND BATHYMETRIC SURVEY.

- d. AM No. 05-156: APPROVAL OF CHANGE ORDER NO. 2 TO WOLF ARCHITECTURE IN THE AMOUNT OF \$141,150 FOR INSPECTION SERVICES AND ADDITIONAL ON-SITE REPRESENTATION SERVICES FOR THE NUTRITION SERVICES FACILITY DESIGN.

- e. AM No. 05-157: AUTHORIZING THE PURCHASE OF PRO AUTOMATED EXTERNAL DEFIBRILLATORS FROM ZOLL MEDICAL CORPORATION FOR THE AMOUNT OF \$42,326.97.
- f. AM No. 05-158: AUTHORIZING THE PURCHASE OF MOTOROLA MINITOR V PAGERS FROM PROCOMM ALASKA FOR AN ANNUAL AMOUNT NOT TO EXCEED \$75,000 TO REPLACE OUTDATED PAGERS FOR EMERGENCY SERVICES.
- h. AM No. 05-161: AWARD OF BID NO. 06-012 TO SIMPLEXGRINNELL, LP, FOR THE CONTRACT AMOUNT OF \$29,242 FOR THE MONITORING OF FIRE ALARM AND SECURITY SYSTEMS FOR MATANUSKA-SUSITNA BOROUGH FACILITIES.
- i. AM No. 05-162: AUTHORIZATION FOR THE ACCEPTANCE OF TITLE TO THE KNIK ARM TRANSPORT/RESCUE BOAT – EXPEDITIONARY WARFARE CRAFT.
- j. AM No. 05-163: AWARD OF BID NO. 06-048 TO JOHNSON CONTROLS FOR THE CONTRACT AMOUNT OF \$104,000 FOR THE DOROTHY SWANDA JONES BUILDING MECHANICAL UPGRADES.
- k. AM No. 05-164: AWARD OF BID NO. 06-035 TO DIHTHAAD GLOBAL SERVICES, LLC, FOR THE CONTRACT AMOUNT OF \$74,500 FOR THE TALKEETNA RESTROOM INSTALLATION.
- l. AM No. 05-165: APPROVAL OF ELECTION OFFICIALS FOR THE OCTOBER 4, 2005, REGULAR BOROUGH ELECTION.

Ms. McGehee read the above legislation into the record.

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

VOTE: The motion passed without objection.

CONFLICT OF INTEREST: Assemblymember Kvalheim declared a conflict of interest on Resolution Serial No. 05-123.

RULING: Mayor Anderson ruled that Assemblymember Kvalheim had a conflict of interest and would be recused from voting on the issue.

CONFLICT OF INTEREST: Mayor Anderson declared a conflict of interest on Resolution Serial No. 05-123.

(Mayor Anderson and Assemblymember Kvalheim exited the meeting.)

- c. Resolution Serial No. 05-123: 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-GRANTEES.
- (1) IM No. 05-243

MOTION: Assemblymember Allen moved to adopt Resolution Serial No. 05-123.

VOTE: The motion passed without objection

(Mayor Anderson and Assemblymember Kvalheim returned to the meeting.)

CONFLICT OF INTEREST: Assemblymember Colver declared a conflict of interest on AM No. 05-160.

RULING: Mayor Anderson ruled that Assemblymember Colver had a conflict of interest and would be recused from voting on the issue.

(Assemblymember Colver exited the meeting.)

- g. AM No. 05-160: AWARD OF BID NO. 06-039 TO CENTRAL PAVING PRODUCTS FOR THE CONTRACT AMOUNT OF \$253,550 TO PROVIDE WINTER CHIPS AND SAND FOR ROAD MAINTENANCE PURPOSES.

MOTION: Assemblymember Vehrs moved to approve AM No. 05-160.

VOTE: The motion passed without objection

(Assemblymember Colver returned to the meeting.)

XI. RECONSIDERATION

(There were no reconsiderations presented.)

XII. VETO

(There were no vetoes presented.)

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Simpson:

- advised that she had the opportunity to ride with Representative Stoltz and Deputy Commissioner John MacKinnon, Alaska State Department of Transportation, Highways and Public Facilities, in portions of assembly districts 3 and 5;
- stated that she can assure the Assembly that Deputy Commission MacKinnon is very aware of the needs of the Borough with the population growth;
- spoke regarding how monies were split previously; and
- advised that Deputy Commissioner MacKinnon complimented Mr. Duffy and Mr. O'Brien for the transportation planning.

Assemblymember Allen:

- spoke regarding the replacement cost verses the retrofitting costs of the Susitna Valley School;
- noted that it will only cost \$83 more a square foot to replace Susitna Valley School;
- urged the Assembly not to put any more money into the existing Susitna Valley School building; and
- stated that putting more money into the building does not make good sense.

Assemblymember Vehrs:

- complimented the staff on the work they did on the Susitna Valley School issue; and
- stated that she would rather have the community engaged in the issue rather than telling them what is going to happen.

Assemblymember Colver:

- spoke regarding the records retention program;
- advised that he was not able to locate the paperwork on how the Susitna Valley School was funded or designed;
- opined that when money is borrowed on schools, the paperwork needs to be kept for the length of the bond;
- advised that he was pleased with the staff regarding the Susitna Valley School issue; and
- advised that at the meeting on August 16, 2005, he misspoke regarding the landfill fees and that he has apologized to Mr. Duffy.

Mayor Anderson:

- spoke regarding attending meetings regarding the Susitna Valley School issue;
- noted that Mr. Rountree, Public Works Director, was a real asset to the Borough;
- spoke regarding getting the community involved in the Susitna Valley School issue;
- spoke regarding educating the public on the proposition issues on the ballot; and
- advised that he will not be in attendance at the September 13, 2005, Joint Assembly/School Board meeting.

XV. ADJOURNMENT

The regular meeting adjourned at 10:27 p.m.

/ S /

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

/ S /

MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: 09/20/05