I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on September 16, 2003, 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:

Mr. J. Bruce Bush, Assembly District No. 1 *(arrived at 6:05 p.m.)*
Mr. Bill Allen, Assembly District No. 2
Mr. Talis J. Colberg, Assembly District No. 3
Ms. Mary Kvalheim, Assembly District No. 4
Ms. Jody Simpson, Assembly District No. 5
Mr. Jim Colver, Assembly District No. 6 (Deputy Mayor)
Ms. Kelly Ladere, Assembly District No. 7

Staff in attendance were:

Ms. Sandra A. Dillon, CMC, Borough Clerk
Mr. John Duffy, Borough Manager
Ms. Teresa S. Williams, Borough Attorney
Mr. David Germer, Assistant Borough Manager
Ms. Janice Case, Borough Clerk's Secretary
Ms. Tammy Clayton, Finance Director
Mr. Chuck Braun, Acting Public Works Director
Mr. Jack Krill, Emergency Services Director
Mr. Ron Swanson, Community Development Director
Ms. Susan Dickinson, Planning Director

III. APPROVAL OF AGENDA

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

GENERAL CONSENT: The agenda was approved as presented.

Mr. Duffy noted that Resolution Serial No. 03-102, regarding the proposed labor agreement with the Matanuska-Susitna Borough Employees Association, and AM No. 03-174, regarding the Knik Arm feasibility design study to incorporate ship-to-shore interface analysis studies, are on the consent agenda.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Rachel Trapp and Dan Grondahl, Su-Valley High School students.

V. MINUTES OF PRECEDING MEETINGS

Mayor Anderson referenced the minutes of the September 2, 2003, regular meeting and asked if there were any corrections thereto.

Assemblymember Ladere noted a correction to p. 13 of 17, under audience participation, to strike "Tim Sykes" and insert "Jim Sykes". *[After Clerk's research, Mr. Sykes' name was corrected accordingly.]*

GENERAL CONSENT: The minutes of the September 2, 2003, regular meeting were approved as amended pending Clerk's research.

Mayor Anderson referenced the minutes of the September 2, 2003, special meeting and asked if there were any corrections thereto.

GENERAL CONSENT: The minutes of the September 2, 2003, special meeting were approved as presented without objection.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There were no reports presented.)

2. Matanuska-Susitna Borough School District

Mr. Chmielewski, School Board President:

- reported that the independent school bond committees are working hard to inform the public about the school bond propositions;
- reviewed the various forms of advertisements being used for the school bond propositions;
- stated that the School District will continue to provide updated enrollment figures;
- noted that the enrollment figures are currently above projection by approximately 107 students;
- invited the Assembly members to attend the School Board meeting on Wednesday, September 17, 2003; and
- referenced the memorandum regarding the Public Employees Retirement System and the increase in teachers' retirement.

Assemblymember Colver stated that he has been receiving complaints from Wasilla High School and Tanaina Elementary School regarding the large number of students.

Mr. Chmielewski replied that the school district is reviewing the enrollment numbers and will place additional teachers where they are needed.

Discussion ensued regarding the capacity of Borough schools.

3. Matanuska Electric Association Re: Briefing on Matanuska Electric Association Developments- Mike Pauley

Mike Pauley, Manager of Corporate Communications:

- updated the Assembly on the increased growth of customers in the Valley;
- noted that Matanuska Electric Association (MEA) has been operating more efficiently with fewer employees; and
- commented on the price of electric for the School District with MEA versus Chugach Electric Association.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Colver stated that there have been no meetings.

2. Regional Transportation Planning Organization

Mayor Anderson stated that there have been no meetings.

C. MANAGER COMMENTS

Mr. Duffy:

- reported that the Senate Appropriations Committee has approved the FY04 Transportation Bill;
- noted that the Transportation Bill contains $3 million for road improvements in the Borough, $2.5 million for the Port MacKenzie Intermodal project, and $500,000 for a trail between Big Lake and Wasilla;
- stated that the final engineering design has been completed for the deep-water dock;
- noted that the Borough has received the notice of award on the $10.6 million Federal Transit Administration grant;
- commented that the Borough has hired Mr. Don Shiesl as the new Public Works Director, Mr. Murph O'Brien as the new Chief of Planning, and Dr. Lisa Espey as the Animal Care Shelter Manager;
- noted that Chief William Gamble, Chief Linkart, and Chief Farina have been designated as district emergency services chiefs;
- reviewed the changes to the Statewide Transportation Improvement Program (STIP);
- noted that the Borough and School District financial reports have been included in the Manager's report;

- commended Ms. Kathleen Krug, the Volunteer Coordinator, for all of her hard work;
- noted that the monetary value associated with the work of the volunteers is approximately $100,000;
- stated that the next RTPO meeting will be on September 22, 2003, at the Municipality of Anchorage's Permit Center;
- informed that William L. Estelle will be installed as Judge of District Court of Alaska on September 19, 2003, at the Palmer Courthouse; and
- commented that the grant manager for the Federal Transit Administration will be at the Borough next week.

Assemblymember Simpson addressed concern regarding the STIP programs that have been delayed.

Mr. Duffy commented that he has met with Senator Green and Representative Masek regarding the STIP and the Borough projects.

Discussion ensued regarding the changes made to the STIP.

Assemblymember Allen requested that administration set up a meeting with the Legislators and Commissioner Michael Barton. *[Scheduled for October 14, 2003.]*

D. ATTORNEY COMMENTS

(There were no comments presented.)

E. CLERK COMMENTS

Ms. Dillon:

- reviewed the upcoming Assembly meetings;
- noted that the agenda for the September 18, 2003, joint Assembly and Municipality of Anchorage meeting and the October 28, 2003, joint Assembly/Planning Commission/Platting Board meeting has been included in the Clerk's report;
- informed that absentee voting in-person begins on Monday, September 22, 2003;
- reminded that during business hours there can be no campaign signs within 200 feet of the Borough building beginning on September 22.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

a. Consolidated Dispatch Advisory Committee: 07/08/03, 08/12/03
b. Emergency Medical Services Advisory Board: 06/04/03, 08/06/03
c. Enhanced 9-1-1 Advisory Board: 07/08/03, 08/12/03
d. Historical Preservation Commission: 04/04/03
e. Local Emergency Planning Committee: 05/21/03
f. Planning Commission: 08/04/03
g. Transportation Advisory Board: 07/23/03, 08/27/03

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

G. INFORMATIONAL MEMORANDUMS

VIII. UNFINISHED BUSINESS

(There was no unfinished business presented.)

IX. NEW BUSINESS

A. INTRODUCTION (For public hearing - 10/21/03, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 03-154: AN ORDINANCE AMENDING MSB TITLE 24, ANIMAL CARE AND REGULATION.
a. IM No. 03-225

2. Ordinance Serial No. 03-155: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF $23,691 FROM THE GREATER PALMER FIRE SERVICE AREA FUND BALANCE, FUND 259, TO THE GREATER PALMER FIRE SERVICE AREA FISCAL YEAR 2004 OPERATING BUDGET, FUND 259, TO REPLACE A VEHICLE.
a. IM No. 03-231

3. Ordinance Serial No. 03-156: AN ORDINANCE ACCEPTING AND APPROPRIATING $5,000 FROM THE ALASKA STATE DIVISION OF EMERGENCY SERVICES PRE-DISASTER MITIGATION GRANT PROGRAM, TO FUND 480, PROJECT NO. 20341, TO ASSIST IN COMPLETING THE DRAFT ALL-HAZARD MITIGATION PLAN.
a. Resolution Serial No. 03-100: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF EMERGENCY SERVICES (ADES) PRE-DISASTER MITIGATION GRANT, FUND 480, PROJECT NO. 20341.
(1) IM No. 03-233

4. Ordinance Serial No. 03-157: AN ORDINANCE ACCEPTING AND APPROPRIATING $25,000 FROM THE NATIONAL PARK SERVICE (NPS) TO FUND 480, PROJECT NO. 45138, FOR THE PURPOSE OF HIRING PROFESSIONAL SERVICES TO ASSIST IN THE DEVELOPMENT OF THE Y COMMUNITY COMPREHENSIVE PLAN.
a. Resolution Serial No. 03-101: A RESOLUTION ESTABLISHING A SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT BY AND BETWEEN THE MATANUSKA-SUSITNA BOROUGH AND THE NATIONAL PARK SERVICE, FOR THE PURPOSE OF HIRING PROFESSIONAL SERVICES TO ASSIST IN THE DEVELOPMENT OF THE Y COMMUNITY COMPREHENSIVE PLAN.
(1) IM No. 03-235

Ms. Dillon 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 October 21, 2003.

VOTE: The motion passed without objection.

B. CONSENT AGENDA

(Resolution Serial No. 03-102 and AM Nos. 03-189 and 03-190 were pulled from the consent agenda and addressed separately. See pp. 8-9 of 12)

1. RESOLUTIONS

2. ACTION MEMORANDUMS

a. AM No. 03-174: AUTHORIZATION FOR AMENDMENT TO THE FEASIBILITY DESIGN STUDY TO INCORPORATE SHIP TO SHORE INTERFACE ANALYSIS STUDIES TO LOCKHEED MARTIN IN THE AMOUNT OF $100,000.

b. AM No. 03-177: RETROACTIVE APPROVAL OF DISABLED VETERAN EXEMPTION FOR GEORGE C. STROTHER, TAX ACCOUNT NO. 18N01E08D010, FOR THE 2002 TAX YEAR.

c. AM No. 03-178: RETROACTIVE APPROVAL OF SENIOR CITIZEN EXEMPTION FOR JOAN CUMMINGS, TAX ACCOUNT NO. 6315B01L007, FOR TAX YEARS 2001 AND 2002.

d. AM No. 03-184: THE ELIMINATION OF A 20-FOOT WIDE UTILITY EASEMENT BISECTING LOTS 7 AND 8, SACRED HEART SUBDIVISION NO. 1, LOCATED WITHIN SECTION 24, TOWNSHIP 24 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE "Y" COMMUNITY COUNCIL AREA.

e. AM No. 03-185: THE ELIMINATION OF A 10-FOOT WIDE UTILITY EASEMENT ON LOT 1A, SNOWSHOE WEST ADDITION NO. 3 SUBDIVISION, LOCATED WITHIN SECTION 5, TOWNSHIP 17 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE KNIK-FAIRVIEW COMMUNITY COUNCIL AREA.

f. AM No. 03-186: THE VACATION OF A PUBLIC USE EASEMENT, KNOWN AS KELLOGG CIRCLE, LOCATED WITHIN SECTIONS 17 AND 20, TOWNSHIP 18 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE FARM LOOP COMMUNITY COUNCIL AREA.

g. AM No. 03-187: APPROVAL OF THE DISPATCH SERVICES CONTRACT (ADDENDUM NO. 2) WITH THE CITY OF PALMER IN THE AMOUNT OF $292,171 TO PROVIDE DISPATCH SERVICES FOR EMERGENCY MEDICAL SERVICES, RESCUE, FIRE, AND ANIMAL CONTROL FOR THE PERIOD OF JANUARY 1, 2003, THROUGH DECEMBER 31, 2003.

h. AM No. 03-188: THE ELIMINATION OF A UTILITY EASEMENT AS SHOWN ON LOT 1A, BLOCK 1, MIDWAY ESTATES UNIT NO. 1, PLAT 81-190 (PROPOSED AGATE SUBDIVISION), LOCATED IN SECTION 7, TOWNSHIP 17 NORTH, RANGE 1 EAST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE SOUTH LAKES COMMUNITY COUNCIL AREA.

k. AM No. 03-191: CONTINUATION OF THE SITE SELECTION COMMITTEE FOR THE WASILLA AREA ELEMENTARY SCHOOL.

l. AM No. 03-192: APPROVAL FOR THE PURCHASE OF 290 TONS OF SODIUM CHLORIDE FROM BERING MARINE CORPORATION IN THE AMOUNT OF $23,333.40 FOR ROAD MAINTENANCE.

m. AM No. 03-195: AUTHORIZE AGREEMENT NO. 04-041 WITH TOWER IN AN AMOUNT NOT TO EXCEED $18,500 FOR HARDWARE AND SOFTWARE TRAINING OF THE RECORDS MANAGEMENT PROGRAM (TRIM) ON THE NEW SQL SERVER.

Ms. Dillon read the consent agenda 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.

j. AM No. 03-190: APPROVAL OF CHANGE ORDER TO CONSTRUCTION UNLIMITED, INC. IN THE AMOUNT OF $58,497.23 FOR THE TALKEETNA WATER AND SEWER UPGRADE PROJECT, PROJECT NO. 25037.

CONFLICT OF INTEREST: Assemblymembers Allen and Colver declared a conflict of interest.

RULING: Mayor Anderson ruled that Assemblymembers Allen and Colver each had conflict of interests and would be recused from voting on the issue.

(Assemblymembers Allen and Colver exited the meeting at this time.)

MOTION: Assemblymember Ladere moved to approve AM No. 03-190.

VOTE: The motion passed without objection.

(Assemblymember Allen and Colver returned to the meeting at this time.)

(The regular meeting recessed at 6:50 p.m. and reconvened at 7 p.m.)

VII. 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. 03-153: AN ORDINANCE CLASSIFYING PARCEL NO. 3, WAIVER NO. 80-101W LOCATED IN SECTION 25, TOWNSHIP 26 NORTH, RANGE 5 WEST, SEWARD MERIDIAN, ALASKA, NEAR TALKEETNA ELEMENTARY SCHOOL AS "PUBLIC RECREATION LANDS."

a. IM No. 03-215

Mr. Swanson:

- explained the classification of the parcel; and
- discussed the agreement with the school.

Mayor Anderson reopened the public hearing.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 03-153.

Assemblymember Ladere spoke in support of Ordinance Serial No. 03-153.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke in reference to a resolution passed by the Lazy Mountain Community Council in opposition to coal bed methane development: Mr. Doug Zibrat, Lazy Mountain Community Council.

The following person spoke in support of the Assembly putting forth a moratorium on the coal bed methane use to determine to possible ramifications: Mr. Chris Whittington-Evans, Friends of Mat-Su.

The following person read testimony into the record from Mr. Don Moore regarding coal bed methane natural gas exploration in the Matanuska-Susitna Borough: Ms. Jay Nolfi.

The following person spoke in reference to the September 10, 2003, meeting regarding coal bed methane: Ms. Jean Woods.

(Consent agenda continued from p. 8 of 12)

a. Resolution Serial No. 03-102: A RESOLUTION RATIFYING THE PROPOSED LABOR AGREEMENT WITH THE MATANUSKA-SUSITNA BOROUGH EMPLOYEES ASSOCIATION.

(1) IM No. 03-234

MOTION: Assemblymember Colver moved to adopt Resolution Serial No. 03-102.

Assemblymember Colver spoke in support of Resolution Serial No. 03-102, as all parties have come to an agreement.

VOTE: The motion passed without objection.

i. AM No. 03-189: AWARD OF BID NO. 04-023 TO TONY CHEVROLET IN THE AMOUNT OF $21,519 FOR THE PURCHASE OF A ROAD SERVICE AREA TRUCK.

MOTION: Assemblymember Colver moved to adopt AM No. 03-189.

Assemblymember Colver inquired why the Borough did not use the state of Alaska's fleet price as they have in the past, instead of going out to bid.

Mr. Braun explained that the bid process was used as the state vehicles do not meet some of the equipment needs for this type of vehicle.

VOTE: The motion passed without objection.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Knik Road Service Area No. 17
- Henry Corbin

North Colony Road Service Area No. 23
- Barbara Gerard

Meadow Lakes Road Service Area No. 27
- David Schacht

Talkeetna Sewer and Water Service Area No. 36
- Werner Rauchenstein

Mayor Anderson requested the following confirmations:

Mayor's Blue Ribbon Task Force on Police Powers
- Doyle Currier
- Gerald Rexrode
- Cynthia Payne
- Ted Cox

Diane LoRusso
Janey Wineinger
Port Commission
Paul Campbell
South Colony Road Service Area No. 16
Edward Strabel
Resignation of David Esch
Bogard Road Service Area No. 25
Carol Christiansen
Talkeetna Sewer and Water Service Area No. 36
Robert Denny

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

MOTION: Assemblymember Simpson moved to divide the question by addressing the names Cynthia Payne and Gerald Rexrode separately.

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

MOTION: First segment of the motion: Approve the confirmation of Cynthia Payne and Gerald Rexrode to the Mayor's Blue Ribbon Task Force on Police Powers.

Assemblymember Simpson:
- opined that the main objective of the task force is to address the areas of the Borough without police protection; and
- stated that each of these individuals reside inside the city limits of Palmer and Wasilla, and said she would prefer to see two members outside the areas which already have a police force appointed to this board.

Assemblymember Ladere:
- noted that currently, only one state trooper patrols District 7, which encompasses hundreds of miles; and
- voiced concern that by weighting this task force on just the core area, the entire Borough is not being served.

Assemblymember Colver:
- stated that the entire community is well served by people with experience; and
- commented that there are no boundaries on crimes.

Assemblymember Kvalheim stated that the entire Borough, including the core area, will be affected by the decisions of this task force.

Mayor Anderson discussed the qualifications of the recommended board members.

Assemblymember Simpson stated that there are people outside of the borough that would serve with the qualifications outlined by Mayor Anderson.

Assemblymember Allen requested that administration bring forward a resolution adding two additional at-large members to the task force.

VOTE: The first segment, to approve the confirmation of Cynthia Payne and Gerald Rexrode to the Mayor's Blue Ribbon Task Force on Police Powers, passed with Assemblymembers Colberg, Simpson, and Ladere opposed.

MOTION: Second segment of the motion: Confirm the Mayor's appointments and resignations up for confirmation this evening.

VOTE: The second segment, to confirm the Mayor's appointments and resignations up for confirmation this evening, passed without objection.

D. OTHER NEW BUSINESS

X. RECONSIDERATION

(There were no reconsiderations.)

XI. VETO

(There were no vetoes.)

XII. EXECUTIVE SESSION *(matters, the immediate public knowledge of which would clearly have an adverse effect upon the finances of the borough; in particular, to discuss the employee's labor contract negotiations.)*

(There was no executive session.)

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Kvalheim:

- congratulated the Clerk and her staff on the election informational pamphlet; and
- asked the Planning Director to explore land use acknowledgment of businesses.

Assemblymember Simpson noted that a letter from the Big Lake Community Council in support of the shall gas well industry has been included in the packets.

MOTION: Assemblymember Colver moved to reconsider the confirmation of the vacancy report.

VOTE: The motion failed with Assemblymember Bush and Ladere in support.

MOTION: Assemblymember Colver moved to reconsider Resolution Serial No. 03-190.

VOTE: The motion failed without objection.

Assemblymember Colver:
- discussed the Title 16 rewrite;
- opined that the Assembly should reconsider establishing another panel for a Title 16 committee.

Mayor Anderson thanked Assemblymember Allen for attending the United Way kick-off luncheon and thanked the Wasilla Chamber for hosting the event.

XIV. ADJOURNMENT

The regular meeting adjourned at 7:55 p.m.

____
TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

____
SANDRA A. DILLON, CMC, Borough Clerk

Minutes Approved: October 21, 2003