I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on September 18, 2007, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Deputy Mayor Lynne Woods.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Ms. Lynne Woods, Assembly District No. 1 *(Deputy Mayor)*
Ms. Michelle R. Church, Assembly District No. 3
Ms. Mary Kvalheim, Assembly District No. 4
Ms. Cindy L. Bettine, Assembly District No. 5
Mr. Robert Wells, Assembly District No. 6 *(via teleconference)*
Mr. Tom Kluberton, Assembly District No. 7

Staff in attendance were:

Ms. Michelle M. McGehee, CMC, Borough Clerk
Mr. John Duffy, Borough Manager
Mr. Nicholas Spiropoulos, 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
Mr. Sev Jones, Acting Planning Director
Ms. Linda Brenner, Acting Community Development Director
Ms. Eileen Probasco, Planner II

III. APPROVAL OF AGENDA

Deputy Mayor Woods inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved without objection.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mr. Ken Ray, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

A. Special Assembly Meeting: 08/28/07

Deputy Mayor Woods inquired if there were any corrections to the special meeting minutes of August 28, 2007.

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

B. Regular Assembly Meeting: 09/04/07

Deputy Mayor Woods inquired if there were any corrections to the regular meeting minutes of September 4, 2007.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There was no report 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 Wells:
- stated that there are funds available for the renovation and renewal of the nutrition center;
- noted that the next meeting would be October 1, 2007; and
- added that they would like a joint work session in October to discuss legislative priorities.

Mr. Duffy:
- reiterated that the committee will meet again October 1, 2007;
- stated that they want to schedule a work session with the Assembly and the School Board to determine priorities; and
- summarized that they will then meet with delegation.

Assemblymember Kvalheim requested clarification on the sequence of meetings and who is involved in each meeting.

Mr. Duffy explained the procession of meetings.

Discussion ensued regarding the schedule of meetings between the bodies.

Assemblymember Wells suggested researching the audio tapes to determine what the consensus was for the meeting schedule.

2. Assembly Public Relations

Assemblymember Bettine asked the body if anyone had attended any community council meetings to clarify Proposition No. 1.

Deputy Mayor Woods stated she had visited Lazy Mountain Community Council and South Knik River Community Council.

Mayor Menard asked if any information had gone out to the public regarding Proposition No. 1.

Mr. Duffy:

- stated that any document from the Borough needs to address both sides of the subject;
- opined that he did not see anything positive about Proposition No. 1 so he could not make a report fairly; and
- stated that he had given his personal views on Proposition No. 1 to different sites in the community.

C. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- informed the Board that he had met with Governor Palin in Talkeetna on Sunday, September 17, 2007;
- stated that the Governor was pleased with the progress on the South Denali Visitors Center;
- explained that the Governor had reported at the DNR staff meeting that they will move forward to fund the Borough for this project;
- announced that starting in October, the Borough will hold a series of public meetings on the rail extension project;
- spoke to the handouts relevant to the rail extension;
- noted that the Assembly received the history on the Borough space development plans; and
- reported that at the next meeting, the Assembly will receive the owner's representative specifications.

Assemblymember Church:

- asked what the Borough has done in preparation of the possibility of Proposition No. 1 passing; and
- opined her concern of having the funds available for claims that would be put forth.

Mr. Duffy stated he would start working on budgeting for the item and informing the public on the effects of Proposition No. 1; should it pass.

Assemblymember Church asked if there will be an emergency meeting if Proposition No. 1 passes.

Mr. Duffy:
- stated that there would not be an emergency meeting; and
- explained that it will take time to see the effects of Proposition No. 1.

Assemblymember Church opined her concern for having a plan in place.

D. ATTORNEY COMMENTS

Mr. Spiropolous:
- stated that the law department has done research regarding Proposition No. 1;
- mentioned that he had spoke with state lawyers in Oregon;
- informed the Assembly that they are currently looking at the inconsistencies with Proposition 1 in relation to the current Matanuska-Susitna Borough Code;
- spoke regarding joint or individual claims that come forth;
- reported that about ten attorney hours per week are going towards studying this subject;
- stated that conditional use permits are upheld by the court system;
- noted that there is some judicial review during the process; and
- added that the new attorney is busy.

E. CLERK COMMENTS

Ms. McGehee:
- stated that the Clerk report now includes the month of November; and
- informed the Board that now would be an appropriate time to set a follow-up work session with Planning, regarding comprehensive planning, if they so chose.

Assemblymember Bettine suggested a work session on December 4, 2007, at 3 p.m.

Ms. McGehee:
- stated that there could be a joint Assembly/School Board meeting in October; and
- spoke regarding how history shows scheduling of the legislative priority meeting with the delegation.

Assemblymember Bettine suggested a time of October 23, 2007, at 6:30 p.m. to discuss legislative priorities with the School Board.

Mr. Duffy clarified that it is hard to get the Delegation to meet in November.

Assemblymember Bettine stated that they could meet with the Delegation the first part of January to set the parameters.

Ms. McGehee suggested that it may be easier to schedule a meeting around the delegation's schedule.

Assemblymember Church suggested that the Assembly, School Board, and Delegation meetings should be more than just once a year in order to enhance communications and relations.

Assemblymember Bettine requested the Clerk to ask them for a meeting in December with the Assembly and School Board and a separate meeting in January for just the Assembly.

Deputy Mayor Woods stated that they would discuss it with the School Board during the October 23, 2007, meeting.

Assemblymember Wells stated that at the September 17, 2007, joint meeting it was decided to let the Clerk and the School Board representative schedule the meetings to save time.

Ms. McGehee stated that she had been in contact with the Denali Borough regarding the joint meeting schedule.

Assemblymember Bettine queried if Mr. Jeff Schowen, from the September 11, 2007, work session regarding the records management audit, was selling any software or licenses.

Ms. McGehee:
- clarified that Mr. Schowen does not sell any software or licenses in his business dealings with the Borough;
- added that Tower Software fulfills those products and services for the Borough; and
- informed the Assembly that there could be no electioneering during regular business hours at the Borough building because it is an election site.

Assemblymember Kluberton requested the Clerk's office look into the proper type of paper for the new MSB code binders.

Ms. McGehee stated she would ensure that it was done.

Assemblymember Kvalheim commended the Clerk on the hours of operation for the election absentee sites.

Ms. McGehee:
- reported that the ballots are continuing to be mailed;
- spoke to the election schedule;
- added clarification regarding what types of ballots are available at different voting sites;
- noted that there is still available room for the Alaska Municipal League (AML) conference;
- pointed out that the Clerk's office staff would be lessened during the week of November 4, 2007; and
- indicated the addition to the tracking report regarding the Fish Creek Plan.

Assemblymember Church requested that the non-renewable resource tax be added to the tracking report.

Mr. Duffy pointed out that there is meeting is scheduled for November 6, 2007.

Ms. McGehee:
- confirmed that there is a work session on November 6, 2007; and
- noted that the corresponding legislation was postponed until the agenda for the November 21, 2007, regular meeting.

Assemblymember Bettine clarified the time frame for the work session.

Mayor Menard queried when the Alaska Municipal League conference was being held.

Ms. McGehee answered that the conference would be November 7, 2007, to November 9, 2007, in Fairbanks.

Assemblymember Bettine requested that the relevant information for the November 6, 2007, work sessions be prepared and attached to the agenda in a packet form, similar to regular meetings.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
a. Emergency Medical Services Advisory Board: 05/02/07
b. Enhanced 911 Advisory Board: 05/08/07, 06/12/07
c. Joint Wasilla-Lakes, Meadow Lakes, and Big Lake Fire Service Area Board of Supervisors: 06/11/07
d. Library Board: 11/18/06, 02/17/07
e. Parks, Recreation, and Trails Advisory Board: 04/23/07, 05/21/07
f. Parks, Recreation and Trails Advisory Board Resolution Serial No.: 07-11
g. Planning Commission: 05/07/07, 05/21/07, 06/18/07, 07/12/07, 07/16/07
h. Planning Commission Resolution Serial Nos.: 07-28, 07-29, 07-30, 07-32, 07-35, 07-36(AM), 07-37, 07-38
i. Platting Board: 01/18/07, 07/19/07, 08/2/07
j. Transportation Advisory Board Resolution Serial No.: 07-07
k. Trapper Creek Road Service Area No. 30: 05/10/07

G. INFORMATIONAL MEMORANDUMS

1. IM No. 07-248: AN INFORMATIONAL MEMORANDUM EXPLAINING THE CONTRACT AWARDS AND AMENDMENTS IN THE AMOUNT OF $100,000 OR LESS, AND SOLE SOURCE PROCUREMENTS, FOR THE PERIOD OF AUGUST 1, 2007, TO AUGUST 31, 2007.

Assemblymember Bettine:

- spoke regarding changes to the amended items over $100,000;
- spoke to the Cottonwood Loop Project not having any specific details;
- requested further funding clarification with these contracts; and
- suggested referring to the page of the budget where these items are being funded from.

Ms. Clayton:
- clarified that the document should read Road Service Area No. 25, Assembly District No. 3;
- noted that this contract was approved November 5, 2006; and
- added that the change order fell below $100,000 so it did not need to go back before the Assembly for approval.

Mr. Duffy stated that they should be able to tie it back into the pre-authorization process.

Assemblymember Bettine queried the contract in the amount of $33,000 for records storage space.

Ms. McGehee clarified that the space was obtained through the Clerk by the Assembly in the budget process for records storage due to the deteriorating condition of the old storage facility.

Assemblymember Bettine asked if there were any specifications which govern the storage of these items and what requirements the buildings must meet.

Ms. McGehee affirmed the query.

Assemblymember Bettine asked if the storage facility was in Anchorage.

Ms. McGehee stated that the facility was in Anchorage.

Assemblymember Bettine:
- requested clarification on the fact that a local contractor could build a storage facility which was closer; and
- asked if the storage space was taken into consideration in the space needs development plan.

Mr. Duffy:
- stated that it was taken into consideration; and
- offered that the Mat-Maid building basement was ideal.

Ms. McGehee
- informed the Assembly that there are a large number of specifications that must be met in order to qualify for adequate storage; and
- provided examples such as shelving height, water sprinkler systems, and temperature controls.

Assemblymember Bettine asked if the self-contained palletized striper was budgeted for.

Mr. Duffy affirmed the query.

Assemblymember Bettine reiterated that this is an example of where tying the items back to the budget would be useful.

2. IM No. 07-251: AN INFORMATIONAL MEMORANDUM REGARDING THE AWARD OF THE STATE LOBBYIST SERVICES CONTRACT FOR THE MATANUSKA-SUSITNA BOROUGH.

Assemblymember Bettine:

- mentioned her concerns with the Manager not being involved in the process of choosing the legislator, despite the fact that he is the main contact for the lobbyist;
- further explained that she had no problem with the outcome, she would just like the Assembly to have discussions before the service contract is awarded;
- reiterated that she wants the Manager involved in the process due to his day-to-day involvement with the lobbyist; and
- requested that the matter be discussed prior to the renewal.

Mayor Menard:

- spoke regarding the difficult position of the Manager in this choice; and
- opined that he was not comfortable having the manager involved in the choice due to the Manager's precarious position of having to then work with the person.

(The regular meeting recessed at 7:05 p.m. and reconvened at 7:11 p.m.)

VII. 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.)

1. Ordinance Serial No. 07-133: AN ORDINANCE APPROVING AN APPROPRIATION OF $30,000 FROM CASWELL LAKES ROAD SERVICE AREA NO. 15 FUND BALANCE, FUND 272, TO THE CASWELL LAKES ROAD SERVICE AREA NO. 15, FISCAL YEAR 2008 OPERATING BUDGET, FUND 272.

a. IM No. 07-226

Deputy Mayor Woods 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 Kluberton moved to adopt Ordinance Serial No. 07-133.

Assemblymember Kluberton stated that there was no longer a need for an amended scope, so there was now no need to touch the fund balance.

MOTION: Assemblymember Kluberton moved to postpone Ordinance Serial No. 07-133 indefinitely.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding Valley Community for Recycling Solutions' work: Mr. Steve Brown.

D. CONSENT AGENDA *(Resolution Serial Nos. 07-103 and 07-104, and AM Nos. 07-122 and 07-126 were pulled from the consent agenda and addressed separately*.

1. RESOLUTIONS

a. Resolution Serial No. 07-102: A RESOLUTION ESTABLISHING FEES FOR PARK AND RECREATIONAL FACILITIES, LIBRARIES, AND COMMUNITY ENRICHMENT PROGRAMS.
(1) IM No. 07-232

2. ASSEMBLY MEMORANDUMS

a. AM No. 07-119: AN ACTION MEMORANDUM ACCEPTING LATE FILED AND RETROACTIVE SENIOR CITIZEN AND DISABLED VETERAN EXEMPTION APPLICATIONS.

b. AM No. 07-120: AN ACTION MEMORANDUM REQUESTING A VACATION OF A PORTION OF SETTLERS BAY DRIVE ON THE NORTH SIDE OF LOT 23 BLOCK 26, SETTLERS BAY UNIT 2, AND THE TEMPORARY 100-FOOT DIAMETER CUL-DE-SAC EASEMENT; ALL LOCATED WITHIN THE NW1/4 NE1/4 SECTION 10, TOWNSHIP 16 NORTH, RANGE 2 WEST, SEWARD MERIDIAN, AK. LOCATED IN THE KNIK-FAIRVIEW COMMUNITY COUNCIL AREA.

d. AM No. 07-124: AN ACTION MEMORANDUM AWARDING PROPOSAL NO. 08-017 TO MCCOOL CARLSON GREEN FOR SU VALLEY JUNIOR/SENIOR HIGH SCHOOL DESIGN IN THE AMOUNT OF $1,366,029.

e. AM No. 07-125: AN ACTION MEMORANDUM AWARDING PROPOSAL NO. 08-001 TO GDM, INC., FOR THE AMOUNT NOT TO EXCEED $220,000 FOR THE WASILLA HIGH SCHOOL REMODEL PHASE III.

Ms. McGehee read the above legislation into the record.

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

VOTE: The motion passed without objection.

c. Resolution Serial No. 07-104: A RESOLUTION SELECTING THE SITE FOR THE VALLEY TECH CHARTER SCHOOL.

(1) IM No. 07-245

MOTION: Assemblymember Church moved to adopt Resolution Serial No. 07-104.

Assemblymember Church queried how the site for the Valley Tech Charter School dovetailed with the new technology school.

Ms. Probasco:

- stated that she was not involved in that process;
- clarified that this is different then the regular selection process; and
- added that the Borough's only roll is to pick the site.

Assemblymember Bettine:

- stated that she was on the committee;
- clarified that it was made explicitly clear that the Borough's only roll was to pick the site;
- pointed out that the site is located on Knik-Goosebay Road, the second most dangerous road in the state;
- noted that there is possibly an alternate access to the site off of Fern Street; and
- requested that the Manager work with the State to push through Fern Street in order to create a safer access to the school.

Assemblymember Church queried if the staff recommendations are specific to the school or to the school district.

Assemblymember Probasco:

- reported that the proposers were required to submit proposals in two envelopes;
- clarified that the first envelope was to be specific to the site;
- added that the second envelope was specific to the design of the school;
- stated that upon completion of the process, it and the rest of the documentation, will be forwarded to the school;
- noted that the school district will be a co-signer to any agreement that is signed, that is their only involvement;
- explained that the Planning Commission considered this site at the meeting on September 17, 2007;
- added that they amended the drinking water portion to say "for the duration of the school;" and
- concluded that the Planning Commission will be proposing that change in their resolution to the School Board.

MOTION: Assemblymember Church moved a primary amendment to number 3, to strike the phrase "two years" and to insert in its place the phrase "the duration of the project" to read as follows:

3. Staff recommends that a drinking water well installed at the proposed site should be annually sampled for metals and volatile organic compounds for the duration of the project. Furthermore, it is recommended that the Valley Tech Charter School ask to be furnished with copies of future monitoring reports.

Assemblymember Bettine queried how often other school's water is tested.

Mr. Duffy stated that the water testing is normally performed annually.

Assemblymember Wells asked who would pay for the water testing at the charter school.

Mr. Duffy stated that the Borough does not pay for it.

Deputy Mayor Woods clarified that the School District or the charter school would be paying for it.

VOTE: The primary amendment passed without objection.

VOTE: The main motion was adopted as amended without objection.

b. Resolution Serial No. 07-103: A RESOLUTION AUTHORIZING THE MANAGER TO EXECUTE A TRANSFER OF RESPONSIBILITY AGREEMENT WITH THE CITY OF PALMER IN THE AMOUNT OF $427,789.50 FOR THE PURPOSE OF UPGRADING THE PALMER DISPATCH CENTER.

(1) IM No. 07-233

MOTION: Assemblymember Bettine moved to adopt Resolution Serial No. 07-103.

Assemblymember Bettine:

- asked if the equipment could be moved to another facility; and
- requested clarification regarding the ownership of the equipment.

Mr. Brodigan:

- explained that the equipment is jointly owned through the partnership with Palmer Dispatch;
- noted that the money came in the form of federal grants which were specifically allotted for ALMR equipment; and
- clarified that the equipment, and the responsibility of the equipment, are being transferred to the city of Palmer.

Assemblymember Bettine:

- spoke to previous requests regarding clarification on the accounting of this item; and
- asked if this item could be delayed until the Assembly is provided the appropriate information.

Mr. Brodigan:

- noted that the Borough is running out of time for the grant period;
- explained that the city of Palmer has already begun construction;
- added that they would be cutting the deadline very tight;
- spoke regarding how the funds would be expended;
- spoke to how the monies affect the budget;
- added that this grant funding is needed for the E-911 and dispatch center; and
- spoke regarding the need for the equipment update.

Assemblymember Bettine:

- agreed that upgrades are needed;
- opined that the problem exists with the accounting; and
- opined that she does not have the full picture of the relationship.

Ms. Clayton:

- stated that the information was supplied;
- clarified that it was 15 pages in length; and
- added that she would be happy to supply the information again.

Mr. Duffy asked Ms. Clayton if the packet was prepared when the Wasilla Police Chief was present.

Assemblymember Bettine clarified that the information she is looking for was not contained in that report.

Mr. Duffy:

- stated that the information regarding the E-911 surcharge was provided in May, after the conclusion of the budget; and
- added that the package for the E-911 surcharge included a report which showed the complete breakdown of how the money is spent and distributed between the cities.

Ms. Clayton added that the Assembly authorizes them to enter into the agreement.
Discussion ensued regarding how the monies are processed and distributed.

Assemblymember Bettine queried if Borough staff wrote the grant.

Mr. Brodigan affirmed the query.

VOTE: The motion passed without objection.

C. AM No. 07-122: AN ACTION MEMORANDUM AWARDING BID NO. 08-025 TO ALASKA SALES AND SERVICE IN THE AMOUNT OF $150,382 FOR THE PUBLIC WORKS FLEET VEHICLES.

MOTION: Assemblymember Bettine moved to adopt AM No. 07-122.

Assemblymember Bettine requested a staff report.

Mr. Rountree:

- reported that the money is to replace high mileage vehicles in the fleet, or ones that break down; and
- clarified that this is the purchase of the vehicles that were approved during the budget process.

Assemblymember Bettine asked if the money is allocated by who would be using the vehicle.

Mr. Rountree:

- stated that for the RSA vehicles, the cost is divided equally among the RSAs;
- added that this was to ensure proper management of the vehicles; and
- noted that solid waste pays for their own vehicles because they are budgeted from the enterprise fund.

VOTE: The motion passed without objection.

F. AM No. 07-126: AN ACTION MEMORANDUM APPROVING THE HOURS OF THE INFORMATION TECHNOLOGY DEPARTMENT’S ADMINISTRATIVE SECRETARY.

MOTION: Assemblymember Bettine moved AM No. 07-126.

Assemblymember Bettine questioned if the fiscal note was correct at $6,000.
Ms. Clayton stated that it is for the remainder of the fiscal year.

Assemblymember Bettine requested clarification that this will automatically be in next year's budget, and that it will not show an employee increase because it was adopted during this fiscal year.

Ms. Clayton affirmed the query.

VOTE: The motion passed without objection.

VIII. UNFINISHED BUSINESS

1. Resolution Serial No. 07-045: A RESOLUTION ESTABLISHING FEES FOR MSB MANDATORY LAND USE PERMIT, TITLE 17, ZONING. *(Main motion pending from: 01/16/07; postponed from: 07/17/07)*

a. IM No. 07-112

Assemblymember Church:

- queried how the processing of the permits are handled when they are first received; and
- asked how the process has been going.

Mr. Jones:

- stated that the process has begun;
- added that March 20, 2008, will be the fruition of the project;
- stated that there has been a permitting software package that is being incorporated into the Borough right now to support the new project;
- supplied that another planner has been added to the staff in order to handle these applications; and
- clarified that right now, they are allowing people to do a volunteer application in order to obtain the mandatory land use permit.

Assemblymember Bettine asked what the Borough plans to do in order to provide notice to the public about the mandatory fees in March and that the permit is required.

Mr. Jones:

- stated that they have started notifying the public;
- explained that they will have open houses later this month;
- added that Planning has sent notices to all the property owners in the Borough;
- offered that there is also information available on the website;
- stated that they will be meeting one on one with different organizations such as realtors and building organizations;
- clarified that they will be meeting with Ms. Sullivan to send out advertisements;
- informed the Assembly that they have received 25 to 30 calls regarding the land use permit over the last several days since the first flyer went out;

- explained that the comments received were inquisitive; and
- added that once the process and permit were explained, the public were generally positive towards the permit.

MOTION: Assemblymember Bettine moved to postpone Resolution Serial No. 07-045 to a time certain of November 20, 2007.

Assemblymember Bettine requested conclusive information regarding the public relations campaign.
Assemblymember Wells opined that the public relations regarding this item has not been adequate.

Assemblymember Church:
- noted that the fees need to be established in order to fully inform the public; and
- added that postponing this item will not help that endeavor.

Assemblymember Kluberton:
- spoke regarding having a complete package to supply to the public; and
- offered his support for postponing this resolution until the total package is ready in order to respond fully to his constituents.

Assemblymember Church queried if the item is time-sensitive.

Mr. Jones:
- stated that many calls are coming in asking about the fees; and
- clarified that staff can only tell them what is proposed.

Assemblymember Bettine:
- stated that for a start-up program, she felt the prices were a bit high; and
- queried if there is staff who is trained on how to use the new permitting software.

Mr. Jones responded that Planner Amy Karn and himself have been trained.

Assemblymember Bettine:
- stated that Planning then has an idea of how much time is involved to process the permit;
- added that they should set the fees accordingly;
- opined that this should not be a six month advertising campaign;
- added that this is an ongoing budgeted item within the department; and
- requested a different staff report that was more explicit.

Assemblymember Kvalheim asked if the Planning Department had set the dates for the open houses.

Mr. Jones:
- responded that the first open house is scheduled for the end of this month;
- added that there will be two rounds of open houses; and
- clarified that some will be this month, and that the open houses will resume after the holidays.

Assemblymember Kvalheim requested clarification regarding if the public objects to the fees, if it will then be brought back to the Assembly.

Mr. Jones:
- stated that an ad-hoc committee put together the fees after reviewing the staff hours put forth towards reviewing and implementing the permits;
- added that estimates were done which projected how many permits would be processed annually;
- clarified that the proposed fees went before the Planning Commission, which involved major public process;
- noted that the fees were cut in half by the Planning Commission; and
- emphasized that the staff is suggesting that the associated fees are analyzed in a year's time to perform a thorough evaluation.

Mr. Duffy added that during the budget process, all fees are assessed and put before the Assembly.

Assemblymember Kluberton noted his concerns with the current lengthy process of issuing a conditional use permit.

Assemblymember Bettine noted her concerns with the conditional use permit and the due process for the public being notified.

Mr. Duffy:
- stated that they will be unable to effectively communicate with the public concerning the benefits of the program between the holidays; and
- offered that it needs to begin sooner than November.

Assemblymember Bettine:
- spoke regarding the reduced building that is going on currently in the Borough; and
- asked if the implementation of the process could be delayed from March 2008 to April 2008.

Mr. Duffy:
- agreed that it could be postponed a month;
- clarified that the process would then enter the construction season; and
- added that the prison is scheduled to open June 1, 2008, which should help the building industry in the Borough.

Mr. Jones:
- explained that the process has been extensive and many people know that it is out there; and
- offered that if the implementation date is changed, it will cause confusion in the public.

Assemblymember Kvalheim stated that she will not support the postponement due to the fact that staff needs to be able to talk with the public, which includes the associated fees.

Assemblymember Bettine spoke regarding having staff attend local public meetings.

Assemblymember Church stated that the fees should be based on the cost of the permit.

MOTION: Assemblymember Kluberton moved a primary amendment to postpone Resolution Serial No. 07-045 to a time certain of October 16, 2007.

Assemblymember Wells:
- spoke regarding not being able to implement the program without having the associated fees; and
- noted that he will not be supporting the amendments for postponement due to the fact that it is not long enough.

Mayor Menard spoke regarding moving forward with the process on October 16, 2007.

Deputy Mayor Woods:
- spoke regarding how the effect of the ordinance is to encourage compliance;
- added that by knowing where the buildings are going, it can help the Borough with future growth; and
- reiterated that the goal of the program is to have compliance.

VOTE: The primary amendment to postpone to a time certain of October 16, 2007, failed with Assemblymembers Kluberton, Bettine, and Church in support and Assemblymembers Woods, Kvalheim, and Wells opposed. (Tie vote.) The motion passed with Mayor Menard invoking his voting privilege in the affirmative.

Deputy Mayor Woods questioned if the Mayor could break the tie via teleconference.

Ms. McGehee requested an at-ease to confer with Mr. Spiropoulos.

Mr. Spiropolous:
- stated that according to state law the Mayor can vote to break the tie because he has partaken in the discussions, even though he is not presiding; and
- noted that the Mayor is present via teleconference.

2. Ordinance Serial No. 07-118: AN ORDINANCE ACCEPTING AND APPROPRIATING $16,500 FROM THE ALASKA STATE OFFICE OF HISTORY AND ARCHAEOLOGY, TO FUND 480, PROJECT NO. 20358, TO CONTINUE RESEARCHING THE FEASIBILITY OF A NATIONAL HERITAGE AREA DESIGNATION FOR THE MATANUSKA, KNIK AND SUSITNA RIVER VALLEYS LOCATED WITHIN THE MATANUSKA-SUSITNA BOROUGH.

a. Resolution Serial No. 07-087: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO CONTINUE RESEARCHING THE FEASIBILITY OF A NATIONAL HERITAGE AREA DESIGNATION FOR THE MATANUSKA, KNIK AND SUSITNA RIVER VALLEYS LOCATED WITHIN THE MATANUSKA-SUSITNA BOROUGH. *(Main motion pending from: 08/21/07; postponed from: 08/21/07)*

(1) IM No. 07-190

Ms. Probasco noted that she had addressed staff and then forwarded a memorandum to the Assembly which addressed their questions from the previous meeting.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 07-120: AN ORDINANCE ACCEPTING AND APPROPRIATING $22,081 FROM THE U.S. FISH AND WILDLIFE SERVICE TO FUND 480, PROJECT NO. 20368 FOR THE STRATEGIC CONSERVATION PLANNING THROUGH GREEN INFRASTRUCTURE PROGRAM.

a. Resolution Serial No. 07-089: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO ENTER INTO THE NECESSARY AGREEMENTS FOR THE STRATEGIC CONSERVATION PLANNING THROUGH GREEN INFRASTRUCTURE PROGRAM. *(Main motion pending from: 08/21/07; postponed from: 08/21/07)*

(1) IM No. 07-195

Ms. Barker:
- stated that the Fish and Wildlife Service does require a 50 percent match for this grant;
- noted that they are very flexible in what the Borough can use for the match;
- added that all but $2900 of this fiscal note has been met with participant time at the course; and
- clarified that they used in-kind participant time through a variety of different people attending the course from Federal, non-Federal, and community members to get the match.

VOTE: The motion passed without objection.

IX. NEW BUSINESS

A. INTRODUCTION (For public hearing - 10/16/2007, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 07-134: AN ORDINANCE APPROVING AN ECONOMIC DEVELOPMENT INCENTIVE IN THE FORM OF A PARTIAL EXEMPTION OF PROPERTY TAXES FOR THREE YEARS, FOR THE DOUBLE B, LLC, VALLEY SPORTS CENTER.

a. IM No. 07-203

2. Ordinance Serial No. 07-135: AN ORDINANCE ACCEPTING AND APPROPRIATING A $118,817 U.S. DEPARTMENT OF HOMELAND SECURITY, ASSISTANCE TO FIREFIGHTERS GRANT AND REQUESTING AN APPROPRIATION OF $6,253 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO PROJECT NO. 45123, FUND 405, TO PURCHASE SELF-CONTAINED BREATHING APPARATUS AND RELATED SUPPLIES.

a. Resolution Serial No. 07-105: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE U.S. DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE MEADOW LAKES FIRE SERVICE AREA, PROJECT NO. 45123, FUND 405, TO PURCHASE SELF CONTAINED BREATHING APPARATUS AND RELATED SUPPLIES.

(1) IM No. 07-234

3. Ordinance Serial No. 07-136: AN ORDINANCE ACCEPTING AND APPROPRIATING A $208,764 U.S. DEPARTMENT OF HOMELAND SECURITY, ASSISTANCE TO FIREFIGHTERS GRANT AND REQUESTING AN APPROPRIATION OF $23,196 FROM THE WASILLA-LAKES FIRE SERVICE AREA FUND BALANCE, FUND 250, TO PROJECT NO. 45157, FUND 405, TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT.

a. Resolution Serial No. 07-106: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE U.S. DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO A FIREFIGHTERS GRANT FOR THE WASILLA-LAKES FIRE SERVICE AREA, PROJECT NO. 45157, FUND 405, TO PURCHASE COMMUNICATION EQUIPMENT AND RELATED SUPPLIES.

(1) IM No. 07-235

4. Ordinance Serial No. 07-137: AN ORDINANCE ACCEPTING AND APPROPRIATING A $7,500 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING AN APPROPRIATION OF $7,500 FROM THE BUTTE FIRE SERVICE AREA FUND BALANCE, FUND 251, TO PROJECT NO. 20144, FUND 405, TO PURCHASE FIRE SHELTERS AND PERSONAL PROTECTIVE EQUIPMENT.

a. Resolution Serial No. 07-107: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR BUTTE FIRE SERVICE AREA, PROJECT NO. 20144, FUND 405.

(1) IM No. 07-242

5. Ordinance Serial No. 07-138: AN ORDINANCE ACCEPTING AND APPROPRIATING A $6,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING AN APPROPRIATION OF $6,000 FROM THE SUTTON FIRE SERVICE AREA FUND BALANCE, FUND 253, TO PROJECT NO. 20255, FUND 405, TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT AND FIRE FIGHTING SUPPLIES.

a. Resolution Serial No. 07-108: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR THE SUTTON FIRE SERVICE AREA, PROJECT NO. 20255, FUND 405.

(1) IM No. 07-243

6. Ordinance Serial No. 07-139: AN ORDINANCE ACCEPTING AND APPROPRIATING A $5,400 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING AN APPROPRIATION OF $5,400 FROM THE WILLOW FIRE SERVICE AREA FUND BALANCE, FUND 258, TO PROJECT NO. 20146, FUND 405, TO PURCHASE COMMUNICATION EQUIPMENT AND SUPPLIES.

a. Resolution Serial No. 07-109: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR WILLOW FIRE SERVICE AREA, PROJECT NO. 20146, FUND 405.

(1) IM No. 07-244

7. Ordinance Serial No. 07-140: AN ORDINANCE AMENDING THE LAND USE DISTRICT MAP OF THE CITY OF HOUSTON FOR MSB TAX ACCOUNT NO. 17N03W11A013; 12303 W. LARAE ROAD.

a. IM No. 07-246

8. Ordinance Serial No. 07-141: AN ORDINANCE ACCEPTING AND APPROPRIATING A $7,500 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING AN APPROPRIATION OF $7,500 FROM THE BIG LAKE FIRE SERVICE AREA FUND BALANCE, FUND 256, TO PROJECT NO. 20277, FUND 405, TO PURCHASE PERSONAL PROTECTIVE AND COMMUNICATION EQUIPMENT AND SUPPLIES.

a. Resolution Serial No. 07-110: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR BIG LAKE FIRE SERVICE AREA, PROJECT NO. 20277, FUND 405.

(1) IM No. 07-247

9. Ordinance Serial No. 07-142: AN ORDINANCE AMENDING MSB 8.32.010-020, ELECTRICAL GENERATION FACILITY OR POWER PLANT, TO REMOVE THE APPLICABILITY OF THE ORDINANCE WITH THE CITIES.

a. IM No. 07-249

The Clerk read the above legislation into the record.

MOTION: Assemblymember Kvalheim moved to introduce the legislation as read into the record by the Clerk and set for public hearing on October 16, 2007.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

(There were no confirmations this evening.)

C. OTHER NEW BUSINESS

X. RECONSIDERATION

(There were no items for reconsideration.)

XI. VETO

(There were no vetoes presented.)

XII. EXECUTIVE SESSION

(There was no executive session held.)

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Bettine:
- spoke regarding her desire to have a thorough understanding of the budget during her third year;
- extended a heartfelt thanks to the staff regarding the preceding work session;
- opined that it was the best work session to date; and
- requested that Mr. Duffy extend her appreciation to the staff.

Assemblymember Kvalheim asked Mr. Spiropoulos if complaints made to the Code Compliance Division were anonymous, and if so, to what point.

Mr. Spiropoulos:
- stated that they are not anonymous; and
- spoke to the open records law of the State which says that information gathered during an investigation into any lawful or unlawful activity can be kept confidential but only to the extent that and it would interfere with an investigation or case, or constitute an unwarranted invasion of privacy, or would reveal confidential investigative techniques, or anything of that nature.

Assemblymember Kvalheim noted her concern that the Department of Transportation signs are still on the road.

Assemblymember Church:
- stated that asking questions is always beneficial; and

- extended her thanks to staff regarding the work session.

Mr. Duffy stated that questions are critical to a transparent government.

Deputy Mayor Woods extended her thanks to Mayor Menard and Assemblymember Wells for attending via teleconference.

Assemblymember Wells noted that he is in Washington D.C. on Alaska Farm Union business.

Mayor Menard:
- thanked everyone for their hard work;
- thanked Mr. Duffy for arranging the trip to South Denali with Governor Palin; and
- clarified that he plans on attending as many meetings as possible via teleconference while he is away.

XIV. ADJOURNMENT

The regular meeting adjourned at 8:40 p.m.

/ S /

LYNNE WOODS, Deputy Borough Mayor

ATTEST:

/ S /

MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: 10/16/07