MATANUSKA-SUSITNA BOROUGH ASSEMBLY | **SPECIAL MEETING OCTOBER 24, 2000**

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on October 24, 2000, at the Matanuska-Susitna Borough Assembly Chambers, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Timothy L. Anderson for the purpose of a joint assembly/planning commission meeting..

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Larry DeVilbiss, Assembly District No. 1
Mr. Talis J. Colberg, Assembly District No. 3
Mr. Dan Kelly, Assembly District No. 4
Ms. Jody Simpson, Assembly District No. 5
Mr. Jim Colver, Assembly District No. 6
Ms. Kelly Lankford Ladere, Assembly District No. 7

Assemblymember absent and excused

Ms. Sara Jansen, Assembly District No. 2

Planning members present and establishing a quorum

Mr. Steve Rowland, District 1
Ms. Mary Kvalheim, District 4
Mr. Craig Savage, District 5 (Chairperson)
Mr. Dick Stoffel, District 6
Mr. William Moll, District 7

Planning member absent and excused

Ms. Cynthia Payne, District 2

[Planning Commission, District 3, is currently a vacant position.]

Staff in attendance were:

Ms. Sandra Dillon, Borough Clerk
Mr. John Duffy, Acting Borough Manager
Mr. Michael Gatti, Borough Attorney
Ms. Elizabeth Manfred, Borough Deputy Clerk
Ms. Cindy Gilder, Planning Director
Ms. Sandy Garley, Planning Chief
Mr. Ron Swanson, Community Development Director

III. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by a member of the public, Mr. Art Scates.

IV. JOINT ASSEMBLY/PLANNING COMMISSION MEETING

A. Hatcher Pass--Status

Mr. Swanson:
- reported that the draft joint management plan is on hold pending a statement of interest from the borough assembly;
- remarked that the Hatcher Pass Development Corporation (HPDC) requires a village area and ski area developed to be fiscally viable;
- commented that the above-ground development will be completed by HPDC and the underground (water and sewer infrastructure) will be the borough's responsibility;
- spoke to the fee simple request by HPDC;
- stated that HPDC is looking for a clear direction from the borough assembly; and
- reiterated that all financial appropriations and land conveyance must be approved by the assembly.

Mayor Anderson;
- related that he had contacted the borough manager to discover the status of the management agreement; and
- requested additional time from HPDC to study the management agreement.

Assemblymember Colver:
- expressed concern about borough infrastructure construction costs;
- requested a report covering the financial aspect of construction costs; and
- affirmed the need for public input concerning the project.

Mr. Duffy:
- assured the assembly that Mr. Swing is researching construction costs and will prepare a report;
- shared a plan to have a financial expert research development expenditures and prepare a development proposal based on the findings;
- stated that the management agreement outlines a land phasing title transfer plan;
- quoted a statement from Alyeska Ski Corporation questioning the projected use numbers for Hatcher Pass;
- specified that certificates of participation are not appropriate to finance this project; and
- concluded that HPDC believes it necessary to develop a hotel for the project to be feasible.

Assemblymember DeVilbiss stated that he does not support the borough expenditure of water and sewer infrastructure to the village area.

Commissioner Rowland questioned a developer requiring the borough to fund and construct infrastructure.

Assemblymember Simpson asked why the management agreement had not been presented to the planning commission.

Mr. Swanson suggested inviting HPDC to participate in an assembly meeting with an executive session scheduled to discuss the financial aspects of the agreement.

Mr. Duffy:

- revealed that the borough has not applied for a $1.3 million EPA grant;
- related that the project does not fit the current EPA grant requirements;
- commented that the federal lobbyist states it may be possible to change the grant requirements;
- explained that the state set the conditions for the land exchange at Hatcher Pass; and
- stressed the importance of continuing open exchange with HPDC concerning the project.

Mr. Gatti:

- asserted that the financing of the project may be subject to bonding;
- stated that the assembly has the authority to determine financing of the project;
- advised that the agreement presented now is not the agreement that was subject to the vote by the assembly on September 19, 2000;
- commented that the present agreement makes it clear that land conveyance must be made by ordinance;
- revealed that expenditures concerning the project must be approved by the assembly;
- spoke to the motion made on September 19, 2000, and the legal status of that motion; and
- remarked that a financial analysis of the agreement would be prudent.

Mr. Duffy addressed the proposal to have a financial expert determine the risk to the borough, the funds necessary for the project, and the source of those funds.

The special meeting recessed at 7:08 p.m. and reconvened at 7:25 p.m.

Chairman Savage:

- questioned if the borough would retain ownership of the project if the developer failed to meet requirements of the agreement;
- asked for the planning commission's role in the Hatcher Pass development plan; and
- spoke to the process of the planning commission studying land use issues.

MOTION: Assemblymember Lankford Ladere moved to direct the administration to prepare a critical path/strategy for action for the Hatcher Pass project and present it to the assembly for consideration on November 21, 2000.

Mr. Gatti:

- suggested that it may be appropriate to send a letter to HPDC explaining actions taken.

Mr. Duffy:

- summarized his understanding of the motion as asking what approach the manager will take to make development of Hatcher Pass a reality.

Assemblymember Colberg:

- spoke to the assembly role in dispensing of public funds and public lands; and
- commented that the assembly's role is to oversee projects and not micro manage them.

MOTION: Assemblymember Kelly moved a primary amendment to strike the word "consideration" and insert "information."

GENERAL CONSENT: The primary amendment passed without objection.

GENERAL CONSENT: The motion, as amended, passed without objection.

Commissioner Stoffel:

- expressed a desire to release borough owned lands to free enterprise; and
- voiced an opinion of the need to simplify the HPDC deal.

Commissioner Kvalheim:

- believes that the public should be involved in decisions involving public land.

B. Core Area Special Land Use

Ms. Gilder:

- revealed that the planning department is engaged in the public hearing process of the core area special land use plan and has set December 8, 2000, as the deadline to receive written comments; and
- all comments received will be organized in a report form for ease of action.

Assemblymember Colberg:

- spoke in favor of zoning and proposed standard Euclidian zoning as an alternate plan.

Commissioner Moll:

- voiced opposition to the flexible zoning plan; and
- stated that zoning should be an option.

Assemblymember Kelly:

- opposed flexible zoning for the core area.

Mr. Duffy stated that flexible zoning provides for a mixture of land use.

Assemblymember Colver asserted Euclidian zoning is easier to enforce.

Ms. Garvey:

- affirmed that flexible zoning is currently advertised and planning continues to gather comments for it;
- related that a Euclidian ordinance is prepared if the assembly requests such; and

- stated that to entertain Euclidian zoning comments, a new public process period would be required.

Mr. Gatti:
- commented that if covenants are not enforced, they are gone; and
- covenants are inefficient unless neighbors are diligent in enforcing the requirements.

Commissioner Rowland:
- reminded the assembly that the previous direction was to develop flexible zoning; and
- requested an explanation of the borough's role in land use regulations at the zoning level.

MOTION: Assemblymember Colberg moved to direct the planning commission to develop a Euclidian ordinance for the core area of the borough.

MOTION: Assemblymember Simpson moved to postpone to time certain of November 7, 2000.

GENERAL CONSENT: The motion, to postpone, passed without objection.

C. Assembly/Planning Commission Communication Process

Chairman Savage:
- questioned the practice of administration altering finalized planning commission resolutions prior to presenting them to the assembly.

Mr. Duffy:
- assured the assembly and planning commission that any future resolution passed by the commission will be brought forward to the assembly.

V. PLANNING COMMISSION, MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Duffy appreciated the open dialog of the meeting.

Commissioner Stoffel requested that government allow the public personal freedoms.

Commissioner Kvalheim enjoyed the meeting and encouraged the public to share comments and opinions with the administration.

Commissioner Rowland remarked that this meeting demonstrated an improved dialog between the assembly and planning commissioners.

Chairman Savage appreciated the opportunity to meet with the assembly and exchange ideas.

Assemblymember Lankford Ladere spoke to attendance at a recent lake management meeting.

Assemblymember Colver stated that borough management agreements need more review by the assembly.

Assemblymember Kelly:
- questioned the interaction of the transportation advisory board and the planning commission; and
- disclosed that the Garvey bond information was not based on borough input.

MOTION: Assemblymember Kelly moved to direct administration to schedule a work session with the assembly, planning commission, and transportation advisory board to discuss the needs of transportation in the Mat-Su borough.

GENERAL CONSENT: The motion passed without objection.

Assemblymember DeVilbiss:
- acknowledged the former planning commissioners now seated as assembly members; and
- asked if community survey responses were able to be tracked by district.

Assemblymember Simpson appreciated the meeting and the open dialog exchanged.

Assemblymember Colberg expressed pleasure in meeting the planning commissioners.

Mayor Anderson:
- thanked the assembly and planning commission for the exchange of open and honest dialog;
- invited assembly members to use his office for business purposes; and
- thanked the planning commissioners for their participation.

VI. ADJOURNMENT

The special assembly meeting was adjourned at 9:15 p.m.

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

SANDRA A. DILLON, Borough Clerk

Minutes approved: November 7, 2000