

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on October 17, 2006, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:22 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*)
Ms. Michelle R. Church, Assembly District No. 3
Ms. Cindy L. Bettine, Assembly District No. 5
Mr. Robert Wells, Assembly District No. 6
Mr. Tom Kluberton, Assembly District No. 7

Assembly members absent and excused were:

Mr. Bill Allen, Assembly District No. 2
Ms. Mary Kvalheim, Assembly District No. 4

Staff in attendance were:

Mr. John Duffy, Borough Manager
Ms. Michelle M. McGehee, CMC, Borough Clerk
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Lonnie McKechnie, Executive Assistant to the Borough Clerk
Ms. Tammy Clayton, Finance Director
Mr. Keith Rountree, Public Works Director
Mr. Dennis Brodigan, Director of Emergency Services
Mr. Ron Swanson, Community Development Director
Mr. Sev Jones, Planning Chief
Ms. Chris Drashner, Document Specialist

III. APPROVAL OF AGENDA

Mayor Menard:

- inquired if there was any objection to adding the appointment of a Deputy Mayor under special orders; and
- inquired if there was any objection to adding a report from the Mat-Su Convention and Visitor's Bureau under agency reports.

There was no objection noted.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor John Combs, Palmer City.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: 08/15/06

Mayor Menard inquired if there were any corrections to the regular meeting minutes of August 15, 2006.

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

B. Regular Assembly Meeting: 09/05/06

Mayor Menard inquired if there were any corrections to the regular meeting minutes of September 15, 2006.

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

VI. SPECIAL ORDERS OF THE DAY

A. Proclamation in Recognition of Domestic Violence Awareness Month

Mayor Menard:

- read the proclamation into the record; and
- spoke to the need to educate the public regarding domestic violence.

B. Appointment of the Deputy Mayor

Mayor Menard:

- spoke regarding the need to appoint a deputy mayor; and
- advised that he would not be able to attend the November 21, 2006, regular meeting.

MOTION: Assemblymember Bettine moved to appoint Assemblymember Woods as Deputy Mayor.

VOTE: The motion passed without objection.

VII. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Houston City

Councilmember Frost:

- congratulated the newly elected mayor and assembly members;
- spoke regarding the Houston City election results;
- spoke regarding the Houston City Founders Day Celebration;
- stated that Houston City would like to thank the Borough for their efforts during the floods;
- advised that the city is sending three members to the Alaska Municipal League Conference; and
- advised that Houston City Council continues to support the prison location in Houston.

Wasilla City

Councilmember Cox:

- congratulated the newly elected mayor and assembly members; and
- provided an update regarding the Wasilla City election.

Palmer City

Mayor Combs:

- congratulated the newly elected mayor and assembly members;
- spoke regarding the community effort on the skate board park; and
- provided an update regarding the Palmer City sewer extension and annexation.

2. Matanuska-Susitna Borough School District

(There was no report provided.)

3. Matanuska-Susitna Borough Convention and Visitors Bureau

Ms. Bonnie Quill:

- provided a report on the Alaska Travel Industry Convention;
- presented the Matanuska-Susitna Borough Visitors Guide for 2007;
- advised that the Mat-Su Borough Convention and Visitors Bureau (MSCVB) is celebrating their 20th anniversary;
- advised that the marketing and financial reports, required by the Borough grant, are in the packet;
- spoke regarding the ways that the MSCVB promotes travel to the Borough; and
- spoke regarding upcoming events.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

(There was no report provided.)

2. Assembly Public Relations Committees

a. Chambers of Commerce (*Assemblymembers Vehrs and Bettine*)

Assemblymember Bettine:

- recognized Ms. Cheryl Metiva, Executive Director for the Wasilla Chamber of Commerce, for receiving the Chamber of the year award; and
- spoke regarding the Gubernatorial debate that took place at the Wasilla Chamber meeting.

b. School Board (*Assemblymembers Allen and Colver*)

(There was no report provided.)

c. Cities (*Assemblymembers Kvalheim, Allen, and Vehrs*)

(There was no report provided.)

d. Home Builders and Realtors Associations (*Assemblymembers Colver, Bettine, and Vehrs*)

(There was no report provided.)

e. Community Councils (*Mayor Anderson and Manager*)

(There was no report provided.)

f. Civic Clubs (*Mayor Anderson and Assemblymember Kvalheim*)

(There was no report provided.)

d. Non-Profit Organizations (*Mayor Anderson and Assemblymembers Kvalheim and Vehrs*)

(There was no report provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- welcomed the newly elected officials;
- spoke regarding visiting the staff in the Denali Bureau and the personnel at the Usibelli Coal Mine;
- advised that the Mayor of the Denali Borough has requested that the Assembly meet with them twice a year;
- spoke regarding upcoming public meetings regarding the Knik Arm Crossing; and
- advised that the Regional Aviation System Plan meeting will take place on October 18, 2006.

D. ATTORNEY COMMENTS

Mr. Spiropoulos:

- congratulated the newly elected officials; and
- stated that he looks forward to working with the new members.

E. CLERK COMMENTS

Ms. McGehee:

- spoke regarding the upcoming meeting schedule; and
- advised that code states that there should be no meetings during the week of December 24 through January 1; and
- queried whether the Assembly would like to schedule a meeting for December 19, 2006.

MOTION: Assemblymember Bettine moved to schedule a regular assembly meeting on December 19, 2006.

VOTE: The motion passed without objection.

Ms. McGehee queried if the Assembly would like to schedule a work session to discuss parliamentary procedure on December 5, 2006.

Mayor Menard inquired if there was any objection to holding a work session regarding parliamentary procedure on December 5, 2006.

There was no objection noted.

Assemblymember Bettine queried the date for the joint meeting with the State Delegation.

Mr. Duffy:

- spoke to the need to have a joint meeting with the State Delegation in November: and
- advised that he would work with the lobbyist for a date on the meeting.

Assemblymember Church spoke to the need for the Assembly to meet to discuss priorities prior to meeting with the State Delegation.

Mr. Duffy spoke regarding the Assembly possibly meeting during the Alaska Municipal League Conference or a couple days prior to the joint meeting with the State Delegation to discuss priorities.

Discussion ensued regarding the Assembly meeting to discuss priorities prior to meeting with the State Delegation.

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

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

B. PUBLIC HEARINGS (Three minutes per person.)

Mayor Menard inquired if there was any objection to moving the following pieces of legislation together: Ordinance Serial No. 06-157, Ordinance Serial No. 06-158, Ordinance Serial No. 06-159, Ordinance Serial No. 06-160, Ordinance Serial No. 06-161, Ordinance Serial No. 06-162, Ordinance Serial No. 06-163, Ordinance Serial No. 06-164, Ordinance Serial No. 06-165, and Ordinance Serial No. 06-166.

There was no objection noted.

1. Ordinance Serial No. 06-157: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE PINE STREET/COTTONWOOD SHORES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 401 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 06-158: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$39,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE PINE STREET/COTTONWOOD SHORES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 401, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 06-253
2. Ordinance Serial No. 06-159: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE HAMILTON COURT ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 406 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 06-160: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$13,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE HAMILTON COURT ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 406, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 06-254
3. Ordinance Serial No. 06-161: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE BLUFF VISTA, EAGLE VISTA, AND SUZANNE CIRCLES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 408 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 06-162: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$91,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE BLUFF VISTA, EAGLE VISTA, AND SUZANNE CIRCLES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 408, AND FIXING DETAILS OF SAID BONDS.

- (1) IM No. 06-255
- 4. Ordinance Serial No. 06-163: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE SILVER BULLET CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 409 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 06-164: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$16,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE SILVER BULLET CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 409, AND FIXING DETAILS OF SAID BONDS.
- (1) IM No. 06-256
- 5. Ordinance Serial No. 06-165: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE MARCUS BAKER, TATLOW, AND LAKE GEORGE DRIVES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 411 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 06-166: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$79,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE MARCUS BAKER, TATLOW, AND LAKE GEORGE DRIVES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 411, AND FIXING DETAILS OF SAID BONDS.
- (1) IM No. 06-257

Ms. Drashner 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 Church moved to adopt Ordinance Serial No. 06-157, Ordinance Serial No. 06-158, Ordinance Serial No. 06-159, Ordinance Serial No. 06-160, Ordinance Serial No. 06-161, Ordinance Serial No. 06-162, Ordinance Serial No. 06-163, Ordinance Serial No. 06-164, Ordinance Serial No. 06-165, and Ordinance Serial No. 06-166.

MOTION: Assemblymember Church moved a primary amendment to Ordinance Serial No. 06-158, Ordinance Serial No. 06-160, Ordinance Serial No. 06-162, Ordinance Serial No. 06-164, and Ordinance Serial No. 06-166, Section 7, by striking the interest rate of “5.909” and inserting in its place “5.749.”

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

6. Ordinance Serial No. 06-189: AN ORDINANCE CLASSIFYING FIVE BOROUGH-OWNED PARCELS OF LAND FOR SALE OR RETENTION IN THE SHULIN LAKE, KASHWITNA, BIG LAKE, AND CHICKALOON AREA.
 - a. IM No. 06-266

Mr. Swanson provided a staff report.

Mayor Menard opened the public hearing.

The following person spoke regarding concerns with classifying the Shulin Lake parcel: Ms. Dana L. Olson.

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

MOTION: Assemblymember Kluberton moved to adopt Ordinance Serial No. 06-189.

VOTE: The motion passed without objection.

7. Ordinance Serial No. 06-190: AN ORDINANCE ACCEPTING AND APPROPRIATING \$47,261 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT PROGRAM, TO FUND 480, PROJECT NO. 45126, TO SUPPORT THE BOROUGH CITIZEN CORPS PROGRAM.
 - a. Resolution Serial No. 06-133: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, PROJECT NO. 45126, FUND 480, TO SUPPORT THE BOROUGH CITIZEN CORPS PROGRAM.
 - (1) IM No. 06-279

Mr. Brodigan provided a staff report.

Assemblymember Woods queried if the grant funds the Safety Programs position.

Mr. Brodigan:

- advised that the grant partially funds the Safety Program position; and
- spoke regarding the items that the grant funds.

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. 06-190 and Resolution Serial No. 06-133.

VOTE: The motion passed without objection.

CONFLICT OF INTEREST: Mayor Menard and Assemblymember Kluberton advised that they have a conflict of interest on Ordinance Serial No. 06-188, as they reviewed the multi-development design standards while they were on the Planning Commission

(Mayor Menard and Assemblymember Kluberton exited the meeting at this time.)

(Assemblymember Woods assumed the duties of the chair.)

(The regular meeting recessed at 7:23 p.m. and reconvened at 7:35 p.m.)

8. Ordinance Serial No. 06-188: AN ORDINANCE ADOPTING MSB 17.73, MULTI-FAMILY DEVELOPMENT DESIGN STANDARDS.
- a. IM No. 06-229

Mr. Sev Jones provided a staff report.

Assemblymember Bettine:

- spoke regarding concerns over the connectivity of road and facilities with neighboring subdivisions;
- spoke regarding subdivisions that have covenants that do not allow multi-family dwellings and single-family land use permits; and
- queried if there was a place on the permit that the developer could show that they had reviewed the covenants and were not violating the covenants.

Mr. Jones:

- spoke regarding covenants;
- noted that the Borough does not regulate or track covenants; and
- stated that it would be reasonable to request if covenants exist in the area.

Mr. Spiropoulos:

- stated that you could request on the application whether covenants exist;
- stated that he strongly cautions against evaluating covenants on whether to grant or deny permits; and
- advised that the Borough cannot enforce covenants.

Discussion ensued regarding:

- whether the Borough can request that the applicants for the permits submit covenants;
- issues with special land use districts; and
- concerns regarding road collectors going through neighborhoods.

Deputy Mayor Woods opened the public hearing.

The following persons spoke regarding concerns with Ordinance Serial No. 06-188: Ms. Dana Olsen, Mr. Butch Moore, and Ms. Heidi Frost.

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

MOTION: Assemblymember Bettine moved to adopt Ordinance Serial No. 06-188.

MOTION: Assemblymember Bettine moved to postpone Ordinance Serial No. 06-188 to a time certain of November 21, 2006.

Assemblymember Wells queried if the public would be able to speak on this item at the November 21, 2006, meeting.

Ms. McGehee advised that the public would be able speak on this ordinance if unfinished business came after audience participation.

Discussion ensued regarding allowing the public more opportunity to speak to the ordinance.

MOTION: Assemblymember Wells moved a secondary amendment to strike the date of November 21, 2006, and insert in its place December 5, 2006.

VOTE: The secondary amendment passed without objection.

VOTE: The motion to postpone Ordinance Serial No. 06-188 to a time certain of December 5, 2006, passed without objection.

(The regular meeting recessed at 8:12 p.m. and reconvened at 8:18 p.m.)

(Mayor Menard and Assemblymember Kluberton re-entered the meeting at this time and Mayor Menard resumed his duties as chair.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke in opposition to the race track in the Butte area and provided a citizens petition: Ms. Mitzie Van Asdlan, Ms. Carrie Wolf, Mr. Gary Graywolf, Ms. June Dilley, Ms. Judy Aklested.

The following person spoke in opposition to the prison being located in the Houston area: Ms. Sandy McDonald.

The following person spoke in opposition to AM No. 06-197: Ms. Dana Olson.

The following person spoke regarding the public process to speak to the issues before the Assembly: Mr. Butch Moore.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Boards/Committee Minutes:
 - a. Big Lake FSA No. 33: 08/14/06
 - b. Caswell Lakes RSA No. 15: 08/03/06
 - c. Chase Trail Service Area No. 134: 09/22/06
 - d. Greater Butte RSA No. 26: 09/14/06
 - e. Greater Talkeetna RSA No. 29: 08/10/06
 - f. Library Board: 05/20/06
 - g. Local Road Service Area Advisory Board: 07/20/06
 - h. Parks, Recreation, and Trails Advisory Board: Resolution Serial No. 06-16
 - i. Planning Commission: 08/06/06, 08/21/06
 - j. Port Commission: 07/17/06
 - k. Real Property Asset Management Board 08/09/06
 - l. Senior Citizen Advisory Board: 06/19/06
 - m. Talkeetna Sewer and Water SSA No. 36: 06/29/06
 - n. Wasilla-Lakes, Meadow Lakes, and Big Lake FSA Boards of Supervisors: 07/10/06
2. Community Council Correspondence
 - a. Lazy Mountain Community Council: 01/14/06
 - b. Pt. MacKenzie Community Council: 07/29/06
 - c. South Knik River Community Council: 07/15/06
 - d. Trapper Creek Community Council: 09/21/06
 - e. Y Community Council: 08/03/06, 09/07/06

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

G. INFORMATIONAL MEMORANDUM

1. IM No. 06-310: AN INFORMATION MEMORANDUM UPDATING THE STATUS OF THE TIMBER HARVESTS PERMIT.

The informational memorandum was presented.

Assemblymember Wells:

- spoke to the October 11, 2006, meeting of the Real Property Asset Management Board; and
- spoke regarding the Real Property Asset Management Board's timeframe.

D. CONSENT AGENDA (AM No. 06-176, AM No. 06-208, and AM No. 06-209 were pulled from the consent agenda and addressed separately. *See pp. 14-15 of 22*)

1. RESOLUTIONS

a. Resolution Serial No. 06-137: A RESOLUTION SELECTING A SITE FOR THE NEW TRAPPER CREEK AMBULANCE FACILITY.

(1) IM No. 06-261

b. Resolution Serial No. 06-138: A RESOLUTION AMENDING THE SCOPE OF WORK FOR THE WILLOW PUBLIC SAFETY BUILDING (STATION 12-1), PROJECT NO. 45089, TO INCLUDE INTERIOR AND EXTERIOR PAINTING.

(1) IM No. 06-309

2. ASSEMBLY MEMORANDUMS

a. AM No. 06-168: APPROVAL TO RECLASSIFY THE ADMINISTRATIVE SECRETARY I POSITION IN THE PUBLIC WORKS PROJECT MANAGEMENT AND ENGINEERING DIVISION TO A PROJECT MANAGEMENT ADMINISTRATIVE ASSISTANT.

c. AM No. 06-191: APPROVAL OF CHANGE ORDER TO QUALITY ASPHALT PAVING IN THE AMOUNT OF \$150,000 FOR THE INSTALLATION OF INTERSECTION LIGHTING, A LOAD CENTER, AND A TRAFFIC RECORDER FOR THE SELDON ROAD EXTENSION TO CHURCH ROAD PROJECT.

d. AM No. 06-197: APPROVAL OF A CONTRACTUAL SERVICES AGREEMENT WITH THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES IN THE AMOUNT OF \$27,981 FOR PROVIDING ASSISTANCE WITH PERFECTING LEGAL EASEMENTS AND/OR RIGHTS-OF-WAY ON LOCAL AND REGIONAL RECREATIONAL TRAILS IN THE BOROUGH AND TO COMPLETE THE FINAL ADJUDICATION AND TITLE PROCESSING OF MUNICIPAL ENTITLEMENT LAND.

e. AM No. 06-198: APPROVAL OF EMPLOYEE TITLE CHANGE IN THE DEPARTMENT OF EMERGENCY SERVICES FROM OFFICE ASSISTANT TO ADMINISTRATIVE SECRETARY I.

f. AM No. 06-199: ACCEPTANCE OF LATE FILED AND RETROACTIVE APPROVAL OF SENIOR CITIZEN AND DISABLED VETERAN EXEMPTION APPLICATIONS.

g. AM No. 06-200: THE VACATION OF 66-FOOT SECTION LINE EASEMENT BETWEEN TAX PARCELS A3 AND D6, LOCATED IN SECTIONS 8 AND 17, TOWNSHIP 17 NORTH, RANGE 3 WEST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE BIG LAKE COMMUNITY COUNCIL AREA.

- h. AMNo.06-201: THE VACATION OF 33-FOOT PATENT RESERVATION WITHIN LOT 5, SPRUCE SUBDIVISION, LOCATED IN SECTION 8, TOWNSHIP 17 NORTH, RANGE 3 WEST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE BIG LAKE COMMUNITY COUNCIL AREA.
- i. AM No. 06-202: APPROVAL OF CHANGE ORDER TO QUALITY ASPHALT PAVING IN THE AMOUNT OF \$95,000 FOR THE 2006 ROAD PAVING PROJECT.
- j. AM No. 06-204: APPROVAL OF CHANGE ORDER TO E & E CONSTRUCTION, INC. IN THE AMOUNT OF \$86,965 FOR ADDITIONAL WORK TO THE BUTTE FIRE SERVICE AREA BUILDING 2-1 ANNEX DESIGN/BUILD PROJECT, PROJECT NO. 45113.
- k. AM No.06-205: AWARD OF BID NO. 07-037 TO ROY BROWN CONSTRUCTION IN THE CONTRACT AMOUNT OF \$199,495 FOR THE CHARLEY DRIVE – AMENDED PROJECT.
- l. AM No. 06-206: AWARD OF BID NO. 07-042 TO ROY BROWN CONSTRUCTION IN THE CONTRACT AMOUNT OF \$99,495 FOR THE MEADOW LAKES DRIVE PHASE II PROJECT.
- m. AM No. 06-207: APPROVAL OF CHANGE ORDER TO UNIT COMPANY IN THE AMOUNT OF \$111,009 FOR ADDITIONAL WORK TO THE KNIK GOOSE BAY ELEMENTARY SCHOOL DESIGN/BUILD PROJECT, PROJECT NO. 40161.
- p. AM No. 06-210: AWARD OF BID NO. 07-043 TO KING OF DIAMONDS EXCAVATING IN THE CONTRACT AMOUNT OF \$36,500 FOR ROAD RIGHT-OF-WAY CLEARING AND GRUBBING.
- q. AM No. 06-211: AWARD OF PROPOSAL NO. 07-036 TO YLVISAKER LAND SERVICES IN THE CONTRACT AMOUNT NOT TO EXCEED \$150,000 FOR REAL ESTATE ACQUISITION SERVICES.
- r. AM No. 06-212: AWARD OF BID NO. 07-002 TO TILMO PAINTING IN THE CONTRACT AMOUNT NOT TO EXCEED \$46,750 FOR PAINT AND CARPET PROJECTS FOR THE WILLOW PUBLIC SAFETY BUILDINGS, WILLOW LIBRARY, AND WILLOW COMMUNITY CENTER.
- s. AM No. 06-213: AUTHORIZATION TO SPEND UP TO \$50,000 WITH ARCTIC IT FOR SQL SERVER CONSOLIDATION AND INFRASTRUCTURE DEVELOPMENT SERVICES.
- t. AM No. 06-214: AUTHORIZATION TO SPEND UP TO \$27,600 WITH LDMA FOR HYDRODYNAMIC LOAD ANALYSIS FOR E-CRAFT DESIGN (DUAL USE VESSEL).

- u. AM No. 06-215: AWARD OF PROPOSAL NO. 06-132 TO NASH AND COMPANY, INC. IN THE CONTRACT AMOUNT NOT TO EXCEED \$150,000 FOR THE EMPLOYEE CLASSIFICATION STUDY.

Ms. McGehee 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.

- b. AM No. 06-176: APPROVAL TO HIRE A PROJECT FUNDED PROJECT MANAGER, ADMINISTRATIVE ASSISTANT, AND CONSTRUCTION INSPECTOR IN THE PROJECT MANAGEMENT AND ENGINEERING DIVISION OF PUBLIC WORKS.

MOTION: Assemblymember Wells moved to approve AM No. 06-176.

Assemblymember Wells:

- noted that the School District used to have a project staff person to help the Borough with School District projects; and
- queried the intent of the legislation.

Mr. Rountree:

- advised that the intent is not to replace the project coordinator for the School District; and
- noted that the issue of the absence of a School District project coordinator is a different issue.

Assemblymember Wells queried whether there was a solution for the lack of a School District project coordinator.

Mr. Rountree:

- advised that there has not been a solution for the lack of a School District project coordinator and
- stated that there is still a deficit in the absence of a School District project coordinator.

VOTE: The motion passed without objection.

CONFLICT OF INTEREST: Assemblymember Bettine declared a conflict of interest on AM No. 06-208.

RULING: Mayor Menard ruled that Assemblymember Bettine had a conflict of interest on AM No. 06-208 and would be recused from voting.

(Assemblymember Bettine exited the meeting at this time.)

- n. AM No. 06-208: AWARD OF PROPOSAL NO. 07-004 TO ARCHITECTS ALASKA AND USKH FOR ON-CALL ARCHITECTURAL SERVICES, HMS, INC. FOR ON-CALL ESTIMATOR SERVICES, AND TO SHANNON AND WILSON FOR ON-CALL GEOTECHNICAL SERVICES; AWARD OF PROPOSAL NO. 07-010 TO RSA AND AMC FOR ON-CALL MECHANICAL AND ELECTRICAL ENGINEERING SERVICES, TO HDR ALASKA, INC. AND DOWL, INC. FOR ON-CALL CIVIL ENGINEERING SERVICES; AND AWARD OF PROPOSAL NO. 07-011 TO ASCG, INC. FOR ON-CALL STRUCTURAL ENGINEERING AND ANALYSIS SERVICES, AND TO EHS-ALASKA, INC. FOR ON-CALL ASBESTOS/ ENVIRONMENTAL SERVICES, THE ON-CALL SERVICES ARE FOR CONTRACT AMOUNTS NOT TO EXCEED \$200,000 PER FISCAL YEAR.

MOTION: Assemblymember Woods moved to approve AM No. 06-208.

VOTE: The motion passed without objection.

(Assemblymember Bettine re-entered the meeting at this time.)

- o. AM No. 06-209: AWARD OF BID NO. 07-028 TO CENTRAL ENVIRONMENTAL, INC. IN THE AMOUNT OF \$770,900 FOR THE CONSTRUCTION OF PORT MACKENZIE UTILITIES.

MOTION: Assemblymember Wells moved to approve AM No. 06-209.

Assemblymember Wells queried if part of the construction would take place on the tidewater and part on the bluff.

Mr. Duffy advised that the storage tankers are high on the bluff and the hydrants are by the terminal building.

Assemblymember Wells:

- noted that Chief Jack Krill had concerns regard wood chips being located on top of the bank; and
- queried if this legislation is for fire control over the bluff.

Mr. Duffy advised that if the wood chip pile caught on fire it would burn and there would no way to stop it.

Assemblymember Bettine queried the source of the funds.

Mr. Duffy advised that they are Federal Transit Administration funds.

VOTE: The motion passed without objection.

IX. UNFINISHED BUSINESS

- A. Ordinance Serial No. 06-170: AN ORDINANCE PROHIBITING POLITICAL FUNDRAISING ON OR BY THE USE OF BOROUGH PROPERTY AND THE USE OF BOROUGH PROPERTY FOR POLITICAL CAMPAIGN PURPOSES. *(Sponsored by: Assemblymember Kvalheim) (Motion Pending: 09/05/06)*
- a. IM No. 06-237

MOTION PENDING: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 06-170.

MOTION: Assemblymember Bettine moved to postpone Ordinance Serial No. 06-170 to a time certain of November 21, 2006.

VOTE: The motion to postpone Ordinance Serial No. 06-170 to a time certain of November 21, 2006, passed without objection.

X. NEW BUSINESS

- A. INTRODUCTION (For public hearing - 11/21/06, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 06-191: AN ORDINANCE RECOMMENDING THE CLASSIFICATION OF GLO 11, 12, AND 13, SECTION 6 AND GLO 3, AND THE NORTHWEST ¼ SOUTHWEST ¼ OF SECTION 5, ALL LOCATED IN TOWNSHIP 18 NORTH, RANGE 3 EAST, SEWARD MERIDIAN, ALASKA, AS "GENERAL PURPOSE" LAND AND SALE OF THE FIVE PARCELS WITH DEVELOPMENT RESTRICTIONS TO THE INDIVIDUAL APPLICANTS FOR EACH PARCEL (MSB003446 AND MSB002878) IN THE LAZY MOUNTAIN COMMUNITY COUNCIL AREA.
 - a. IM No. 06-272
2. Ordinance Serial No. 06-192: AN ORDINANCE REPEALING MSB 17.01, ACKNOWLEDGEMENT OF EXISTING LAND USE REGULATIONS, ENACTING MSB 17.02, MANDATORY LAND USE PERMIT, AND AMENDING MSB 17.125.010, DEFINITIONS.
 - a. Resolution Serial No. 06-139: A RESOLUTION ESTABLISHING FEES FOR MSB MANDATORY LAND USE PERMIT, TITLE 17, ZONING.
 - (1) IM No. 06-273
3. Ordinance Serial No. 06-193: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$26,169 GRANT TO FUND 440, PROJECT NO. 15032, FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION FOR THE HATCHER PASS MULTIPLE PURPOSE TRAILS.
 - a. Resolution Serial No. 06-140: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE HATCHER PASS MULTIPLE PURPOSE TRAIL.

- (1) IM No. 06-282
4. Ordinance Serial No. 06-194: AN ORDINANCE ACCEPTING AND APPROPRIATING \$16,820.88 FROM MATANUSKA TELEPHONE ASSOCIATION TO A NON-LAPSING CAPITAL FUND 440, PROJECT NO. 20323, FOR UPGRADING AND ENHANCING THE TELECOMMUNICATIONS AND INFORMATION SERVICES IN THE BOROUGH LIBRARIES.
- a. IM No. 06-283
5. Ordinance Serial No. 06-195: AN ORDINANCE ACCEPTING AND APPROPRIATING \$30,000 FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO FUND 480, PROJECT NO. 45197, FOR THE WETLANDS PROGRAM DEVELOPMENT PROJECT.
- a. Resolution Serial No. 06-141: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE WETLANDS PROGRAM DEVELOPMENT PROJECT.
- (1) IM No. 06-285
6. Ordinance Serial No. 06-196: AN ORDINANCE APPROVING AN APPROPRIATION OF \$229,160 FROM THE AREAWIDE FUND BALANCE, FUND 100, TO FUND 410, FOR THE DUST CONTROL PROGRAM.
- a. IM No. 06-290
7. Ordinance Serial No. 06-197: AN ORDINANCE APPROPRIATING \$1,767 FROM ALPINE ROAD SERVICE AREA NO. 31 FUND BALANCE, FUND 285, TO FUND 435, PROJECT NO. 30077, FOR THE SALTED SAND STORAGE PROJECT.
- a. IM No. 06-294
8. Ordinance Serial No. 06-198: AN ORDINANCE REAPPROPRIATING \$32,743 FROM MIDWAY ROAD SERVICE AREA CAPITAL PROJECT NO. 30036, FUND 410, TO FUND 435, PROJECT NO. 30077, FOR THE SALTED SAND STORAGE BUILDING PROJECT.
- a. IM No. 06-295
9. Ordinance Serial No. 06-199: AN ORDINANCE REAPPROPRIATING \$19,329 FROM FAIRVIEW ROAD SERVICE AREA CAPITAL PROJECT NO. 30037, FUND 410, TO FUND 435, PROJECT NO. 30077, FOR THE SALTED SAND STORAGE BUILDING PROJECT.
- a. IM No. 06-296
10. Ordinance Serial No. 06-200: AN ORDINANCE REAPPROPRIATING \$70,592 FROM SOUTH COLONY ROAD SERVICE AREA CAPITAL PROJECT NO. 30039, FUND 410, TO FUND 435, PROJECT NO. 30077, FOR THE SALTED SAND STORAGE BUILDING PROJECT.
- a. IM No. 06-297

11. Ordinance Serial No. 06-201: AN ORDINANCE REAPPROPRIATING \$385 FROM LAZY MOUNTAIN ROAD SERVICE AREA CAPITAL PROJECT NO. 30041, FUND 410, TO FUND 435, PROJECT NO. 30077, FOR THE SALTED SAND STORAGE BUILDING PROJECT.
 - a. IM No. 06-298
12. Ordinance Serial No. 06-202: AN ORDINANCE REAPPROPRIATING \$8,712 FROM NORTH COLONY ROAD SERVICE AREA CAPITAL PROJECT NO. 30044, FUND 410, TO FUND 435, PROJECT NO. 30077, FOR THE SALTED SAND STORAGE BUILDING PROJECT.
 - a. IM No. 06-299
13. Ordinance Serial No. 06-203: AN ORDINANCE REAPPROPRIATING \$65,437 FROM BOGARD ROAD SERVICE AREA CAPITAL PROJECT NO. 30045, FUND 410, TO FUND 435, PROJECT NO. 30077, FOR THE SALTED SAND STORAGE BUILDING PROJECT.
 - a. IM No. 06-300
14. Ordinance Serial No. 06-204: AN ORDINANCE REAPPROPRIATING \$3,679 FROM BUTTE ROAD SERVICE AREA CAPITAL PROJECT NO. 30046, FUND 410, TO FUND 435, PROJECT NO. 30077, FOR THE SALTED SAND STORAGE BUILDING PROJECT.
 - a. IM No. 06-301
15. Ordinance Serial No. 06-205: AN ORDINANCE REAPPROPRIATING \$39,446 FROM GOLD TRAILS ROAD SERVICE AREA CAPITAL PROJECT NO. 30048, FUND 410, TO FUND 435, PROJECT NO. 30077, FOR THE SALTED SAND STORAGE BUILDING PROJECT.
 - a. IM No. 06-302
16. Ordinance Serial No. 06-206: AN ORDINANCE ACCEPTING AND APPROPRIATING \$70,000 FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, TO FUND 480, PROJECT NO. 20330, MATANUSKA-SUSITNA BOROUGH GEOGRAPHICAL INFORMATION SYSTEMS (GIS) PROPERTY WEBSITE PROJECT.
 - a. Resolution Serial No. 06-145: A RESOLUTION APPROVING THE REVISED SCOPE OF WORK AND BUDGET FOR THE MATANUSKA-SUSITNA BOROUGH GEOGRAPHICAL INFORMATION SYSTEMS (GIS) PROPERTY WEBSITE PROJECT, PROJECT NO. 20330, AND AUTHORIZING THE MANAGER TO MODIFY AN ASSISTANCE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, FOR MANAGEMENT OF THE GRANT.
 - (1) IM No. 06-303

17. Ordinance Serial No. 06-208: AN ORDINANCE APPROVING AN APPROPRIATION OF \$15,000 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO PROJECT NO. 45050, FUND 405, TO SUPPLEMENT THE PURCHASE OF A FIRE COMMAND VEHICLE AND RELATED EQUIPMENT.
 - a. Resolution Serial No. 06-142: A RESOLUTION AMENDING THE BUDGET OF PROJECT NO. 45050, FUND 405, TO SUPPLEMENT THE PURCHASE OF A FIRE COMMAND VEHICLE AND RELATED EQUIPMENT.
 - (1) IM No. 06-305
18. Ordinance Serial No. 06-209: AN ORDINANCE APPROVING AN APPROPRIATION OF \$43,000 FROM THE WILLOW FIRE SERVICE AREA FUND BALANCE, FUND 258, TO PROJECT NO. 45211, FUND 405, TO PURCHASE A FIRE VEHICLE AND RELATED EQUIPMENT.
 - a. Resolution Serial No. 06-143: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 45211, FUND 405, TO PURCHASE A FIRE VEHICLE AND RELATED EQUIPMENT.
 - (1) IM No. 06-306
19. Ordinance Serial No. 06-210: AN ORDINANCE ACCEPTING AND APPROPRIATING \$302,000 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT PROGRAM, TO FUND 425, PROJECT NO. 45158, FOR EXERCISE EXPENSES AND TO PURCHASE INTEROPERABLE COMMUNICATIONS EQUIPMENT.
 - a. Resolution Serial No. 06-144: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, PROJECT NO. 45158, FUND 425, FOR EXERCISE EXPENSES AND TO PURCHASE INTEROPERABLE COMMUNICATION EQUIPMENT.
 - (1) IM No. 06-307
20. Ordinance Serial No. 06-211: AN ORDINANCE TO AUTHORIZE THE MATANUSKA-SUSITNA BOROUGH TO INCUR INDEBTEDNESS IN THE AMOUNT OF \$606,375 FROM THE ALASKA STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO BUILD A PERMANENT HOUSEHOLD HAZARDOUS WASTE FACILITY AT CENTRAL LANDFILL.
 - a. IM No. 06-308

Ms. McGehee 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 November 21, 2006.

MOTION: Assemblymember Woods moved to divide the question of introduction and to take Ordinance Serial No. 06-211 separately.

Assemblymember Woods stated that administration has advised that there is a need to amend the title of the ordinance to increase the dollar amount.

VOTE: The motion to divide the question and take Ordinance Serial No. 06-211 separately passed without objection.

MOTION: First Segment. Assemblymember Woods moved to introduce the legislation as read into the record by the Clerk and set the public hearings for November 21, 2006.

VOTE: The motion passed without objection.

MOTION: Second Segment. Assemblymember Woods moved to introduce Ordinance Serial No. 06-211 and set the public hearing for November 21, 2006.

MOTION: Assemblymember Woods moved a primary amendment to the title of Ordinance Serial No. 06-211, by striking the amount of \$606,375 and to insert in its place \$1,000,000.

Mr. Rountree:

- advised at this time they have \$1.2 million for the project;
- advised that the bids for the project came in at \$1.5 which million;
- spoke regarding project contingency funds; and
- noted that the loan would be coming through the Alaska State Department of Environmental Conservation.

Assemblymember Woods:

- noted that the facility would handle hazardous waste; and
- queried whether there was more detail on the facility.

Mr. Rountree spoke regarding how the facility would be used.

Discussion ensued regarding the funding for the hazardous waste facility at the Central Landfill.

VOTE: The primary amendment to the title of Ordinance Serial No. 06-211 passed without objection.

VOTE: The motion to introduce Ordinance serial No. 06-211 and set the public hearing for November 21, 2006, passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Menard requested the following confirmations:

Enhanced 911 Advisory Board

John Glass

Planning Commission

Removal of Curtis Menard due to Mayor election position

Mayor Anderson made the following recommendations:

Platting Board

Terry Nicodemus

Transportation Advisory Board

Chris Kepler

MOTION: Assemblymember Woods moved to confirm the Mayor's appointments and removals 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 Kluberton:

- spoke regarding District 7 being a more rural part of the Borough;
- spoke to the need to make some specific regulations, at times, in the "rural" areas of the Borough;
- stated that the Meadow Lakes Community Council is very proud of the progress that has been made during the "clean-up days;" and
- noted that the Meadow Lakes Community Council would like to have a refuse transfer site in their area.

Assemblymember Church stated that she is looking forward to serving and working with the other assembly members.

Assemblymember Bettine:

- advised that the Gubernatorial candidates have pledged to return to revenue sharing and funding the senior citizen and veterans property tax exemptions;
- spoke regarding the need for property tax relief;
- spoke regarding issues with ongoing flooding in Assembly District 5;
- spoke regarding road issues in the Borough; and
- opined that Code Compliance enforcement needs to be improved this year.

Assemblymember Wells:

- noted that it is good to be back on the assembly;
- spoke regarding the noise ordinance;
- spoke regarding the need to work for revenue sharing; and
- requested that the Manager bring a process for the Assembly to review on who is doing the Borough's lobbying in Juneau.

Assemblymember Woods:

- noted that the work that the Assembly does is very important;
- thanked the members for her appointment as Deputy Mayor; and
- spoke regarding the Matanuska watershed.

Mayor Menard:

- stated that it is an honor to represent the Borough;
- noted that his wife, Linda Menard, is a School Board member;
- advised that he has spoken to the Borough Attorney and there may be issues he may have to recuse himself from;
- spoke regarding his meeting with Congressman Don Young;
- opined that the Borough needs State and Federal assistance on bigger projects;
- spoke regarding the need for responsible development in the Borough; and
- thanked the staff for preparing him for the meeting.

Assemblymember Woods noted that there was a work session scheduled to discuss legislative priorities; however, there was no a quorum to conduct the meeting.

XV. ADJOURNMENT

The regular meeting adjourned at 9:42 p.m.

/ S /

CURTIS D. MENARD, Borough Mayor

ATTEST:

/ S /

MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: 12/05/06