

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on September 16, 2008, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:08 p.m. by Mayor Curtis D. Menard.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Ms. Lynne Woods, Assembly District No. 1 (*Deputy Mayor*)
Mr. Pete Houston, Assembly District No. 2
Ms. Michelle R. Church, Assembly District No. 3
Ms. Mary Kvalheim, Assembly District No. 4
Ms. Cindy L. Bettine, Assembly District No. 5
Mr. Tom Kluberton, Assembly District No. 7

Assembly member absent and excused was:

Mr. Robert Wells, Assembly District No. 6

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Duffy, Borough Manager
Ms. Lisa Thomas, Assistant Borough Attorney
Ms. Amanda E. Charles, Executive Assistant to the Borough Clerk
Ms. Tammy Clayton, Finance Director
Mr. Keith Rountree, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Ms. Linda Brenner, Community Development Director
Mr. Mark Mayo, Planning and Land Use Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Dave Hanson, Economic Development Director
Mr. Russ Kraft, Purchasing Officer
Ms. Shannon Bodolay, Assistant Borough Attorney
Ms. Eileen Probasco, Chief of Planning
Ms. Bonnie Allen, Planner II
Mr. Emerson Krueger, Planner II
Mr. Alex Strawn, Planner II

III. APPROVAL OF AGENDA

Mayor Menard requested that a proclamation in recognition of Constitution Week be added to the agenda under Special Orders of the Day.

There was no objection noted.

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

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Assemblymember Houston.

V. MINUTES OF PRECEDING MEETINGS

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

Mayor Menard inquired if there were any corrections to the special and regular meeting minutes of September 2, 2008.

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

VI. SPECIAL ORDERS OF THE DAY

- A. A Proclamation in Recognition of Family Day – A Day to Eat Dinner with Your Children

Mayor Menard read a Proclamation in Recognition of Family Day into the record.

- B. A Proclamation in Recognition of Constitution Week

Mayor Menard:

- read into the record a Proclamation in Recognition of Constitution Week; and
- presented the proclamation to Ms. Diane Simkins, Executive Assistant.

- C. Presentation of a Community Conservation Award to the Mat-Su Basin Salmon Habitat Partnership - Presented by the Department of the Interior

Representatives from the United States Fish and Wildlife Services presented a Community Conservation Award to the membership.

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

Assemblymember Church:

- stated that there was an update provided on Susitna Valley High School;
- noted continuing discussions with the insurance companies regarding Susitna Valley High School;
- commented on the South Palmer Elementary School construction;
- stated that the School District is currently 24 students over enrollment; and
- noted discussions on a reserve fund for the School District.

2. Assembly Public Relations

(There were no reports provided.)

D. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- thanked the Department of Interior for their work;
- addressed the written Manager's Report;
- stated that the Borough's Division of Collections and the Division of Assessments have changed their hours of operations;
- noted that the change in hours is directly related to the High Performance Organization training;
- commented on discussions with the Federal Transitory Authority;
- noted that the State Fire Marshall performed an audit of the Matanuska-Susitna Borough;
- stated that the Borough passed the audit "with flying colors;"
- advised that there will be a resolution before the Municipality of Anchorage expressing a lack of support for the Knik-Arm Crossing; and
- stated that he would like staff to provide an update on the Goose Creek Correctional Center.

There was no objection noted.

Ms. Allen:

- provided an update on the Citizens Advisory Committee on the Point MacKenzie Prison; and
- noted the change in name from the Point MacKenzie Prison to Goose Creek Correctional Center.

Mr. Kraft:

- noted that bids for the construction on the correctional center are due next week;
- spoke regarding the consultants that are working on the programmatic specifications and the design build facilitation for the correctional center;
- noted that the proposals for the conceptual design, that are received next week, will have a chance to be presented on October 20-21, 2008;
- stated that there is a seven member team, compromised of three different firms, that will be evaluating the proposals;
- spoke to the budget issues pertaining to the correctional center;
- stated that the construction for the correctional center is being advertised at \$219,600,000;
- reported on the construction activities and future growth for the correctional center;
- commented on the platting actions for the correctional center; and
- advised that staff is hoping to come before the Assembly at the first meeting in December to make an award recommendation.

Ms. Clayton provided a report on the scheduling of the bonding and further financing matters as they related to the Goose Creek Correctional Center.

E. ATTORNEY COMMENTS

Ms. Thomas introduced the new Assistant Borough Attorney, Ms. Shannon Bodolay.

F. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule; and
- noted that the Municipality of Anchorage has extended the time for the joint meeting to begin at 10:30 a.m. on October 24, 2008.

G. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Local Road Service Area Advisory Board: 05/15/08
 - b. Parks, Recreation and Trails Advisory Board: 04/28/08; Resolution Serial No.: 08-06
 - c. Planning Commission: 05/19/08, 06/16/08; Resolution Serial Nos: 08-12, 08-21, 08-22, 08-23, 08-25, 08-26
 - d. Senior Citizens Advisory Board: 06/16/08
 - e. Transportation Advisory Board: 05/28/08, 06/25/08

2. Community Council Correspondence:
 - a. Talkeetna Community Council: 05/05/08

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

H. INFORMATIONAL MEMORANDUMS

1. IM No. 08-239: AN INFORMATIONAL MEMORANDUM ADVISING ON THE AMENDED CONTRACTS AND NEW AWARDS UNDER \$100,000, ALONG WITH SOLE SOURCE PROCUREMENTS, FOR THE PERIOD OF AUGUST 1, 2008, TO AUGUST 31, 2008.
2. IM No. 08-240: AN INFORMATIONAL MEMORANDUM PROVIDING A STATUS UPDATE FROM THE SOUTH CENTRAL ALASKA, SU-KNIK MITIGATION BANK, ON THE PROGRESS OF THE MITIGATION BANK ON BOROUGH OWNED LANDS.
3. IM No. 08-243: AN INFORMATIONAL MEMORANDUM PROVIDING A REVISOR OF ORDINANCE SERIAL NOS. 08-095 AND 08-111 TO CORRECT THE LANGUAGE GOING FORWARD ON THE BALLOT FOR THE OCTOBER 7, 2008, REGULAR ELECTION.

Assemblymember Woods stated that she was pleased with the wetland mitigation.

Assemblymember Bettine requested an overlay map for the trails that fall within the mitigation bank.

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

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

Mayor Menard asked if there as any objection to moving Ordinance Serial No. 08-116 and Ordinance Serial No. 08-117 together.

There was no objection noted.

1. Ordinance Serial No. 08-116: AN ORDINANCE CREATING CHISANA WOODS AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 430, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING

EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.

- a. IM No. 08-188
2. Ordinance Serial No. 08-117: AN ORDINANCE CREATING BRADLEY LAKE AVENUE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 432, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
 - a. IM No. 08-189

Ms. Clayton provided a staff report.

Mayor Menard opened the public hearing.

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

MOTION: Assemblymember Bettine moved to adopt Ordinance Serial No. 08-116 and Ordinance Serial No. 08-117.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 08-136: AN ORDINANCE AMENDING MSB 17.28, INTERIM MATERIALS DISTRICT, TO INCLUDE PROVISIONS FOR REGULATING EXCAVATION INTO THE SEASONAL HIGH WATER TABLE.
 - a. IM 08-217

Mr. Mayo provided a staff report.

Assemblymember Bettine:

- queried when Mr. Kruger received the ordinance from the industry;
- asked if Mr. Kruger gave the industry working group a list of items that the Borough approved or disapproved; and
- asked if there were any recommendations made to the Planning Commission.

Mr. Kruger:

- reported that by the end of July the Borough had not received any recommendations from the industry;
- stated that he then contacted Mr. Healy of the Alaska Rock Product Association (ARPA) to see where the industry stood;
- advised that the packet of recommendations from the ARPA was not received in time to have a review completed before it went to the Planning Commission at its regular meeting; and
- stated that staff did perform a review of the recommendations from the ARPA and did provide staff comments to the Planning Commission as a handout.

Mayor Menard opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 08-136: Mr. Warren Keogh; Ms. Millicent Peabody, Friends of Mat-Su; Mr. Mark Clark; and Ms. Michelle Schuman.

The following persons spoke in opposition to Ordinance Serial No. 08-136: Mr. Boone Daniels and Mr. Dodd Shay.

The following persons spoke regarding postponing the sunset clause of Ordinance Serial No. 08-136: Mr. Tom Healy, Executive Director of Alaska Rock Product Association; Mr. Jim Rogers, Anchorage Sand and Gravel; Mr. Wes VanderMartin, Anchorage Sand and Gravel; Mr. Matt Ketchum, Wilder Construction; and Don McClintock, Law Firm of Ashburn and Mason.

The following person spoke in a general manner regarding Ordinance Serial No. 08-136: Mr. Tim Potter, Planning Director for DOWL Engineers.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 08-136.

MOTION: Assemblymember Woods moved to postpone Ordinance Serial No. 08-136 until April 7, 2009.

Assemblymember Woods spoke regarding taking a holistic approach to the ordinance.

Assemblymember Church spoke regarding how the industry should create a funding mechanism, such as gravel tax fee, which would give the Borough the funds to hire specialized staff to come up with an appropriate action plan.

Assemblymember Houston spoke against the motion to create a sunset clause.

Assemblymember Church:

- spoke to the heavy work load on planning staff;
- commented on the time this ordinance has been ongoing; and
- opined that the industry should find a revenue source for the Borough to hire additional planning staff.

Assemblymember Kvalheim:

- spoke against the sunset clause;
- noted that several of the speakers were on the original working group; and
- spoke to the heavy workload currently before the planning staff.

Assemblymember Kluberton:

- spoke against the sunset clause;
- spoke regarding finding a funding source that doesn't burden the tax payers; and
- suggested hiring a consultant to help shepherd the ordinance into creation.

Assemblymember Bettine:

- spoke in favor of extending the sunset clause;
- noted that it gives the staff and the industry a set deadline to come up with an ordinance that is agreeable to all parties;
- spoke to the priority of the planning staff's work load; and
- offered her support for a severance tax.

Discussion ensued regarding the issues with setting a sunset clause.

Mr. Duffy:

- spoke to the time the planning staff would need in order to bring back a holistic ordinance; and
- spoke regarding reprioritizing the planning staff's workload in order to accommodate the creation of a holistic ordinance.

WITHDRAW: Assemblymember Woods moved to withdraw her motion postpone Ordinance Serial No. 08-1

VOTE: The request to withdraw passed with Assemblymember Church in opposition.

MOTION: Assemblymember Woods moved to postpone Ordinance Serial No. 08-136 to a time certain of October 21, 2008.

Assemblymember Church spoke against the postponement.

Assemblymember Bettine:

- spoke in favor of postponement;
- requested a report from the Manager;
- requested monthly reports from staff regarding this issue; and
- noted that the industry was not originally requested to come back with funding revenue for enforcing the ordinance.

Assemblymember Houston spoke against postponement.

Assemblymember Kluberton spoke in favor of having a deadline for staff to come back with a holistic ordinance which includes a reclamation plan.

VOTE: The motion failed with Assemblymembers Woods and Bettine in favor.

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

VOTE: The motion passed without objection.

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

(The regular meeting recessed at 9:21 p.m. and reconvened at 9:43 p.m.)

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

VOTE: The motion passed without objection.

4. Ordinance Serial No. 08-137: AN ORDINANCE ACCEPTING AND APPROPRIATING \$552,500 FOR A PORTION OF THE FISCAL YEAR 2009 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT.

a. Resolution Serial No. 08-109: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR A PORTION OF THE FISCAL YEAR 2009 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT.

(1) IM No. 08-223

Mr. Duffy provided a staff report.

Mayor Menard opened the public hearing.

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

MOTION: Assemblymember moved to adopt Ordinance Serial No. 08-137 and Resolution Serial No. 08-109.

VOTE: The motion passed without objection.

5. Ordinance Serial No. 08-138: AN ORDINANCE AMENDING MSB 15.24.030, ADOPTING THE CHICKALOON COMPREHENSIVE PLAN, 2008 UPDATE.

a. IM No. 08-227

Ms. Probasco provided a staff report.

Mayor Menard opened the public hearing.

The following person spoke in support of Ordinance Serial No. 08-138 with the removal of recommendation numbers 5 and 8: Mr. Warren Keogh, Chair of the Chickaloon Community Council.

The following person spoke in support of Ordinance Serial No. 08-138: Ms. Frankie Barker.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 08-138.

MOTION: Assemblymember Woods moved a primary amendment to IM No. 08-227, Chickaloon Comprehensive Plan, as follows:

- Page 9, insert the words “funding” before the word “opportunities” and deleting the words “for funding” after the word “opportunities” to read as follows: “(10) Identify funding opportunities for a community profile mapping project and carrying capacity study.”
- Page 9, paragraph two, delete the words “In 2007” before the word “Mat-Su” and the word “on” after word “finalizing” to read as follows: “The Mat-Su Borough is finalizing a 20-year aviation plan called the Regional Aviation System Plan.”
- Page 10, first paragraph, add the word “for” after the word “need” to read as follows: “Other transportation concerns voiced by residents are the need to identify public and private roads within the area and properly sign them to deter trespass on private land, the need for a separated path along the Glenn Highway.”
- Page 10, paragraph two, add the words “and the Mat-Su’s core area” after the word “Anchorage” and add the word “a” after the word “Share” to read as follows: “A system similar to Anchorage and the mat-Su’s core area “Share a Ride” might work well here and should be researched.”
- Page 11, number 14, add the words “and trail” after the word “road” to read as follows: “(14) Identify sources of funding to implement an efficient road and trail system.”
- Page 12, third paragraph, ad the word “an” after the word “for” and before the word “indoor” to read as follows: “They have also indicated a need for an indoor recreation facility.”

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed without objection.

MOTION: Assemblymember Kvalheim moved to suspend the rules to take up Audience Participation prior to Ordinance Serial No. 08-139.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding the construction occurring around Goose Creek Correctional Center: Mr. Ed McCain.

The following persons spoke regarding the Nelson Road extension: Mr. George McGee, Mr. James Armitstead, Ms. Theresa Armitstead, Ms. Monika Swan, Mr. Randy Dellar, Mr. Berkley Tilton, and Ms. Margaret Heaven.

The following person spoke regarding the Tobacco Tax litigation and issues with Borough staff: Ms. Nola Bragg.

The following person spoke regarding building codes as they relate to earth quakes: Mr. Dodd Shay.

6. Ordinance Serial No. 08-139: AN ORDINANCE AUTHORIZING THE ISSUANCE OF LEASE REVENUE BONDS, SERIES 2008 (POINT MACKENZIE CORRECTIONAL CENTER PROJECT) IN AN AMOUNT OF NOT TO EXCEED \$275,000,000; APPROVING THE FORM AND SUBSTANCE OF A LEASE-PURCHASE AGREEMENT, A TRUST INDENTURE, AND A BOND PURCHASE AGREEMENT; AUTHORIZING AN OFFERING DOCUMENT; MAKING CERTAIN FINDINGS AND DETERMINATIONS; AUTHORIZING THE EXECUTION OF DOCUMENTS AND INSTRUMENTS NECESSARY OR CONVENIENT TO ACCOMPLISH THE FOREGOING; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

a. IM No. 08-228

Ms. Clayton provided a staff report.

Assemblymember Church queried the involvement of the stock market as it relates to the total amount of the bond.

Ms. Clayton stated that it is determined by the fluctuation of the stock market.

Assemblymember Houston queried if it was in the Borough's favor if the interest rates go down.

Ms. Clayton affirmed the query.

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. 08-139.

MOTION: Assemblymember Woods moved to amend Ordinance Serial No. 08-139 as follows:

- In the title by inserting the words "State of Alaska" before the word "lease" and by striking the words "Point MacKenzie" and inserting in its place the words "Goose Creek;"
- In the fifth whereas clause, by inserting the words "State of Alaska" before the words "Lease Revenue Bonds" and by striking the words "Point MacKenzie" and inserting in its place the words "Goose Creek;"
- Section 2, by inserting the words "State of Alaska" before the word "Lease Revenue Bonds" and by striking the words "Point MacKenzie" and inserting in its place the words "Goose Creek;"
- Section 5, by inserting the word "days" after "270;"
- Section 7, by inserting the word "advisor" after the word "financial;"
- Section 8, by inserting the words "If the State and Borough agree that an investment agreement is appropriate for the investment of proceeds of the bonds," at the beginning of the paragraph;
- Section 14, strike in its entirety and renumber the sections; and
- Exhibit "A" by inserting the words "Phase I" after the word "subdivision" and inserting "2008-68" after "Plat No."

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

7. Ordinance Serial No. 08-141: AN ORDINANCE ACCEPTING AND APPROPRIATING \$12,000 FROM THE ALASKA STATE LIBRARY, INTERLIBRARY COOPERATION GRANT PROGRAM TO FUND 440, PROJECT NO. 20372, AND APPROVE A SCOPE OF WORK AND BUDGET TO CONDUCT A FEASIBILITY STUDY FOR A PILOT BOOKMOBILE SERVICE AS PART OF A BOROUGHWIDE LITERACY CAMPAIGN CALLED, "MAT-SU READS TO SUCCEED."
 - a. Resolution Serial No. 08-111: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO CONDUCT A FEASIBILITY STUDY FOR A PILOT BOOKMOBILE SERVICE AS PART OF A BOROUGHWIDE LITERACY CAMPAIGN CALLED, "MAT-SU READS TO SUCCEED."
- (1) IM No. 08-232

Mr. Duffy provided a staff report.

Mayor Menard opened the public hearing.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 08-141 and Resolution Serial No. 08-111.

Assemblymember Bettine queried how funding for the program would continue.

Ms. Brenner stated that part of the feasibility study would be to see if the program could be continued.

VOTE: The motion passed without objection.

D. CONSENT AGENDA (AM Nos. 08-099 and 08-100 were pulled from the consent agenda and addressed separately. *See pp. 14*)

1. RESOLUTIONS

a. Resolution Serial No. 08-114: 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-GRANTEE AGENCIES.

(1) IM No. 08-236

b. Resolution Serial No. 08-115: A RESOLUTION AUTHORIZING THE MANAGER TO ENTER INTO A CONSTRUCTION AGREEMENT WITH THE ALASKA STATE DEPARTMENT OF CORRECTIONS AND THE ALASKA STATE DEPARTMENT OF ADMINISTRATION FOR THE GOOSE CREEK CORRECTIONAL CENTER.

(1) IM No. 08-242

2. ASSEMBLY MEMORANDUMS

c. AM No. 08-101: APPROVING A CHANGE ORDER TO WILDER CONSTRUCTION IN THE AMOUNT OF \$90,000 FOR THE 2008 ROAD PAVING PROJECT.

e. AM No. 08-103: AWARD OF BID NO. 09-024 TO WOLVERINE SUPPLY IN THE CONTRACT AMOUNT OF \$841,000 FOR TALKEETNA WARM STORAGE BUILDING CONSTRUCTION.

f. AM No. 08-104: AUTHORIZING THE MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE ALASKA STATE DEPARTMENT OF CORRECTIONS TO FUND ONE-HALF OF THE COST OF HIRING A CONSULTANT TO ASSIST IN THE EVALUATION OF PROPOSALS FOR THE DESIGN AND CONSTRUCTION OF THE GOOSE CREEK CORRECTIONAL CENTER.

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.

- a. AM No. 08-099: APPROVAL OF A CHANGE ORDER TO ALASKA CONSTRUCTION AND PAVING, INC., IN THE AMOUNT OF \$30,000 TO INSTALL CULVERTS FOR THE BIG LAKE RSA NO. 21 GRAVEL OVERLAY PROJECT.

Mr. Rountree provided a staff report.

Assemblymember Bettine spoke to discussions with Mr. Duffy and Mr. Rountree regarding budgeting issues as it pertains to projecting costs for road service area projects.

Mr. Duffy:

- spoke to general estimates that are made when projects are put on the capital projects list; and
- commented on how the estimates change when the design begins.

Mr. Rountree spoke regarding the multi-year process to complete the projects.

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

VOTE: The motion passed without objection.

MOTION: Assemblymember Bettine moved to adopt AM No. 08-099.

VOTE: The motion passed without objection.

- b. AM No. 08-100: APPROVING A CHANGE ORDER TO ALASKA EARTHMOVERS, LLC, IN THE AMOUNT OF \$19,000 TO PROVIDE ADDITIONAL MATERIAL AND INSTALL GABION BASKETS ON THE KIME LANE CULVERT REPLACEMENT PROJECT.

Assemblymember Kluberton:

- provided a history on the Kime Lane Culvert Replacement Project; and
- queried how to better estimate the engineering phase of a project.

Mr. Rountree:

- reported that the Alaska State Department of Fish and Game dictated the spot of the culvert; and
- spoke regarding the preplanning process for projects that will involve an engineering analysis.

MOTION: Assemblymember Kluberton moved to adopt AM No. 08-100.

VOTE: The motion passed without objection.

IX. UNFINISHED BUSINESS

(There was no unfinished business presented.)

X. NEW BUSINESS

A. INTRODUCTION (For public hearing - 10/21/08, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 08-142: AN ORDINANCE ACCEPTING AND APPROPRIATING \$20,000 FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES TO FUND 480, PROJECT NO. 20369, FOR THE HISTORIC PRESERVATION PLAN FOR THE NORTHERN ALASKA RAILROAD/PARKS HIGHWAY CORRIDOR.
 - a. Resolution Serial No. 08-116: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET, AND AUTHORIZING THE MANAGER TO ENTER INTO THE NECESSARY GRANT AGREEMENTS FOR THE HISTORIC PRESERVATION PLAN FOR THE NORTHERN RAILROAD/PARKS HIGHWAY CORRIDOR.
 - (1) IM No. 08-172
2. Ordinance Serial No. 08-143: AN ORDINANCE ACCEPTING AND APPROPRIATING A FISCAL YEAR 2009 DESIGNATED LEGISLATIVE GRANT IN THE AMOUNT OF \$17,500,000 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. 08-117: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO ENTER INTO THE NECESSARY AGREEMENTS WITH THE ALASKA RAILROAD CORPORATION FOR THE SOUTH CENTRAL RAIL EXTENSION FROM PORT MACKENZIE TO THE MAINLINE PROJECT.
 - (1) IM No. 08-190
3. Ordinance Serial No. 08-144: AN ORDINANCE ACCEPTING AND APPROPRIATING \$20,000 TO FUND 480, PROJECT NO. 20368, TO CREATE A GREEN INFRASTRUCTURE DESIGN NETWORK FOR THE MATANUSKA-SUSITNA BOROUGH.
 - a. Resolution Serial No. 08-118: A RESOLUTION ESTABLISHING THE SCOPE OF WORK AND BUDGET TO CREATE A GREEN INFRASTRUCTURE NETWORK DESIGN FOR THE MATANUSKA-SUSITNA BOROUGH.
 - (1) IM No. 08-231
4. Ordinance Serial No. 08-145: AN ORDINANCE ACCEPTING AND APPROPRIATING \$10,100,800 FOR A PORTION OF THE FISCAL YEAR 2009 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT.

- a. Resolution Serial No. 08-119: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET IN THE AMOUNT OF \$10,100,800 FOR A PORTION OF THE FISCAL YEAR 2009 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT.
(1) IM No. 08-235
5. Ordinance Serial No. 08-146: AN ORDINANCE ACCEPTING AND APPROPRIATING GRANT FUNDS IN THE AMOUNT OF \$810,000 FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, FOR THE DEPARTMENT OF EMERGENCY SERVICES FISCAL YEAR 2009 DESIGNATED LEGISLATIVE GRANT PROJECTS.
 - a. Resolution Serial No. 08-120: A RESOLUTION APPROVING THE SCOPES OF WORK AND BUDGETS FOR THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, GRANTS FOR THE DEPARTMENT OF EMERGENCY SERVICES PROJECTS.
(1) IM No. 08-237
6. Ordinance Serial No. 08-147: AN ORDINANCE ACCEPTING AND APPROPRIATING A FISCAL YEAR 2009 DESIGNATED LEGISLATIVE GRANT IN THE AMOUNT OF \$550,000 FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT; \$50,000 FROM THE CITY OF WASILLA; AND \$50,000 FROM THE CITY OF PALMER; TO FUND 415, PROJECT NO. 25013, CENTRAL AREA MAT-SU WASTEWATER MASTER PLAN.
 - a. Resolution Serial No. 08-121: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE CENTRAL AREA MAT-SU WASTEWATER MASTER PLAN, PROJECT NO. 25013, AND AUTHORIZING THE MANAGER TO ENTER INTO AGREEMENTS WITH THE CITY OF PALMER AND THE CITY OF WASILLA.
(1) IM No. 08-241

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 October 21, 2008.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Menard requested the following confirmations:

Board of Equalization
Charles Foster

Enhanced 911 Advisory Board
Nils Monsen
Health and Social Services Board
Betsy Woodin
Elizabeth Ripley
Stephanie Allen

Mayor Menard made the following recommendations:

Library Board
Amanda Stossel
Platting Board
Kurt MacKenzie

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

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

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 Kvalheim:

- thanked the Assembly for their time; and
- stated that it would be a good idea to have a fiscal note attached to the legislation regarding mining in the water table.

Assemblymember Bettine:

- expressed her appreciation for the efforts on Ordinance Serial No. 08-136;
- reiterated her request that the Manager provide a report on the progress towards a holistic ordinance as it pertains to mining in the water table; and
- queried where the money came from for the road to South Palmer Elementary School.

Mr. Duffy stated that there was a \$750,000 state of Alaska appropriation, which helped fund the road.

Assemblymember Bettine asked if the school could be accessed from the opposite side of Nelson Road.

Mr. Duffy affirmed the query.

Assemblymember Bettine asked if the Borough is required to provide a second access.

Mr. Duffy:

- stated that the Borough was not required to provide a second access; and
- noted that the second access is an effort towards planning for the future needs of the school.

Assemblymember Bettine queried the intersection with the railroad.

Mr. Duffy:

- stated that the Borough has to acquire the land, and move the intersection north, in order to get the proper site distance and stacking which allows for the turning movements; and
- spoke to weighing the alternatives.

Assemblymember Bettine spoke to concerns with Borough staff not returning calls to the public.

Mr. Duffy:

- assured the Assembly the matter would be addressed first thing in the morning; and
- spoke to delegating work and finding appropriate answers for the public in an expedient manner.

Assemblymember Woods:

- spoke regarding the creation of a Transportation Fund, which was spoke about at the Alaska Municipal League summer conference; and
- noted further discussions at the conference about revenue sharing and energy plans.

Assemblymember Church:

- expressed her concerns with the timing of providing the second access to South Palmer Elementary School; and
- thanked Assemblymember Kvalheim for her service.

Assemblymember Kluberton:

- requested that the Manager draft a schedule for completing a comprehensive interim materials district ordinance;
- spoke to the importance of having a reclamation plan; and
- thanked Assemblymember Kvalheim for her service.


Assemblymember Bettine stated that the industry should analyze the possibility of a severance tax or other alternative funding sources to pay for the work on the comprehensive materials district ordinance, to include a requirement for reclamation.

Mayor Menard:

- noted that he will be out of town until October 1, 2008;
- thanked Assemblymember Kvalheim for her service;
- thanked the entire Assembly for their dedication; and
- welcomed Ms. Bodolay to the Borough.

XV. ADJOURNMENT

The regular meeting adjourned at 11:20 p.m.



CURTIS D. MENARD, Borough Mayor

ATTEST:



LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 10/21/08

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