

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on November 2, 2010, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Deputy Mayor Ronald Arvin.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Warren Keogh, Assembly District No. 1
Mr. Noel Woods, Assembly District No. 2
Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)
Mr. Mark Ewing, Assembly District No. 4 (*attended telephonically*)
Ms. Cindy L. Bettine, Assembly District No. 5 (*attended telephonically*)
Mr. Jim Colver, Assembly District No. 6 (*attended telephonically*)
Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Ms. Elizabeth Gray, Acting Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Executive Assistant to the Borough Clerk
Ms. Tammy Clayton, Finance Director
Ms. Shaune O'Neil, Public Works Director
Ms. Christine Nelson, Planning and Land Use Director
Mr. Dennis Brodigan, Emergency Services Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Dave Hanson, Economic Development Director
Mr. Mark Van Dongen, Port Director
Mr. Jim Rowland, Public Works Staff Engineer

III. APPROVAL OF AGENDA

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

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Mark Van Dongen, Port Director.

V. MINUTES OF PRECEDING MEETINGS

- A. Regular Assembly Meeting: 09/21/10
- B. Special Assembly Meeting: 09/27/10

Deputy Mayor Arvin inquired if there were any corrections to the regular meeting minutes of September 21, 2010, or the special meeting minutes of September 27, 2010.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Ms. Taffina Katkus, Wasilla City Council:

- stated that Ms. Colleen Sullivan-Leonard and Mr. Steven Menard have been elected to the Wasilla City Council;
- related that the City is excited about the new cinema that is coming to Wasilla;
- spoke to the new Red Robin that is also coming to Wasilla;
- stated that there is a new Planning Director for the city of Wasilla, which is Ms. Tina Crawford; and
- noted that she is happy to be here and plans to attend future Assembly meetings.

2. Matanuska-Susitna Borough School District

Mr. Ken Forrest, School District Assistant Superintendent of Business and Operations:

- thanked the Assembly for participating in the Chadwick exercise;
- stated that the School District would like to recognize that the manager interviews at career tech high school was a great success; and
- noted that the District is looking forward to future joint ventures that benefit the tax payers.

3. Port Commission – Ferry Landing

Mr. John Riggs, Port Commission Chair:

- stated that the Commission wanted to provide testimony to the Assembly in person rather than by resolution as is usually done;
- spoke to the M/V Susitna currently undergoing sea trials;
- advised that the United States Navy has contributed largely to the production and financing of the ferry;
- stated that the Navy would like to continue trials, which will be conducted through the office of Naval Research;

- further added that the ongoing research is to be conducted as part of the agreement for funding;
- spoke to the ferry project gaining momentum over the last 20 years;
- stated that the world is taking notice of the ferry as it serves two functions and it is like no other ship in the world;
- advised that it is an a high speed catamaran type ice breaker and has capabilities to be a beach-lander, which makes it stand out in naval technology;
- advised that it was noted as one of the 10 most significant boats in the world at the 2010 International Workboat Show;
- spoke to a lot of interest regarding ferry service, especially from the city of Kenai and the Kenai Peninsula Borough;
- further added that ferry service to Tyonek is a huge possibility as they are working on industrial coal projects in that area;
- stated that the Goose Creek Correctional Center will create jobs;
- opined that there are a lot of opportunities that will help keep the ferry a viable project;
- spoke to the Federal Transportation Administration providing funding for the ferry project;
- opined that it could be very disappointing to many people if the ferry project does not continue to move forward;
- spoke to the past difficulty of coordination with the Port of Anchorage; and
- advised that the Port Commission would like to see the funding request for the ferry added to the State priorities list.

Assemblymember Keogh:

- spoke to letter the Assembly received from the Port Commission;
- stated that it mentions that the Port may not be able to be constructed in phases; and
- queried the result of the ability to construct in phases.

Mr. Riggs:

- stated that the Commission has not received a response; and
- noted that they wanted to move forward as if it could be bid out in phases as they do not want to delay funding requests.

Assemblymember Bettine queried the process for putting \$10 million for the ferry on the State priority list.

Ms. McKechnie:

- advised that it would require a motion to amend something previously adopted;
- further added that it would need to be advertised; and
- noted that it could be placed on the next agenda.

Assemblymember Bettine queried if that is what the Port Commission would like to see happen.

Mr. Riggs affirmed the query.

Assemblymember Colver opined that the project was not dropped but rather moved to the federal priority list.

Assemblymember Bettine stated that she would like the Assembly to consider having the ferry on both lists.

Discussion ensued regarding funding for the ferry project.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Colver:

- stated that the committee met yesterday.
- spoke to joint efforts to integrate IT and support efforts for teleconferencing interviews for the manager position;
- stated that the committee discussed a potential joint facility where each entity could contract offsite or onsite for the computer system;
- opined that the School District has never come forward and requested that we work together, which would be a good opportunity to save tax payer money;
- related that Borough Finance had said that the school bonds are waiting for state approval;
- advised that student count is 16,950, which is 93 students above projection;
- stated that the School District is implementing real time budgeting and that they have put a hold on any new positions;
- further added that they are putting aside funds by budgeting for surplus at the end of the year;
- opined that there are a lot of new changes that are positive;
- stated that the District is also looking at an early teacher retirement program to reduce costs;
- advised that the District has reached an agreement with the Mat-Su Education Association (MSEA) regarding teacher contracts; and
- stated that Mulder and Associates was hired to be the lobbyist for the School District.

2. Assembly Public Relations

(There were no reports provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

(There were no comments provided.)

A. ATTORNEY COMMENTS

Mr. Spiropoulos:

- advised that he will be sending an email out regarding the results of a recent mediation that was unsuccessful; and
- requested that should the Assembly have any questions, to please call.

B. CLERK COMMENTS

Ms. McKechnie:

- stated that the Assembly had requested a work session on the interim materials legislation;
- noted that the next time this legislation would be before the body would be December 7, 2010; and
- queried if the Assembly would like to schedule the work session on the same date.

Discussion ensued regarding setting a work session or special meeting on the interim materials legislation.

[Clerk's note: The Assembly scheduled a special meeting to be conducted as the committee of the whole for November 30, 2010, at 5 p.m.]

Ms. McKechnie:

- stated that the Assembly had discussed the possibility of rescheduling the November 16, 2010, regular Assembly meeting due to the high number of staff and Assembly that will be unavailable for that date; and
- queried if the Assembly would like to reschedule the meeting to November 23, 2010.

Discussion ensued regarding rescheduling the meeting.

[Clerk's note: The Assembly rescheduled the November 16, 2010, meeting to November 23, 2010.]

[Clerk's note: The Assembly requested the Clerk bring back the scheduling of the following meetings: planning session, procurement procedures, and tall structures.]

Ms. McKechnie advised that the candidate filing period for the vacancy of mayor is November 8, 2010, to November 19, 2010.

C. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Animal Care and Regulation Board: 04/05/10, 05/07/10 (2), 06/24/10 (2)
 - b. Enhanced 911 Advisory Board Minutes: 06/08/10
 - c. Greater Willow RSA Board of Supervisors: 03/25/10
 - d. Local Emergency Planning Committee: 08/18/10
 - e. Real Property Asset Management Board: 06/14/10, Resolution Serial Nos. 10-09, 10-10
 - f. South Colony RSA Board of Supervisors: 05/12/10

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

D. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

VIII. UNFINISHED BUSINESS

- A. Resolution Serial No. 10-082: A RESOLUTION APPROVING THE GATEWAY COMMUNITY COUNCIL BOUNDARY AMENDMENT TO INCLUDE THE SUBDIVISION OF EAGLE ESTATES.

(1) IM No. 10-135

MOTION PENDING: Assemblymember Woods moved to adopt Resolution Serial No. 10-082.

VOTE: The motion passed without objection.

IX. NEW BUSINESS

- A. INTRODUCTIONS (For public hearing – 11/16/10 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 10-103: AN ORDINANCE AMENDING MSB 18.04.035; PORT COMMISSION MEMBERSHIP, TO ALLOW PORT COMMISSION MEMBERS TO SERVE MORE THAN TWO CONSECUTIVE THREE-YEAR TERMS. *(Sponsored by Assemblymember Arvin)*

a. IM No. 10-174

2. Ordinance Serial No. 10-104: AN ORDINANCE DIRECTING THE MANAGER TO INVESTIGATE THE POTENTIAL ACQUISITION OF ADJOINING LAND TO ALLOW FOR ACADEMY CHARTER SCHOOL TO EXPAND.

a. IM No. 10-176

3. Ordinance Serial No. 10-105: AN ORDINANCE AMENDING PORTIONS OF MSB 3.28, SPECIAL ASSESSMENTS; AS IT RELATES TO THE CREATION OF NATURAL GAS DISTRIBUTION LINE LOCAL IMPROVEMENT DISTRICTS. *(Sponsored by Assemblymember Ewing)*

a. IM No. 10-177

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Halter moved to introduce the legislation as read into the record by the Clerk and set the public hearings for November 23, 2010.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

(There were no persons to be confirmed.)

C. OTHER NEW BUSINESS

1. ALASKA MUNICIPAL LEAGUE ISSUES *(2011 AML Draft Policy Statement)*

Deputy Mayor Arvin inquired if there were any comments regarding Alaska Municipal League issues.

There were no comments noted.

XII. EXECUTIVE SESSION *(for subjects that tend to prejudice the reputation and character of any person provided the person may request a public discussion.)*

A. FILLING THE VACANCY OF THE BOROUGH MANAGER: REVIEW OF CANDIDATES, CANDIDATES QUALIFICATIONS, AND INTERVIEW QUESTIONS

MOTION: Assemblymember Halter moved to enter into executive session for subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion. Specifically to discuss candidates for manager, candidate qualifications, and interview questions. Those present during executive session were the members of the Assembly, the Acting Manager, the Attorney, the Clerk, and the Human Resources Manager.

VOTE: The motion passed without objection and the Assembly entered into executive session at 6:40 p.m.

MOTION: Assemblymember Halter moved to exit executive session.

VOTE: The motion passed without objection and the Assembly exited executive session at 7:04 p.m.

Deputy Mayor Arvin advised that the Assembly did not conclude their business in executive session and would be going into executive session again at the end of the meeting.

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

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

(There were no persons to be heard.)

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 10-098: AN ORDINANCE ACCEPTING AND APPROPRIATING \$605,000 FOR A PORTION OF THE FISCAL YEAR 2011 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT.
- a. Resolution Serial No. 10-086: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR A PORTION OF THE FISCAL YEAR 2011 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT.
- (1) IM No. 10-161

Ms. O'Neil and Mr. Don Carney provided a staff report.

Deputy Mayor Arvin opened the public hearing.

The following person spoke in opposition to Ordinance Serial No. 10-098 and Resolution Serial No. 10-086: Ms. Niki Taysom.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 10-098 and Resolution Serial No. 10-086.

VOTE: The motion passed without objection.

2. Ordinance Serial No. 10-099: AN ORDINANCE ACCEPTING AND APPROPRIATING \$338,407.49 FOR A PORTION OF GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, FOR THE DEPARTMENT OF EMERGENCY SERVICES FISCAL YEAR 2011 DESIGNATED LEGISLATIVE GRANT PROJECTS.
- a. Resolution Serial No. 10-087: A RESOLUTION APPROVING THE SCOPES OF WORK AND BUDGETS FOR A PORTION OF THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT GRANTS FOR THE DEPARTMENT OF EMERGENCY SERVICES PROJECTS.
- (1) IM No. 10-163

Mr. Brodigan provided a staff report.

Deputy Mayor Arvin 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 Halter moved to adopt Ordinance Serial No. 10-099 and Resolution Serial No. 10-087.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 10-100: AN ORDINANCE APPROPRIATING \$545 OF INTEREST EARNINGS FROM THE ANIMAL CARE FACILITY LEASE CERTIFICATES OF PARTICIPATION TO FUND 435, PROJECT NO. 10176, FOR INSTALLATION OF FLOORING AND ADDITIONAL FENCING AT THE NEW ANIMAL CARE FACILITY.
 - a. IM No. 10-164

Ms. O'Neil provided a staff report.

Deputy Mayor Arvin opened the public hearing.

The following person spoke in opposition to Ordinance Serial No. 10-100: Ms. Niki Taysom.

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. 10-100.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 10-101: AN ORDINANCE APPROPRIATING \$228,407 FROM THE GREATER PALMER CONSOLIDATED FIRE SERVICE AREA FUND BALANCE, FUND 259, TO FUND 405, PROJECT NO. 45215, FOR THE PURCHASE OF A NEW FIRE ENGINE AND RELATED EQUIPMENT.
 - a. IM No. 10-167

Mr. Brodigan provided a staff report.

Deputy Mayor Arvin 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. 10-101.

VOTE: The motion passed without objection.

5. Ordinance Serial No. 10-102: AN ORDINANCE AMENDING MSB 2.12.090, AGENDA; NOTICE OF MEETING; ORDER OF BUSINESS. *(Sponsored by Assemblymember Bettine)*
 - a. IM No. 10-170

Ms. McKechnie provided a staff report.

Deputy Mayor Arvin opened the public hearing.

The following persons spoke in opposition to Ordinance Serial No. 10-102: Mr. Pete Praetorius and Ms. Niki Taysom.

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

[Clerk's note: Assemblymember Bettine experienced technical difficulties and was in and out of the meeting for a few minutes at approximately 7:30 p.m.]

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 10-102.

Assemblymember Halter stated that he understood that before something goes to unfinished business that public hearings had already been held.

Ms. McKechnie:

- noted that is sometimes the case; and
- stated that the Assembly has always had the ability to take up unfinished business and vetos prior to 7 p.m.

Assemblymember Bettine:

- stated that she is the sponsor of this legislation;
- related that it was due in part to several very late meetings;
- stated that there has never been a time when a public hearing was not held;
- opined that the public has ample opportunity to be heard; and
- noted that public hearings have been and can be extended.

Assemblymember Ewing noted his support of the legislation.

Assemblymember Colver:

- stated that he reluctantly supports this change;
- noted that the Assembly only has so much time to get the public's business accomplished;
- stated that he does not want the Assembly to get to the point that public participation has to be limited as some groups do to get the public business done;
- noted that the Borough allows audience participation for as long as it takes for the public to be heard;
- opined that the purpose is to get time discipline in order to limit late meetings; and
- opined that the Assembly will have to remain flexible.

Deputy Mayor Arvin:

- stated that while in college, he spent a lot of time testifying to the legislature;
- spoke to his frustration with the three minutes to provide testimony rule;

- noted his support the legislation; and
- opined that this change will allow for greater efficiency.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke to concerns with coal mining in the Borough: Ms. Alice Ciostek.

The following person spoke to concerns with over use of natural resources in Alaska, funding for the School District, overall concerns with the School District: Ms. Niki Taysom.

The following person spoke to concerns with Borough tax sales: Ms. Nancy Sult.

The following person spoke to concerns with trail access issues: Ms. Alice Kolhane.

D. CONSENT AGENDA (AM Nos. 10-094 and 10-095 were pulled from the consent agenda and addressed separately. *See pp. 15-17*)

1. RESOLUTIONS

- a. Resolution Serial No. 10-089: A RESOLUTION ESTABLISHING DATES CERTAIN FOR PAYMENT, DELINQUENCY, PROTEST, AND APPEAL OF 2011 REGULAR ASSESSMENT AND TAX ROLLS, BUSINESS INVENTORY FILING, AND FOR THE COMMENCEMENT OF HEARINGS BEFORE THE BOARD OF EQUALIZATION.

(1) IM No. 10-169

2. ASSEMBLY MEMORANDUMS

- a. AM No. 10-091: APPROVAL OF CHANGE ORDER NO. 2 TO GRANITE CONSTRUCTION IN THE AMOUNT OF \$137,856 FOR THE WASILLA HIGH SCHOOL FIRE HYDRANTS AND SITE CIRCULATION AND SECURITY IMPROVEMENT PROJECT.

- d. AM No. 10-097: AUTHORIZATION OF AMENDMENT NO. 2 TO CONTRACT NO. 09-155 TO EMC ENGINEERING, LLC IN THE AMOUNT OF \$115,000 FOR SPECIAL INSPECTION AND TESTING FOR GOOSE CREEK CORRECTIONAL CENTER.

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Halter moved to approve the consent agenda as read into the record by the Clerk, with the exception of AM Nos. 10-094 and 10-095.

VOTE: The motion passed without objection.

- b. AM No. 10-094: APPROVAL OF CHANGE ORDER TO WESTERN CONSTRUCTION AND EQUIPMENT, LLC IN THE AMOUNT OF \$120,000 FOR ADDITIONAL WORK TO THE ENGSTROM ROAD UPGRADES PROJECT.

Ms. McKechnie read the legislation into the record.

MOTION: Assemblymember Keogh moved to adopt AM No. 10-094.

Assemblymember Keogh stated that he pulled the legislation from the consent agenda, as he would like to know more about the project.

Mr. Jim Rowland, Public Works Civil Engineer:

- advised that Engstrom Road is a primary collector road, that serves a large area;
- stated that the project was funded through the Department of Commerce and Economic Development, Road Service Area No. 25 funds, fish passage improvement funds, and dust control funds; and
- advised that the project was started in June 2009 and completed in October 2010.

Deputy Mayor Arvin:

- stated that he visited the project site several times; and
- requested that Mr. Rowland speak to how the change order relates to the quantity variations in the project.

Mr. Rowland:

- spoke to the first change order being for the corridor portion of the project;
- stated that when it was bid, they did not know how the bids would come in, so it was split into sections; and
- stated that the final change order is covering all the final quantities.

Assemblymember Keogh stated that he would like to meet with Public Works to understand more of what projects are about and how change orders occur.

Assemblymember Colver:

- requested that Mr. Rowland speak to the culvert that connected Nicholson Lake and Cornelius Lake;
- stated that there is an abundance of salmon passage in that area; and
- noted that Mr. Rowland was praised for his design on that culvert.

Mr. Rowland:

- stated that the Alaska State Department of Fish and Game used that culvert as an example of how they like to see fish passage projects occur;
- advised that the culvert was actually the head waters of Cottonwood Creek
- further added that it connects two lakes;
- advised that the project took out an “S” curve;

- related that the project replaced a four foot pipe with an eight foot culvert; and
- stated that inside the culvert the stream was replicated.

Discussion ensued regarding:

- funding sources and amounts;
- concern with the possibility of insufficient funding; and
- why the project was broken into several pieces.

VOTE: The motion passed without objection.

c. AM No. 10-095: APPROVING THE ASSEMBLY'S REGULAR ASSEMBLY MEETING SCHEDULE DATES FOR 2011.

MOTION: Assemblymember Colver moved to adopt AM No. 10-095.

Assemblymember Colver:

- opined that the July 5th meeting should be cancelled;
- stated that traditionally this is the Assembly's summer break; and
- opined that the January 4th meeting is close to New Years and should be cancelled as well.

MOTION: Assemblymember Colver moved a primary amendment to strike the meeting scheduled for July 5, 2011.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Colver moved a primary amendment to strike the meeting scheduled for January 4, 2011.

VOTE: The primary amendment passed without Assemblymember Bettine opposed.

MOTION: Assemblymember Halter moved a primary amendment to strike the meeting scheduled for March 1, 2011.

VOTE: The primary amendment passed with Assemblymember Bettine opposed.

VOTE: The main motion passed as amended without objection.

X. RECONSIDERATION

(There were no reconsiderations presented.)

XI. VETO

(There were no vetoes presented.)

XII. EXECUTIVE SESSION *(for subjects that tend to prejudice the reputation and character of any person provided the person may request a public discussion.)*

B. FILLING THE VACANCY OF THE BOROUGH MANAGER: REVIEW OF CANDIDATES, CANDIDATES QUALIFICATIONS, AND INTERVIEW QUESTIONS

MOTION: Assemblymember Halter moved to enter into executive session for subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion. Specifically to discuss candidates for manager, candidate qualifications, and interview questions. Those present during executive session were the members of the Assembly, the Acting Manager, the Attorney, the Clerk, and the Human Resources Manager.

VOTE: The motion passed without objection and the Assembly entered into executive session at 8:17 p.m.

(Assemblymembers Ewing and Bettine exited the meeting at 9:22 p.m.)

MOTION: Assemblymember Halter moved to exit executive session.

VOTE: The motion passed without objection and the Assembly exited executive session at 9:50 p.m.

MOTION: Assemblymember Colver moved to extend the meeting past 10 p.m. and not to exceed 10:15 p.m.

VOTE: The motion passed without objection.

MOTION: Assemblymember Halter moved to schedule social functions with candidates as follows:

- November 19, 2010, luncheon;
- November 19, 2010, dinner;
- November 20, 2010, breakfast;
- arrange for tours for the candidates prior to November 20; and
- to schedule candidate interviews on November 20, 2010, at 10:30 a.m.

VOTE: The motion passed without objection.

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Keogh stated that he is happy with the manager interview process.

Assemblymember Colver:

- complimented Deputy Mayor Arvin on running a good meeting;
- spoke to concerns regarding budget transfers happening within departments; and
- stated that he would like more information regarding these transfers.

MOTION: Assemblymember Colver moved to direct Administration to immediately halt inter and intra department budget transfers. All budget transfers shall be approved by the Assembly until further notice. A budget transfer report shall be provided at the next Assembly meeting.

Assemblymember Colver stated that he would like to understand why the budget transfers are occurring by exercising oversight.

Deputy Mayor Arvin noted that the Clerk has stated that this may be extremely difficult for the Clerk's office with the special election coming and the needs to transfer funds.

MOTION: Assemblymember Colver moved a primary amendment by inserting the following language after the second sentence: "excepting the Clerk's office."

VOTE: The primary amendment passed without objection.

Deputy Mayor Arvin spoke to the Assembly inadvertently creating budget conflicts without having staff here to answer questions.

MOTION: Assemblymember Colver moved to insert language that reads: "unless approved by the Acting Borough Manager in the interim."

Assemblymember Keogh stated that he is not aware of any massive budgetary transfers and requested Assemblymember Colver explain the intent of his motion.

Assemblymember Colver stated that he has been made aware that budget transfers are occurring.

Ms. Gray:

- stated that she is unaware of any mass budget transfers; and
- offered to look further into the issue.

WITHDRAWAL: Assemblymember Colver moved to withdraw the main motion.

There was no objection noted.

Assemblymember Colver:

- requested that the Assembly be provided a report via email of budget transfers;
- further requested a report to be provided to the Assembly that contains all budget transfers from the beginning of the fiscal year to December 7; and
- further requested that no budget adjustments be made unless they are approved by the manager.

There was no objection noted.

Discussion ensued regarding:

- budget transfers;
- the timeframe of transfers to be reported on;
- how to format the report;
- the length of time that the reports are required; and
- the complexity of creating the requested reports.

Deputy Mayor Arvin:

- stated that he had previously requested a detailed list of consultants;
- spoke to the difficulty in obtaining the information; and
- opined that the information that Assemblymember Colver is requesting may not be readily available.

Assemblymember Halter queried when the next budget cycle begins.

Ms. McKechnie advised that it begins in March.

Assemblymember Colver:

- stated that he would like real time information; and
- stated that he would like to know what funds are being moved and what they are for.

Assemblymember Halter queried the status of the School Board reserve draft legislation.

Ms. McKechnie:

- stated that the draft was forwarded to Assemblymembers Ewing and Halter; and
- further stated that she is waiting for approval to move forward with it.

Assemblymember Halter stated that he feels the legislation can go forward.

Deputy Mayor Arvin:

- spoke to concerns with the length of the Assembly agendas;
- stated that he may implement the two-speak rule;
- related that he would like to do this in order to shorten the length of the meetings; and
- noted that he would like the consideration of the Assembly.

XIV. ADJOURNMENT

The regular meeting adjourned at 10:13 p.m.



RONALD ARVIN, Deputy Borough Mayor

ATTEST:



LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 11/02/10