I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on September 6, 2011, at the Palmer Railroad Depot, 610 South Valley Way, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Larry DeVilbiss.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Warren Keogh, Assembly District No. 1
Mr. Noel Woods, Assembly District No. 2
Mr. Ronald Arvin, Assembly District No. 3 *(Deputy Mayor)(attended telephonically)*
Mr. Mark Ewing, Assembly District No. 4
Ms. Cindy L. Bettine, Assembly District No. 5 *(entered at 6:11 p.m.)*
Mr. Vern Halter, Assembly District No. 7

Assemblymembers absent and excused were:

Mr. Jim Colver, Assembly District No. 6

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Moosey, Borough Manager
Ms. Elizabeth Gray, Assistant Borough Manager
Mr. John Aschenbrenner, Deputy Borough Attorney
Ms. Brenda J. Henry, Executive Assistant to the Borough Clerk
Ms. Tammy Clayton, Finance Director
Ms. Christine Nelson, Planning and Land Use Director
Ms. Patty Sullivan, Public Affairs Director
Ms. Joell Church, Records Management Officer
Ms. Jamie Newman, Deputy Borough Clerk
Ms. Nancy Cameron, Land Management Agent

III. APPROVAL OF AGENDA

Mayor DeVilbiss noted that should time allow prior to 7 p.m., he would like to read a proclamation into the record regarding Patriot Day (9-11).

There was no objection noted.

Mayor DeVilbiss 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. George Rauscher, Sutton Community Council President.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: 08/02/11
B. Special Assembly Meeting: 08/09/11
C. Special Assembly Meeting: 08/11/11

Mayor DeVilbiss inquired if there were any corrections to the regular meeting minutes of August 2, 2011, or the special meetings minutes of August 9, 2011, and August 11, 2011.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Mr. Burt Cottle, city of Wasilla Deputy Administrator:
- spoke to a train trip to Fairbanks in November that is sponsored by the city of Wasilla that the Assembly is invited to ride to attend the Alaska Municipal League Conference;
- related that they are still working on the Lake Lucille park transfer; and
- noted that the city of Wasilla would be happy to host an Assembly meeting at the City chambers.

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. Assembly Public Relations

Assemblymember Keogh:

- spoke to attending open houses at several local schools;
- stated that he also attended the grand opening of the Chickaloon Village Traditional Council Primary Health Care Clinic;
- related that he met with local legislators regarding the joint air space expansion;
- noted that he also attended a meeting of the committee regarding the proposed military air space expansion;
- noted that at the meeting, he reiterated the concerns of the Borough regarding the proposed expansion; and
- stated that the community of Lake Louise will have a public hearing on this matter.

Assemblymember Halter

- spoke to his attendance at a presentation regarding the proposed Susitna Dam;
- noted that public comments on the project were received from the Talkeetna community;
- stated that he was impressed with the way the committee answered the questions and concerns of the community; and
- thanked Representative Newman for setting up such a successful meeting.

Mayor DeVilbiss:

- related that he and the Manager were invited up to Talkeetna by Matanuska Electric Association (MEA);
- stated that he assumed that it was an MEA meeting;
- related that in the process he was given a jacket and hat by K2 Aviation; and
- noted that he returned the jacket due to the cost of the item.

D. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

(There were no comments provided.)

A. ATTORNEY COMMENTS

1. State Redistricting
2. Cook Inlet Driftnetters Association Litigation

Mr. Aschenbrenner:

- noted that upon his return, Mr. Spiropoulos would be reporting to the Assembly regarding the items listed under Attorney comments; and
- stated that he has nothing further to add.

B. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- noted that she has been working with the Municipality of Anchorage to schedule a joint meeting on October 27, 2011; and
- queried if scheduling that meeting was something the Assembly would like to do.

Discussion ensued regarding scheduling the joint meeting with the Municipality of Anchorage.

[Clerk's note: The Assembly scheduled the joint meeting on October 27, 2011, from 3:30 p.m. to 5:30 p.m.]

C. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
a. Aviation Advisory Board: 03/10/11, Resolution Serial No. 11-01
b. Caswell FSA Board of Supervisors: 04/13/11
c. Emergency Medical Services Board: 04/06/11
d. Enhanced 911 Advisory Board: 02/08/11
e. Greater Talkeetna RSA Board of Supervisors: 06/09/11
f. Local Emergency Planning Committee: 04/20/11
g. Planning Commission: 06/06/11
h. Planning Commission/Platting Board Joint Meeting: 06/27/11, 07/25/11
i. Platting Board: 07/07/11
j. Port Commission: 06/06/11, 06/20/11, Resolution Serial Nos. 11-007, 11-008
k. South Colony RSA Board of Supervisors No. 16: 02/16/11
l. Transportation Advisory Board: 04/27/11, Resolution Serial No. 11-09

2. Community Council Correspondence:
a. Point MacKenzie: 04/14/11

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

D. INFORMATIONAL MEMORANDUMS

1. IM No. 11-189: NOTIFICATION OF CERTIFICATION OF 2011 REGULAR REAL PROPERTY ASSESSMENT ROLL.

The informational memorandum was presented and no comments were noted.

VII. UNFINISHED BUSINESS

A. AM No. 11-071: AWARD OF PROPOSAL NO. 11-105 TO HATTENBURG DILLEY AND LINNELL, LLC., IN THE CONTRACT AMOUNT NOT TO EXCEED $121,305 FOR THE TALKEETNA PUBLIC WATER SYSTEM METERING DESIGN.

MOTION PENDING: Assemblymember Halter moved to adopt AM No. 11-071.

Assemblymember Halter:

- noted that he had requested to delay the legislation until after he spoke with the Talkeetna Sewer and Water Board; and
- related that he is satisfied with the information he has received from the Board.

VOTE: The motion passed without objection.

VIII. VETO

(There were no vetoes presented.)

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 09/20/11, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 11-105: AN ORDINANCE AMENDING MSB 8.05, SOLID WASTE, TO ADD A SECTION MSB 8.05.085, DISTRIBUTION OF COMMERCIAL LITERATURE, AND TO AMEND MSB 8.05.10, DEFINITIONS. *(Sponsored by Assemblymember Bettine)*

a. IM No. 11-178

2. Ordinance Serial No. 11-115: AN ORDINANCE AUTHORIZING A FAIR MARKET VALUE LEASE OF BOROUGH-OWNED REAL PROPERTY TO CENTRAL ALASKA ENERGY, LLC., FOR TANK FARM AND TRUCK RACK OPERATIONS (MSB00651).

a. IM No. 11-209

3. Ordinance Serial No. 11-116: AN ORDINANCE AMENDING MSB 15.39, BOARD OF ADJUSTMENT AND APPEALS, BY ADDING AN APPELLATE PROCESS FOR PERSONAL WIRELESS SERVICES FACILITIES.

a. IM No. 11-163

4. Ordinance Serial No. 11-117: AN ORDINANCE AMENDING MSB 8.50, TRASH AND JUNK. *(Sponsored by Assemblymember Bettine)*

a. IM No. 11-183

5. Ordinance Serial No. 11-118: AN ORDINANCE ACCEPTING AND APPROPRIATING $326,250 FOR A PORTION OF THE FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT.

a. Resolution Serial No. 11-113: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR A PORTION OF THE FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT.

(1) IM No. 11-185

6. Ordinance Serial No. 11-119: AN ORDINANCE AMENDING MSB 17.28, DESIGNATING THE ALSOP PIT AN INTERIM MATERIALS DISTRICT, LOCATED WITHIN TOWNSHIP 15 NORTH, RANGE 4 WEST, SECTIONS 28 AND 33.

a. IM No. 11-186

7. Ordinance Serial No. 11-120: AN ORDINANCE TO APPROVE THE REQUEST BY AGRICULTURAL RIGHTS OWNERS OF THE 1987 SALE FARM UNIT, CURRENTLY DESCRIBED AS SOUTHWEST 1/4 NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 18 NORTH, RANGE 3 EAST, SEWARD MERIDIAN, ALASKA, CONTAINING 40.00 ACRES, MORE OR LESS, NORTH 1/4 SOUTHEAST 1/4 NORTHEAST 1/4 AND THE SOUTHWEST 1/4 SOUTHEAST 1/4 NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 18 NORTH, RANGE 3 EAST, SEWARD MERIDIAN, ALASKA, CONTAINING 25.86 ACRES, MORE OR LESS, AS DELINEATED ON THE SOUTHERN BOUNDARY BY NORTH WOLVERINE ROAD, TO VACATE THE LOT LINE BETWEEN THE TWO PARCELS, SUBDIVIDE THE FIVE ACRE HOME/HEADQUARTERS SITE, AND SELL THE REMAINING 60.86 ACRES TO AN ADJACENT AGRICULTURAL RIGHTS PROPERTY OWNER. SAID PROPERTY IS LOCATED WITHIN THE PALMER RECORDING DISTRICT AND THE LAZY MOUNTAIN COMMUNITY COUNCIL AREA (MSB001230).

a. IM No. 11-187

8. Ordinance Serial No. 11-121: AN ORDINANCE AMENDING MSB 5.20.005, REGARDING ALTERATION OF ROAD SERVICE AREAS. *(Sponsored by Assemblymember Halter)*

a. IM No. 11-193

9. Ordinance Serial No. 11-122: AN ORDINANCE AMENDING MSB 3.15.030, REQUIRED EXEMPTIONS CONCERNING UNTIMELY APPLICATIONS FOR TAX EXEMPTIONS FOR SENIOR CITIZENS AND DISABLED VETERANS. *(Sponsored by Assemblymember Bettine)*

a. IM No. 11-194

10. Ordinance Serial No. 11-123: AN ORDINANCE ACCEPTING AND APPROPRIATING A FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT IN THE AMOUNT OF $1,568,478 FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT, FOR THE PORT MACKENZIE PORT DEVELOPMENT AND ASSOCIATED RAIL LINE IMPROVEMENTS, TO FUND 450, PROJECT NO. 70001.

a. Resolution Serial No. 11-114: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANGER TO ENTER INTO THE NECESSARY AGREEMENTS WITH THE STATE OF ALASKA DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE PORT MACKENZIE PORT DEVELOPMENT AND ASSOCIATED RAIL LINE IMPROVEMENTS.

(1) IM No. 11-197

11. Ordinance Serial No. 11-124: AN ORDINANCE AMENDING MSB 2.12.112, TO REQUIRE THAT WHEN A RECONSIDERATION IS DONE IN WRITING THAT A REASON FOR THE RECONSIDERATION BE PROVIDED. *(Sponsored by Assemblymember Halter)*

a. IM No. 11-198

12. Ordinance Serial No. 11-125: AN ORDINANCE ACCEPTING AND APPROPRIATING A FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT IN THE AMOUNT OF $30,000,000 FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE SOUTH CENTRAL RAIL EXTENSION FROM PORT MACKENZIE TO THE MAINLINE, TO FUND 490, PROJECT NO. 75001.

a. Resolution Serial NO. 11-115: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO ENTER INTO THE NECESSARY AGREEMENTS WITH THE STATE OF ALASKA DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE SOUTH CENTRAL RAIL EXTENSION FROM PORT MACKENZIE TO THE MAINLINE PROJECT.

(1) IM No. 11-201

13. Ordinance Serial No. 11-126: AN ORDINANCE ACCEPTING AND APPROPRIATING $20,000 FROM THE STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES, TO FUND 480, PROJECT NO. 20325 FOR INTERPRETIVE SIGNS.

a. Resolution Serial No. 11-116: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR INTERPRETIVE SIGNS.

(1) IM No. 11-202

14. Ordinance Serial No. 11-127: AN ORDINANCE ACCEPTING AND APPROPRIATING $28,000 FROM THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, TO FUND 480, PROJECT NO. 47006, FOR TRANSIT PLANNING.

a. Resolution Serial No. 11-117: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SHORT RANGE TRANSIT PLAN.

(1) IM No. 11-203

15. Ordinance Serial No. 11-128: AN ORDINANCE ACCEPTING AND APPROPRIATING $70,000 FOR A PORTION OF GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE DEPARTMENT OF EMERGENCY SERVICES FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT PROJECTS.

a. Resolution Serial No. 11-118: A RESOLUTION APPROVING THE SCOPES OF WORK AND BUDGETS FOR A PORTION OF THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC

DEVELOPMENT GRANTS FOR THE DEPARTMENT OF EMERGENCY SERVICES PROJECTS.

(1) IM No. 11-204

16. Ordinance Serial No. 11-129: AN ORDINANCE ACCEPTING AND APPROPRIATING $13,565,000 FOR A PORTION OF THE FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT.

a. Resolution Serial No. 11-119: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR A PORTION OF THE FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT.

(1) IM No. 11-205

17. Ordinance Serial No. 11-130: AN ORDINANCE ACCEPTING AND APPROPRIATING A 2011 HAZARDOUS FUELS WOODY BIOMASS UTILIZATION GRANT IN THE AMOUNT OF $80,000 FROM THE UNITED STATES FOREST SERVICE FOR THE SUSITNA VALLEY HIGH SCHOOL WOOD BOILER SYSTEM, TO FUND 400, PROJECT NO. 40169.

a. IM No. 11-207

18. Ordinance Serial No. 11-131: AN ORDINANCE AMENDING MSB 2.12.090(D), AGENDA; NOTICE OF MEETING: ORDER OF BUSINESS. *(Sponsored by Mayor DeVilbiss)*

a. IM No. 11-211

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 September 20, 2011.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmations:

Enhanced 911 Advisory Board
- Kelly Swihart, resignation

Health and Social Services Board
- Jimmie Rogers, resignation

Historical Preservation Commission
- Quentin Simeon, removal

Labor Relations Board
    Joy Fearn-Condon

Mayor DeVilbiss made the following recommendations:

Historical Preservation Commission
    Patrick Durand
Planning Commission
    Brue Walden
Transportation Advisory Board
    Don Carney
Willow FSA No. 35
    Michel “Kel” Jacobs

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

VOTE: The motion passed without objection.

Mayor DeVilbiss:
- noted that the Assembly just introduced legislation that would change the way the Assembly approaches the items on the agenda that cannot occur prior to 7 p.m. per Borough Code;
- related that this is being done in order to allow the Assembly to move on through the agenda without time constraints;
- stated that this would also assist in shortening the length of meetings; and
- read a proclamation in recognition of Patriot Day (9-11).

MOTION: Assemblymember Arvin moved to suspend the rules in order to take up the consent agenda.

Assemblymember Arvin:
- opined that a member of the Assembly may pull Resolution Serial No. 11-112 from the consent agenda;
- stated that typically audience participation does not occur until after the consent agenda; and
- noted that there is a large number of public who would like to speak to that resolution.

Mayor DeVilbiss inquired if the intent of the motion was to take up the consent agenda prior to audience participation.

Assemblymember Arvin:
- affirmed the query; and
- opined that the Wishbone Hill Resolution would consume a lot of time.

Mayor DeVilbiss opined that audience participation concerning Resolution Serial No. 11-112 should be taken up first.

Assemblymember Keogh requested direction from the Clerk on how the body could proceed, should they decide to take up audience participation on only Resolution Serial No. 11-112.

Ms. McKechnie:
- stated that the body could take audience participation up until at least 7 p.m.;
- related that this would accommodate the public hearings starting at 7 p.m.; and
- noted that it could continue after the public hearings, at which time the consent agenda could be taken up again.

MOTION: Assemblymember Bettine moved a primary amendment to take up audience participation on any item on the consent agenda, then to continue with agenda items as they are noted for 7 p.m., and then to resume audience participation.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

Mayor DeVilbiss:
- spoke regarding having the public sign up either for or against Resolution Serial No. 11-112; and
- noted this was a fair way to hear from both opinions.

The following person spoke to concerns with the need for a regional wastewater facility: Ms. Helen Munoz.

The following persons spoke in opposition to Resolution Serial No. 11-112: Ms. Diana Ramstead; Ms. Patricia Wade; Ms. Jennifer Harrison, Chickaloon Village Traditional Council Executive Director; and Mr. Michael Jones.

The following persons spoke in support of Resolution Serial No. 11-112: Mr. Charles Leet, Ms. Roberta Mason, Ms. Julie Endel, and Mr. Marty Van Diest.

(The regular meeting recessed at 6:53 p.m. and reconvened at 7 p.m.)

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

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. 11-062: AN ORDINANCE CREATING STARLIGHT LANE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 451, 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. 11-126

Ms. Clayton provided a staff report.

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 Bettine moved to adopt Ordinance Serial No. 11-062.

VOTE: The motion failed unanimously.

2. Ordinance Serial No. 11-080: AN ORDINANCE AUTHORIZING THE FAIR MARKET VALUE LEASE OF BOROUGH-OWNED REAL PROPERTY TO PACARCTIC LOGISTICS, LLC., FOR MARINE AND SURFACE TRANSPORTATION, LOGISTICS, AND TERMINAL OPERATOR SERVICES (MSB006489).

a. IM No. 11-137

Mr. Moosey provided a staff report.

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 Bettine moved to adopt Ordinance Serial No. 11-080.

Assemblymember Keogh queried if the lease is satisfactory to PacArctic Logistics.

Mr. King Hufford, PacArctic Logistics, affirmed the query.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 11-107: AN ORDINANCE ACCEPTING AND APPROPRIATING $13,850 IN ADDITIONAL STATE GRANT FUNDS TO FUND 400, PROJECT NO. 40167, FOR THE SUSITNA VALLEY JUNIOR/SENIOR HIGH SCHOOL.

a. Resolution Serial No. 11-106: A RESOLUTION APPROVING THE AMENDED BUDGET FOR PROJECT NO. 40167, SUSITNA VALLEY JUNIOR/SENIOR HIGH SCHOOL.

(1) IM No. 11-173

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. 11-107 and Resolution Serial No. 11-106.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 11-108: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF $150,000 FROM KNIK ROAD SERVICE AREA NO. 17 FUND BALANCE, FUND 274, TO KNIK ROAD SERVICE AREA NO. 17 FISCAL YEAR 2012 OPERATING BUDGET, FUND 274.
   a. IM No. 11-174

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 Bettine moved to adopt Ordinance Serial No. 11-108.

VOTE: The motion passed without objection.

5. Ordinance Serial No. 11-109: AN ORDINANCE APPROVING AN APPROPRIATION OF $95,574 FROM THE AREAWIDE FUND BALANCE, FUND 100, TO FUND 410, FOR THE DUST CONTROL PROGRAM.
   a. IM No. 11-175

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 Woods moved to adopt Ordinance Serial No. 11-109.

Assemblymember Bettine requested that in the future the Assembly conduct a work session regarding allocations for the dust control program.

Assemblymember Keogh queried how the funds are apportioned between road service areas.

Mr. Moosey stated that it is handled internally by staff.

Assemblymember Keogh opined that there appears to be a shortage of funds in the Butte Road Service Area.

Mr. Moosey noted that staff tries to respond to complaints as they come in and also attempts to prevent them in the first place.
Discussion ensued regarding the dust control program.

VOTE: The motion passed without objection.

6. Ordinance Serial No. 11-110: AN ORDINANCE AUTHORIZING THE LESS THAN FAIR MARKET VALUE SALE OF BOROUGH-OWNED REAL PROPERTY, INCLUDING ANY IMPROVEMENTS THEREON FOR LOTS 7 AND 9, BLOCK 13, ARRC NO. 1, AND LOTS 10 AND 11, BLOCK 4, FELTON ADDITION TO PALMER TOWNSITE, AND AUTHORIZING THE MANAGER TO NEGOTIATE THE SALE(S) (MSB006349 AND 6350).

a. Resolution Serial No. 11-107: A RESOLUTION APPROVING THE BEST INTEREST FINDING FOR THE LESS THAN FAIR MARKET VALUE SALE AND 5-YEAR FINANCE TERM OF BOROUGH-OWNED PROPERTY, INCLUDING ANY IMPROVEMENTS THEREON, OF LOTS 7 AND 9, BLOCK 13, ARRC NO. 1 (OLD ADMINISTRATION BUILDING AND PARKING), AND LOTS 10 AND 11, BLOCK 4, FELTON ADDITION TO PALMER TOWNSITE (MORGUE BUILDING) AND AUTHORIZATION FOR THE MANAGER TO NEGOTIATE THE SALE(S).

(1) IM No. 11-176

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 Woods moved to adopt Ordinance Serial No. 11-110 and Resolution Serial No. 11-107.

Assemblymember Arvin:
- spoke to concerns that the legislation states that fair market value is not attainable; and
- opined that the Borough should demolish the buildings and then sell the land for fair market value.

Mr. Moosey:
- stated that his concern is that if no one is willing to purchase the buildings at the price they are listed at, is that really fair market value;
- noted that these are two properties that the Borough does not need that could be converted to an asset; and
- stated that at this point in time it is believed that the properties would sell at a lower price.

Assemblymember Arvin queried if the property is sold, if the new owner would have to abate the hazardous materials that are allegedly on the properties.

Ms. Cameron:
- stated that there would be no requirement for any type of clean up; and
- noted that it is not currently posing an outward health hazard.

Discussion ensued regarding:
- negotiating new prices for the properties;
- the possibility of conducting work sessions on land sales;
- the possibility of demolishing the buildings and selling the land only;
- the expense involved to bring the properties up to code;
- the expense involved to renovate the property being more expensive than the land and the buildings combined;
- the possibility of auctioning off the property;
- how long the buildings have been unused;
- that if no one is willing to pay the price advertised, if it is really considered fair market value;
- the possibility of contacting the city of Palmer to see if they have any comments regarding the property; and
- the possibility of making demolition a condition of the sale.

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

VOTE: The motion passed without objection.

VOTE: The main motion passed with Assemblymember Bettine opposed.

(The regular meeting recessed at 7:26 p.m. and reconvened at 7:30 p.m.)

7. Ordinance Serial No. 11-111: AN ORDINANCE APPROPRIATING $3,180,000 OF INTEREST EARNINGS FROM THE GOOSE CREEK CORRECTIONAL CENTER SERIES 2008 LEASE REVENUE BONDS TO FUND 495, PROJECT NO. 95002, FOR THE PURPOSE OF DESIGNING, CONSTRUCTING, AND EQUIPPING THE GOOSE CREEK CORRECTIONAL CENTER.

a. IM No. 11-182

b. AM No. 11-090: AWARD OF PROPOSAL NO. 12-010 TO BUSINESS INTERIORS NORTHWEST OF ALASKA, IN THE CONTRACT AMOUNT NOT TO EXCEED $760,819.20 TO FURNISH AND INSTALL GOOSE CREEK CORRECTIONAL CENTER FURNITURE AND EQUIPMENT.

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 Bettine moved to adopt Ordinance Serial No. 11-111 and AM No. 11-090.

Assemblymember Keogh:

- stated that he had received an email from one of the bidders who was unhappy with the process; and
- queried if anyone had addressed the concerns.

Ms. Clayton stated that the concerns in the public opinion message were addressed and verified to be without merit.

Assemblymember Arvin queried if there was anything substantive in the public opinion message.

Ms. Clayton stated that none of the information was found to be accurate, other than the reference to the two-day period to file a bid appeal.

VOTE: The motion passed without objection.

8. Ordinance Serial No. 11-112: AN ORDINANCE AMENDING MSB 25.05.090, REGARDING USE OF PUBLIC MONEYS TO PROMOTE PASSAGE OF BALLOT PROPOSITIONS.

a. Ordinance Serial No. 11-113: AN ORDINANCE REAPPROPRIATING $9,000 FROM ADMINISTRATION'S FISCAL YEAR 2012 OPERATING BUDGET, FUND 100, TO FUND 480, TO PROMOTE PASSAGE OF THE QUESTIONS OF THE ROAD BONDS AND SCHOOL BONDS AT THE OCTOBER 4, 2011, BOROUGH REGULAR ELECTION. *(Sponsored by Assemblymember Halter)*

(1) IM No. 11-191

Mayor DeVilbiss opened the public hearing.

The following person spoke in opposition to Ordinance Serial No. 11-112 and Ordinance Serial No. 11-113: Ms. Jay Nolfi.

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

Assemblymember Halter:

- stated that he sponsored this legislation;
- spoke to the public comments he has received in opposition to the legislation; and
- noted that he does not intend to move the legislation.

MOTION: Assemblymember Ewing moved to adopt Ordinance Serial No. 11-112 and Ordinance Serial No. 11-113.

Assemblymember Ewing spoke in opposition to the legislation.

Assemblymember Halter:

- stated that there are many roads that need improvement;
- noted that he supports passage of the road bonds; and
- advised that he will be personally advocating for passage of the bonds.

Assemblymember Arvin:

- stated that he agrees that there are many roads that need improvement;
- spoke to concerns that the legislation could pit the Assembly against the public; and
- opined that there would be no worse situation than that.

VOTE: The motion failed unanimously.

9. Ordinance Serial No. 11-114: AN ORDINANCE AMENDING MSB 23.10.270, RELATING TO THE ACQUISITION OF REAL PROPERTY.

a. IM No. 11-190

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 Woods moved to adopt Ordinance Serial No. 11-114.

VOTE: The motion passed without objection.

(Audience participation continued here.)

Mayor DeVilbiss stated that audience participation would continue until 9:30 p.m. in order to allow time for the body to complete all of the business on the agenda.

The following persons spoke in opposition to Resolution Serial No. 11-112: Ms. Helen Woodings; Mr. Adam Pollock; Ms. Constance Fredenberg; Mr. Jim Sykes; Mr. Mark McArthur; Dr. Erin McArthur; Ms. Judith Donegan; Mr. Kirby Spangler; Mr. Gary Harrison, Chickaloon Village Traditional Chief; and Mr. Mark Clark

The following persons spoke in support of Resolution Serial No. 11-112: Ms. Arden Miller; Ms. Lorelei Simon, External Affairs Manager for Usibelli Coal Mine, Inc.; Ms. Crystal Nygard, Mat-Su Business Alliance member; Mr. Randy Hobbs, Mr. Mark Bertels, Mr. George Rauscher, Mr. Art Bolt, Ms. Andrea Edwards, and Mr. Dick Stoffel.

(The regular meeting recessed at 8:46 p.m. and reconvened at 8:52 p.m.)

The following persons spoke in support of Resolution Serial No. 11-112: Mr. Jay Van Diest; Ms. Sally Pollen, Conservative Patriots Group; Ms. Ingrid Shaginoff; Ms. Mary Ann Anderson; Mr. Dan Sentz; Mr. Jonathan Norbo; and Ms. Bea Rupright.

The following persons spoke in opposition of Resolution Serial No. 11-112: Ms. Lynn Fuller; Ms. Michelle Shuman; Dr. Jordan Greer; Mr. Jeremiah Millen, Friends of Mat-Su Executive Director; Mr. Karen Hopp; Ms. Heather McCausland; Ms. Esperanza Lamphier; and Ms. Allie Barker.

Mayor DeVilbiss advised that audience participation would now end, as it is past 9:30 p.m.

MOTION: Assemblymember Keogh moved to appeal from the decision of the Chair to end audience participation at 9:30 p.m.

Assemblymember Halter queried exactly what the question is.

Ms. McKechnie advised that the question is, "Shall the decision of the chair be sustained?"

VOTE: The motion to sustain the decision of the Chair passed with Assemblymembers Keogh and Bettine opposed.

MOTION: Assemblymember Bettine moved to suspend the rules to extend the meeting past 10 p.m. and not to exceed 11 p.m.

VOTE: The motion passed without objection.

D. CONSENT AGENDA (Resolution Serial Nos. 11-108, 11-110, 11-112 were pulled from the consent agenda and addressed separately. (*See pp. 18-26)*

1. RESOLUTIONS

b. Resolution Serial No. 11-109: A RESOLUTION AMENDING THE SCOPE OF WORK FOR PROJECT NO. 15040, FISCAL YEAR 2012 CAPITAL PROJECTS FOR THE NORTHERN PARKS UPGRADE AND IMPROVEMENTS.

(1) IM No. 11-200

d. Resolution Serial No. 11-111: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET IN THE AMOUNT OF $60,000 FOR THE 2012 TOURISM INFRASTRUCTURE (BED TAX) GROOMING POOL, PROJECT NO. 15035, FUND 480.

(1) IM No. 11-208

2. ACTION MEMORANDUMS

a. AM No. 11-085: APPROVAL OF A CHANGE ORDER TO CONTRACT NO. 09-055 TO TAYLOR FIRE PROTECTION, LLC., IN THE AMOUNT OF $36,293, FOR A TOTAL CONTRACT AMOUNT OF $103,079, FOR FIRE ALARM AND SECURITY SYSTEM MAINTENANCE.

b. AM No. 11-087: VACATION OF A PORTION OF THE PUBLIC USE EASEMENT "B" RECORDED IN BOOK 1149, AT PAGE 280, JULY 18, 2001, AND RE-RECORDED IN BOOK 1154, AT PAGE 240, AUGUST 6, 2001, WITHIN PROPOSED LOT 1, BLOCK 1, ROLLING ACRES ADDITION NO. 2 SUBDIVISION, LOCATED IN SECTION 30, TOWNSHIP 18 NORTH, RANGE 2 WEST, SEWARD MERIDIAN, ALASKA.

c. AM No. 11-088: AWARD OF BID NO. 12-026 TO VALLEY GENERAL CONSTRUCTION IN THE CONTRACT AMOUNT OF $176,525.50 FOR JOJOBA ROAD AND KNIGHTS DRIVE UPGRADES AND DRAINAGE PROJECT.

d. AM No. 11-089: AWARD OF BID NO. 12-027 TO VALLEY GENERAL CONSTRUCTION IN THE CONTRACT AMOUNT OF $278,375 FOR BEVERLY LAKES ROAD PHASE II UTILITY RELOCATES AND UPGRADES.

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.

MOTION: Assemblymember Halter moved to take up Resolution Serial No. 11-112 prior to the other items pulled from the consent agenda.

VOTE: The motion passed without objection.

e. Resolution Serial No. 11-112: A RESOLUTION SUPPORTING USIBELLI COAL MINE INC. RENEWAL PERMITS FOR THE WISHBONE HILL PROJECT. *(Sponsored by Mayor DeVilbiss)*

(1) IM No. 11-212

MOTION: Assemblymember Keogh moved to adopt Resolution Serial No. 11-112.

Assemblymember Keogh:

- noted that the intent of the resolution is to urge the Department of Natural Resources to renew the permit to Usibelli for mining at Wishbone Hill;
- stated that generally, the permit is to allow the development of approximately 1,000 acres of an 8,000 acre mining area that is leased by Usibelli;
- related that this would be a 16 year mining project;
- noted that the project is significantly larger than any other mining project that has been in the valley;
- related that beginning in 1916, there was a 50 year period of mining in the valley;
- further added that in the last 50 years there has been no mining of any substance;

- spoke to receiving nearly 120 email, 30 of which speak in favor of the resolution, with 83 speaking in opposition;
- spoke to concerns that the Palmer Chamber of Commerce heard of the resolution before the Assembly did;
- stated that there are parts of the resolution that he does agree with, such as the fact that the coal in the valley is high quality;
- spoke to inaccurate and incomplete statements within the resolution;
- stated that nearly half of the whereas clauses in the resolution promote the interests of one corporation;
- further added that the mine's potential impacts on the health and property values of the residents is unaddressed;
- stated that he would suggest that the body be mindful of confusing corporate wellbeing with that of best public interest;
- noted that Usibelli's mine permit application contains reference to 150 private properties that are not mentioned in the resolution;
- opined that the people who bear the brunt of falling property values and the recipients of the noise and dust from the mining operation are also not considered;
- noted that the mine permit allows for 24/7 operation, which would increase heavy equipment noise and traffic;
- spoke to concerns of the noise from daily blasting and the blasting warning horns;
- noted that while highlighting Usibelli's mining practices, the resolution does not speak to the past citations the company has received;
- stated that although there have been some good mining practices by Usibelli, that likewise there have been others that are not;
- related that the body should be aware that Usibelli has had 21 water discharge violations and a $60,000 fine for improper mining operations over the last year;
- related that there is no mention in the resolution that Buffalo Creek will be rechanneled and re-routed;
- further added that there would be 17 sediment ponds created, as well a large slurry pond for coal waste;
- stated that last year, a Usibelli company, that is the operator of the Seward coal terminal, signed a settlement agreement with the state of Alaska for a $214,000 penalty as a result of not properly controlling coal dust;
- speculated that the road to the mine site is not necessarily constructed out of good will, as is suggested in the resolution, but more out of necessity;
- noted that while the resolution mentions coal as a "God given" natural resource, that there is no mention of other "God given" natural resources that could be impacted by the project;
- opined that the notion of making natural landscapes more beautiful through open-pit mining and reclamation is faulty reasoning;
- opined that although one of the goals of the mining reclamation plan is to improve moose habitat, the statement in the resolution implying that moose and their habitat will be improved after 20 years is suspect at the very least; and
- noted the resolution mentions economic benefits of the project, but fails to mention the traffic, dust, air quality, increased traffic, and impacts to other natural resources and human health.

Assemblymember Woods:
- stated that just before Jonesville closed down that the miners were paid in silver dollars;
- related that he was fire Chief at the city of Palmer at that time;
- noted that the economic impact that occurred when the mine closed when the flood of silver dollars hit the local economy, was interesting;
- stated that the only position that the argument against coal does not cover, is what are we going to do to improve the local economy if mining does not occur;
- opined that development in the Borough has been actively discouraged;
- further opined that the tax base has deteriorated greatly; and
- related that his position is that the only determination the body has to make regarding the resolution is that either the Assembly supports development or does not.

Assemblymember Ewing
- stated that he will support the resolution in order to show that the Borough is open for business; and
- opined that Alaskans have been denied jobs for many years.

Assemblymember Halter
- noted that he appreciates Assemblymember Keogh’s comments, which were very sincere and well thought out;
- related that someone had asked him what his opinion of the resolution was and he stated that it was like throwing gasoline on a fire;
- stated that sometimes it is the job of the Assembly to make tough decisions;
- noted that he appreciates the fact that he is able to provide comments;
- stated that the fact is that it is a State permit that Usibelli is seeking;
- opined that sometimes the Borough has to trust the State to do the right thing in monitoring the project;
- noted that air quality will be a huge concern;
- spoke to the many requirements the Assembly put on the construction of the road to the mine in order to ensure a clean as process as possible;
- spoke to the Assembly hiring TIP Strategies, Inc. in order to determine what the Borough could do to improve economic development;
- related that the results of the study indicated that the medical community, the educational system, infrastructure all needed to be improved;
- spoke to the Talkeetna Community being downstream from the proposed Susitna Dam, which is a huge project;
- noted that people are demanding low cost electricity;
- spoke to the jobs that have been being created by recent economic development;
- stated that he understands that this is a very tough decision;
- spoke to the rail spur hurting the feelings of constituents impacted by its location;
- stated that the Borough needs to do something to promote jobs;
- opined that the resolution needs to be amended to include more strict language;
- related that he has known many employees that work for Usibelli;
- opined that coal mining and tourism can co-exist;

- noted that there is no doubt that the coal will be sold out of the country, but noted that Cozy Coal sells to a lot of local residents in his district; and
- related that on a visit to Healy he saw truck loads of coal being delivered to homes in the area for heating.

Assemblymember Bettine:

- stated that she would like to amend the resolution;
- noted that it is a tough decision before the body;
- related that it is the duty of the Assembly to help the people on both sides of the issue the best way possible; and
- noted that the Assembly is not the decision maker on whether or not the permit is issued.

MOTION: Assemblymember Bettine moved a primary amendment to Resolution Serial No. 11- 112 to insert whereas clauses and therefore be it resolved clauses as follows:

- “Whereas, the Glenn Highway and Wishbone Hill area view sheds are a significant visitor industry corridor and part of the National Scenic Highway and has historically been a popular scenic drive and recreational area for South Central Alaska; and Whereas, the livelihood for dozens of accommodations, day tours, overnight guided trips and hospitality services provide long standing, significant economic development for the Mat-Su Borough;
- Whereas, the Glenn Highway Corridor Partnership Plan (2002) and the Glenn Highway Interpretive Plan (2006) both identify the scenic value of the highway and a balance between development and the visitor experience; and Whereas, coal mining and recreation and tourism must be equally considered as an important source of job creation; and
- Now, therefore, be it resolved that the MSB respectfully requests the State of Alaska, consider and preserve the exceptional value of tourism and recreation of the Glenn highway Corridor in relationship to the area of the Wishbone Hill project.”

Assemblymember Bettine:

- related that she first heard about the resolution over the weekend when she began receiving many emails;
- stated that she supports job growth in an industry that has been in Alaska for many years;
- noted that she would ask that the Assembly to consider the tourism industry and the corridor that has been designated by the Federal Highway Administration; and
- opined that the body had a lot of work to do in order to make this a resolution of the Assembly.

Assemblymember Ewing
- stated that the Assembly has emphasized tourism in every other thing the body has done;
- opined that the resolution has nothing to do with tourism but everything to do with economic development; and
- noted that he opposes the amendment.

Assemblymember Keogh;
- stated that he will support the amendment, but noted that the resolution has no relevance to tourism;
- noted that the resolution supports the State renewing the coal mining permit; and
- reiterated that he understands the intent, but that he does not think that it will impact the decision of the Department of Natural Resources (DNR).

Discussion ensued regarding:
- whether or not tourism is germane to the intent of the resolution;
- the desire to ensure that DNR understands that it is of the interest of the Borough to have diversified economic development;
- the desire to ensure family wage jobs, not just living wage jobs as part of economic development; and
- whether or not including a statement regarding tourism in the resolution would complicate supporting permit renewal.

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

VOTE: The motion passed without objection.

VOTE: The primary amendment failed with Assemblymembers Bettine, Keogh, and Halter in support and Assemblymembers Ewing, Woods, and Arvin opposed (tie vote). The motion passed with Mayor DeVilbiss invoking his voting privilege in the affirmative.

MOTION: Assemblymember Halter moved a primary amendment to Resolution Serial No. 11-112, by inserting a "therefore be it further resolved clause" to read as follows: "That the Mat-Borough respectfully requests that the state of Alaska monitor the permit and to enforce the provisions of zero discharge and the transfer of coal dust off the permit boundaries to meet permitting standards and high air quality standards."

Assemblymember Ewing queried if there were allowable limits of discharge.

Mr. Aschenbrenner stated that he is not familiar with the nuances of the permit.

Assemblymember Bettine related that the permit does state zero discharge.

Discussion ensued regarding:
- the possibility of addressing every component of the permit in the resolution;

- the importance of zero discharge;
- the desire of the body to address testimony on both sides of the issue;
- whether or not the amendments are redundant and unnecessary;
- the fact that Usibelli is not opposed to ensuring high air quality;
- that the Department of Natural Resources issues its permits under the guidelines of the Alaska Surface Coal Mining Control and Reclamation Act; and
- that the decision of the Assembly regarding the resolution will not influence the permit one way or the other.

VOTE: The primary amendment passed without objection.

Assemblymember Bettine:
- related that she struggled with a way to construct language to ensure that the coal will be transported through the Port;
- spoke to the use of the words "most likely;" and
- queried if stronger language was considered.

Mayor DeVilbiss:
- noted that he did consider that; and
- related that because the rail extension has not been constructed to the Port yet, that the words "most likely" were used.

MOTION: Assemblymember Bettine moved a primary amendment to Resolution Serial No. 11-112, by striking the fifteenth whereas clause in its entirety and inserting in its place "Whereas, coal mined from the Matanuska coal field is encouraged to go through the Matanuska-Susitna Borough's Port, thus diversifying revenue in the Borough; and"

Assemblymember Woods opined that it would be insulting to assume that Usibelli would not use Port MacKenzie to transport coal, as that is part of the reason the rail extension is being constructed.

Assemblymember Bettine:
- opined that people are interested in the coal mine for economic development;
- stated that it is the duty of the Assembly to do the best we can for our citizens; and
- noted that she is not trying to be insulting.

Assemblymember Ewing noted that he supports the primary amendment as he likes the word encouraged.

Assemblymember Arvin opined that the body is off-track from the intent of the resolution.

Assemblymember Keogh noted his agreement with Assemblymember Arvin.

VOTE: The primary amendment passed with Assemblymembers Arvin and Woods opposed.

MOTION: Assemblymember Halter moved a primary amendment to Resolution Serial No. 11-112, by inserting: "Whereas, the Sutton Community Council has voted in support of the State renewing the permit; and"

Assemblymember Halter opined it is important to include a statement of local support.

Assemblymember Bettine:

- stated that she objects to the amendment;
- opined that the resolution has not been out there long enough for community councils to provide comment on it; and
- noted that there may be others that would like to weigh in on the issue.

VOTE: The primary amendment passed with Assemblymember Bettine opposed.

Discussion ensued regarding:

- who has reviewed the permit application;
- the health impact assessment that is being conducted by the Alaska State Department of Health and Social Services specific to natural resource extractment;
- the due date of the assessment;
- the importance of understanding the results and the potential impacts of coal dust on human health;
- the possibility of inserting common ground information into the resolution;
- the number of coal cars that go through Wasilla every day;
- how coal used to heat all of the homes in Palmer;
- the tremendous market for coal;
- the opinion of some of the body that the resolution is a political statement;
- homes that use coal as a heat source;
- the environmental movement;
- mining atrocities that happened when there was no regulation on the industry;
- that natural resource extraction is done in a completely different manner than in the past;
- the desire of some of the members to ensure the community knows that the Borough is open for business;
- the need to ensure the protection of the public process in order to receive public comment;
- that the Borough has no jurisdiction over coal mining; and
- what will be monitored during the mining process, should the permit be renewed.

VOTE: The main motion passed as amended with Assemblymember Keogh opposed.

MOTION: Assemblymember Ewing moved to suspend the rules to extend the meeting past 11 p.m. and not to exceed 11:35 p.m.

VOTE: The motion passed with Assemblymember Keogh opposed.

(The meeting recessed at 10:59 p.m. and reconvened at 11:05 p.m.)

a. Resolution Serial No. 11-108: A RESOLUTION APPROVING THE AMENDED SCOPE OF WORK AND BUDGET FOR PROJECT NO. 25035, ELECTRICAL UPGRADES, PHASE II (TRANSFER SITES) TO ALLOW FOR THE PURCHASE OF EQUIPMENT AT THE NEW REGIONAL RESOURCE RECOVERY AND TRAINING FACILITY.

(1) IM No. 11-199

MOTION: Assemblymember Arvin moved to adopt Resolution Serial No. 11-108.

Assemblymember Arvin:
- stated that he has received a lot of public comment regarding the resolution; and
- queried a brief history of the funding for the center.

Mr. Moosey:
- stated that a grant application was approved in 2008;
- noted that at that time, the most important equipment was the glass crusher and scale;
- related that because of a change in the grant requirements, that the grant could no longer be used to purchase equipment; and
- advised that staff will be requesting a grant extension, as the grant was to be closed out in August of 2011.

Assemblymember Arvin queried why the extension was necessary.

Mr. Moosey:
- related that he believes it is due to the complexity of the grant requirements;
- noted that the recycling center building is completed with the exception of some equipment; and
- stated that in order to have a fully functioning center, that equipment is necessary.

Assemblymember Keogh:
- stated that the center has made it clear that the number one priority for them is a conveyor; and
- noted that glass crusher and the scale are not as high of a priority, but priorities none the less.

Discussion ensued regarding:
- concerns of how projects are vetted; and
- the reason for the grant extension request.

VOTE: The motion passed without objection.

c. Resolution Serial No. 11-110: A RESOLUTION IN SUPPORT OF A NEW SERVICE AND OPERATION CENTER FOR MAT-SU SERVICES FOR CHILDREN AND ADULTS, INC. *(Sponsored by Mayor DeVilbiss)*

(1) IM No. 11-206

MOTION: Assemblymember Bettine moved to adopt Resolution Serial No. 11-110.

Assemblymember Bettine queried if this resolution was requested by Mat-Su Services for Children and Adults (MSSCA).

Mayor DeVilbiss:

- advised that it was requested by MSSCA; and
- noted that his handicap brother is cared for by MSSCA.

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

D. 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. EXECUTIVE SESSION

(There was no executive session held.)

XIII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Assemblymember Keogh

- spoke to having attended a Health and Social Services Board meeting;
- related that they were tasked with dividing the grant funds amongst the 30 plus organizations who applied for the Human Services Grant;
- opined that they did a very thorough and ethical job, and were fair minded; and
- stated that he was very impressed with the work of the Board.

Assemblymember Ewing:

- stated that he did not appreciate the comments by the public that the body has been bought out by resource development;
- noted that he has never seen any indication that something as that has happened;
- stated that it is not always easy to make the hard decisions;
- noted that the body has to consider the Borough as a whole;

- opined that there could be a large number of jobs created by Usibelli; and
- stated that he is happy with the results tonight.

Assemblymember Halter
- stated that he would like to have an executive session regarding Mr. Madden's contract;
- opined that it is kind of embarrassing that the Borough cannot use the ferry;
- noted that he has carefully considered all of the information that has been presented to him on the ferry project;
- related that he is amazed that there was no consideration of a place to land the ferry;
- spoke to concerns with potential conflicts of Mr. Madden;
- opined that the Borough needs to take ownership of the ferry project and not have someone else take care of Borough responsibilities; and
- stated that he has enjoyed hearing the concerns of the public and appreciated their testimony.

MOTION: Assemblymember Bettine moved to suspend the rules to extend the meeting past 11:35 p.m. not to exceed 11:40 p.m.

VOTE: The motion passed without objection.

Assemblymember Bettine:
- stated that there must be a way to tie an incentive to a ferry contract;
- opined that there needs to be someone to market the Port and port projects;
- requested an independent marketing analysis for the ferry;
- advised that former Borough Clerk Sandy Dillon had passed away;
- stated that she would like for the Assembly to send a card to the Dillon family; and
- opined that it was a good meeting.

Mr. Aschenbrenner:
- stated that he worked with Sandy when she was the Borough Clerk;
- related that she was a pleasure to work with; and
- noted that she will be missed.

Ms. McKechnie advised that Ms. Dillon's services will be held this Friday at 4:30 p.m. for the viewing, with services to start at 5 p.m. at St. Michaels Catholic Church in Palmer.

X. ADJOURNMENT

The special meeting adjourned at 11:45 p.m.

LARRY DeVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 10/18/11