

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on November 16, 2004, at the Talkeetna Elementary School, 13798 East Veterans Way, Talkeetna, Alaska. The meeting was also teleconferenced to the Borough Assembly Chambers, 350 East Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Timothy L. Anderson.

**II. ROLL CALL**

Assembly members present and establishing a quorum were:

Ms. Lynne Woods, Assembly District No. 1  
Mr. Bill Allen, Assembly District No. 2 (*arrived at 6:25 p.m.*)  
Ms. Mary Kvalheim, Assembly District No. 4  
Ms. Jody Simpson, Assembly District No. 5  
Ms. Betty Vehrs, Assembly District No. 7

Assembly members absent and excused were:

Mr. Talis J. Colberg, Assembly District No. 3  
Mr. Jim Colver, Assembly District No. 6 (*Deputy Mayor*)

Staff in attendance were:

Ms. Michelle M. McGehee, CMC, Borough Clerk  
Mr. John Duffy, Borough Manager  
Ms. Janice A. Case, Deputy Borough Clerk  
Ms. Tammy Clayton, Finance Director  
Ms. Teresa S. Williams, Borough Attorney  
Mr. Dennis Brodigan, Emergency Services Director  
Mr. Ron Swanson, Community Development Director  
Mr. Murph O'Brien, Planning and Land Use Director  
Ms. Marian Romano, Assistant Borough Manager  
Mr. Don Shiesl, Public Works Director

**III. APPROVAL OF AGENDA**

Mayor Anderson inquired if there were any changes to the agenda.

Mayor Anderson requested that the Alaska Municipal League be added under agency reports.

There was no objection was noted.

Mr. Duffy advised that administration recommends postponing Resolution Serial Nos. 04-144 and 04-145 to the January 18, 2005, regular Assembly meeting.

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

#### **IV. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mr. James Kellard, a member of the Talkeetna Sewer and Water Special Service Area No. 36 Board of Supervisors.

#### **V. MINUTES OF PRECEDING MEETINGS**

##### **A. Special Assembly Meeting: 10/12/04**

Mayor Anderson inquired if there were any corrections to the special meeting minutes of October 12, 2004.

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

##### **B. Special Assembly Meeting: 10/13/04**

Mayor Anderson inquired if there were any corrections to the special meeting minutes of October 13, 2004.

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

##### **C. Special Assembly Meeting: 10/19/04**

Mayor Anderson inquired if there were any corrections to the special meeting minutes of October 19, 2004.

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

##### **D. Regular Assembly Meeting: 10/19/04**

Mayor Anderson inquired if there were any corrections to the regular meeting minutes of October 19, 2004.

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

##### **E. Special Joint Assembly/Planning Commission Meeting: 10/26/04**

Mayor Anderson inquired if there were any corrections to the special joint Assembly/Planning Commission meeting minutes of October 26, 2004.

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

## **VI. REPORTS/CORRESPONDENCE**

### **A. AGENCY REPORTS**

#### **1. Alaska Municipal League (AML)**

Mayor Anderson:

- reported that he, Assemblymember Vehrs, Assemblymember Woods, and various staff members attended the AML conference last week;
- stated that Assemblymember Vehrs was elected to the AML Board of Directors as the District 4 representative;
- noted that he is still President of the Conference of Mayors for the next year and that he is also on the AML Board of Directors;
- stated that the Borough received five community awards: (1) Alaska Community Award of Excellence in Public Works and Transportation for the Culvert and Stream Crossing Restoration Project; (2) Alaska Community Award of Excellence in Human Services for the Rural Mat-Su Health Care Providers Network; (3) Alaska Community Award of Excellence in Public Participation for the Project Fact Sheet Program; (4) Alaska Community Award of Excellence in Effective Government for the Recreation Trails Program; and (5) AML Investment Pool, Inc., Charter Member since 1993.

Mr. Duffy explained each of the projects for which the Borough received an award.

#### **2. Reports from cities**

##### City of Houston

Councilmember Ruth Blanchard noted that the city of Houston has hired their first police officer.

#### **3. Matanuska-Susitna Borough School District**

Mr. Jack Sherman, Assistant Superintendent of Business:

- reported that the student count for the School District submitted to the State was 14,668;
- noted that the Matanuska-Susitna Borough is the second largest school district in the State;
- discussed the number of students enrolled this year and supplemental funding for those students;
- noted that the School Board had approved a new charter school;
- thanked Mr. Duffy and Ms. Williams for the joint legal services agreement;
- stated that the management audit should be completed by December 15, 2004; and
- noted that the School District is in the process of preparing the budget.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

There was no report provided.

2. Regional Transportation Planning Organization

Assemblymember Simpson reported that at the last meeting the Regional Transportation Planning Organization approved the scope of work for a regional transportation plan.

C. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- reported on the status of the Omnibus Bill that includes all nine appropriation bills;
- stated that no contracts or change orders have been issued this month for Hatcher Pass or for the port; and
- reminded the Assembly that he would be out on vacation and that Ms. Romano would be Acting Manager in his absence.

D. ATTORNEY COMMENTS

Ms. Williams had no comments to present.

E. CLERK COMMENTS

Ms. McGehee:

- reviewed the current meeting schedule;
- advised that January 20, 2005, is the new proposed date for the joint meeting with the cities;
- stated that she has received preliminary information for a facilitator for the goal setting retreat;
- advised that she is still trying to coordinate a date for a joint meeting with the Municipality of Anchorage;
- noted that December 13, 2004, is now the proposed date from the Municipality of Anchorage;
- noted that she would be in Seattle for the rest of the week for bond closing and that Ms. Case would be Acting Clerk during her absence;
- commented that a draft 2005 meeting schedule has been included in the Clerk's report for the Assembly's review;
- referred to the information in the Clerk's report regarding paperless packets;
- noted that an update on the current status of the records center is included in the Clerk's report;

- provided an update on the cases pending for the quasi-judicial boards; and
- noted that the tracking report is attached for review.

*(Assemblymember Allen arrived at this time.)*

#### F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
  - a. Big Lake FSA No. 33 Board of Supervisors: 8/9/04
  - b. Knik RSA No. 17 Board of Supervisors: 8/7/04
  - c. Library Board: 9/18/04; 10/16/04
  - d. Local Road Service Area Advisory Board: 9/16/04; 10/21/04
  - e. Mat-Su Fire Chiefs Association: 9/22/04; 10/27/04
  - f. Parks, Recreation, and Trails Advisory Board: 9/27/04
  - g. Planning Commission: 10/4/04; 10/18/04
  - h. Port Commission: 9/20/04
  - i. Senior Citizen Advisory Board: 8/16/04
  - j. Wasilla-Lakes FSA No. 130 Board of Supervisors: 9/13/04
  - k. Willow FSA No. 35 Board of Supervisors: 6/2/04; 7/7/04; 9/15/04
2. Community Council Correspondence:
  - a. Meadow Lakes Community Council: 3/10/04; 5/12/04; 7/14/04; 8/11/04
  - b. Y Community Council: 5/6/04; 6/6/04; 8/5/04

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

#### G. INFORMATIONAL MEMORANDUMS

1. IM No. 04-290: AN INFORMATIONAL MEMORANDUM PRESENTING THE SCOPE OF WORK FOR THE MANAGEMENT REVIEW AUDIT.
2. IM No. 04-296: AN INFORMATION MEMORANDUM REGARDING PAYMENT FOR EMERGENCY REPAIRS TO DON YOUNG ROAD AT PORT MACKENZIE TO NPI, LLC., IN THE AMOUNT OF \$94,695.
3. IM No. 04-297: AN INFORMATIONAL MEMORANDUM REGARDING FUNDING FOR SUPPLEMENTAL APPROPRIATION FOR EDUCATION OPERATIONS.

The informational memorandums were presented and no comments were noted.

### VIII. UNFINISHED BUSINESS

- A. Resolution Serial No. 04-144: A RESOLUTION APPROVING A LOAN FROM THE SPECIAL SERVICE AREA REVOLVING LOAN FUND (FUND 600) IN THE AMOUNT OF \$100,000 TO THE MATANUSKA RIVER EROSION MITIGATION

PROJECT, PROJECT NO. 55008, FOR THE CIRCLE VIEW AND STAMPEDE ESTATES FLOOD AND WATER EROSION CONTROL SERVICE AREA.

1. Resolution No. 04-145: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE REVOLVING LOAN IN THE AMOUNT OF \$100,000 FOR CIRCLE VIEW AND STAMPEDE ESTATES FLOOD AND WATER EROSION CONTROL SERVICE AREA. (*Sponsor: Assemblymember Bush*) (*Motion Pending 10/19/04*)
  - a. IM No. 04-273

MOTION: Assemblymember Woods moved to postpone Resolution Serial Nos. 04-144 and 04-145 to the January 18, 2005, regular Assembly meeting.

Assemblymember Woods:

- stated that she has met with several of the service area supervisors;
- noted that they are working on addressing the erosion problem;
- stated that administration are in the process of preparing an informational brochure for all of the property owners to make them aware of the history and the action that is being taken to address the issues.

VOTE: The motion to postpone to a time certain passed without objection.

## **IX. NEW BUSINESS**

A. INTRODUCTION (For public hearing – 12/07/04, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 04-191: AN ORDINANCE AMENDING MSB 16.15, GENERAL ADMINISTRATION, TO ADDRESS LEASEHOLDS WITHIN THE PALMER AND WASILLA MUNICIPAL AIRPORTS.
  - a. IM No. 04-281
2. Ordinance Serial No. 04-192: AN ORDINANCE EXTENDING THE TIME LIMIT FOR THE COMPLETION OF FISCAL YEAR 2003 BOROUGH CAPITAL PROJECTS.
  - a. IM No. 04-284
3. Ordinance Serial No. 04-193: AN ORDINANCE AMENDING MSB 15.24.030(B)(4), CITY OF WASILLA COMPREHENSIVE PLAN.
  - a. IM No. 04-291
4. Ordinance Serial No. 04-194: AN ORDINANCE ACCEPTING AND APPROPRIATING \$72,000 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FOR FISCAL YEAR 2005 DESIGNATED LEGISLATIVE GRANTS AND AUTHORIZING THE MANAGER TO ENTER INTO AGREEMENTS TO COMPLETE THE PROJECTS.
  - a. Resolution Serial No. 04-154: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, FISCAL YEAR 2005

DESIGNATED LEGISLATIVE GRANT FOR THE BUTTE COMMUNITY CENTER, PROJECT NO. 20220.

- b. Resolution Serial No. 04-155: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, FISCAL YEAR 2005 DESIGNATED LEGISLATIVE GRANT FOR THE FAIRVIEW LOOP ROAD SAFETY UPGRADES, PROJECT NO. 30037.
  - c. Resolution Serial No. 04-156: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, FISCAL YEAR 2005 DESIGNATED LEGISLATIVE GRANT FOR THE KNIK RIVER TRAIL RELOCATION, PROJECT NO. 15015 AND AUTHORIZING THE MANAGER TO ENTER INTO A MANAGEMENT AGREEMENT FOR COMPLETING THE NECESSARY WORK.
  - d. Resolution Serial No. 04-157: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, FISCAL YEAR 2005 DESIGNATED LEGISLATIVE GRANT FOR LAKE LOUISE FIRE DEPARTMENT, PROJECT NO. 20356.
  - e. Resolution Serial No. 04-158: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, FISCAL YEAR 2005 DESIGNATED LEGISLATIVE GRANT FOR BUTTE FIRE SERVICE AREA, PROJECT NO. 45026.
- (1) IM 04-292
- 5. Ordinance Serial No. 04-195: AN ORDINANCE APPROPRIATING \$601,116 TO FUND 400, SCHOOL CAPITAL PROJECTS, FOR THE ISSUANCE COSTS FOR THE 2004 SERIES D, GENERAL OBLIGATION SCHOOL REFUNDING BONDS.
    - a. IM No. 04-293
  - 6. Ordinance Serial No. 04-196: AN ORDINANCE CONTINUING THE BOROUGH AREA SCHOOLS SITE SELECTION COMMITTEE.
    - a. IM No. 04-294

Ms. McGehee 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 the public hearings for December 7, 2004.

**VOTE:** The main motion passed without objection.

**B.** CONSENT AGENDA (Resolution Serial Nos. 04-159 and 04-162 were pulled from the consent agenda and addressed separately. *See pp. 9-10 of 19*)

1. RESOLUTIONS

b. Resolution Serial No. 04-160: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR THE DOROTHY SWANDA JONES ADMINISTRATION BUILDING REPAIRS, PROJECT NO. 10057.

(1) IM No. 04-286

c. Resolution Serial No. 04-161: A RESOLUTION IN OPPOSITION TO THE ALASKA STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S PROPOSED NEW REGULATIONS FOR "MIXING ZONES."

*(Sponsors: Assemblymembers Vehrs and Kvalheim)*

(1) IM No. 04-289

e. Resolution Serial No. 04-163: A RESOLUTION MAKING RECOMMENDATIONS TO THE GOVERNOR TO ADDRESS AND ADEQUATELY FUND THE VARIOUS AGENCIES AND DEPARTMENTS RESPONSIBLE FOR ELIMINATING METHAMPHETAMINE LABORATORIES, TO FURTHER COORDINATE MULTIDISCIPLINARY RESPONSE TEAMS AND TO SUPPORT THE DRUG ENDANGERED CHILDREN TASK FORCE. *(Sponsor: Assemblymember Kvalheim)*

(1) IM No. 04-298

f. Resolution Serial No. 04-164: A RESOLUTION AUTHORIZING THE MANAGER TO SUBMIT A PHASE II APPLICATION TO THE STATE OF ALASKA FOR A FEDERAL GRANT TO CONTINUE WORK ON PLANNING PROTECTION OF THE PALMER HISTORIC DISTRICT; THIS WILL INCLUDE PRODUCTION OF A BROCHURE HIGHLIGHTING TREATMENTS AND TECHNIQUES USED TO MAINTAIN HISTORIC BUILDINGS.

(1) IM No. 04-283

2. ACTION MEMORANDUMS

a. AM No. 04-199: APPROVAL TO SOLICIT PROPOSALS FROM PRIVATE SECTOR FIRMS SELECTED THROUGH A COMPETITIVE PROCESS TO MINE, MARKET, AND SELL MINERAL RESOURCES FROM THE PORT MACKENZIE PORT DISTRICT.

b. AM No. 04-200: APPROVAL OF THE KNIK TRANSPORT RESCUE BOAT (TRB) TOP LEVEL SYSTEM REQUIREMENTS DOCUMENT.

c. AM No. 04-202: CHANGE ORDER APPROVAL TO MCCOOL CARLSON GREEN IN THE AMOUNT OF \$118,526 FOR ADDITIONAL WORK ON THE WASILLA AREA ELEMENTARY SCHOOL DESIGN SERVICES, PROJECT NO. 40146, TO ADD WELL INSTALLATION AND PERMITTING; THE DESIGN OF TURN LANES ON WASILLA FISHHOOK AND A COOLING SYSTEM; AGENCY COORDINATION AND PERMITS; AND THE ADOPTION OF INTERNATIONAL BUILDING CODE 2003 STRUCTURAL CHANGES.

- d. AM No. 04-204: AWARD OF PROPOSAL NO. 05-038 TO ENSTAR NATURAL GAS COMPANY FOR THE CONTRACT AMOUNT NOT TO EXCEED \$232,573 FOR THE PORT MACKENZIE NATURAL GAS LINE EXTENSION.
- e. AM No. 04-205: AWARD OF BID NO. 05-067 TO NYE FRONTIER FORD, INC., FOR THE AMOUNT NOT TO EXCEED \$53,117 TO PURCHASE A PUBLIC WORKS VEHICLE TO BE USED AT THE CENTRAL LANDFILL AND A COMMAND VEHICLE TO BE USED WITHIN THE BUTTE FIRE SERVICE AREA.
- f. AM No. 04-206: AWARD OF BID NO. 05-053 TO DOOR TECH, LLC., FOR THE CONTRACT AMOUNT NOT TO EXCEED \$62,288 FOR MATANUSKA-SUSITNA BOROUGH PUBLIC SAFETY BUILDINGS OVERHEAD DOOR REPLACEMENTS.

Ms. McGehee read the above legislation into the record.

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

VOTE: The motion passed without objection.

- a. Resolution Serial No. 04-159: A RESOLUTION RECOMMENDING THAT A COOPERATIVE MASTER PLANNING EFFORT BE UNDERTAKEN BY THE STATE OF ALASKA, UNIVERSITY OF ALASKA, AND THE MATANUSKA-SUSITNA BOROUGH FOR THE STATE, UNIVERSITY, AND BOROUGH LAND, INCLUDING THE KEPLER-BRADLEY LAKES STATE RECREATION AREA, CREVASSE MORaine TRAIL SYSTEM AREA, MAT-SU COLLEGE, AND AGRICULTURAL EXPERIMENTAL STATION AREAS.

*(Sponsors: Assemblymembers Kvalheim and Colver)*

- (1) IM No. 04-270

MOTION: Assemblymember Allen moved to adopt Resolution Serial No. 04-159.

Assemblymember Allen:

- discussed the master planning efforts with the University of Alaska;
- referred to the letter from University of Alaska in the red folder;
- stated that the University of Alaska does not want to be included in the master planning efforts at this time; and
- opined that the Borough should not include them in the master planning efforts as a result of the request from the University of Alaska.

Assemblymember Vehrs inquired if the Borough has scheduled a meeting with the University of Alaska.

Mr. Swanson advised that a meeting has been scheduled for December 17, 2004.

Assemblymember Vehrs inquired if this resolution is only recommending and encouraging that the University of Alaska be a part of the master planning efforts.

Mr. Swanson affirmed that the resolution only recommends and encourages the University of Alaska to participate in the master planning efforts.

Assemblymember Kvalheim spoke in support of Resolution Serial No. 04-159.

Discussion ensued regarding the University of Alaska's participation in the master planning efforts.

**MOTION:** Assemblymember Simpson moved to postpone Resolution Serial No. 04-159 to a time certain of January 4, 2005.

**VOTE:** The motion to postpone to a time certain passed without objection.

- d. Resolution Serial No. 04-162: A RESOLUTION ESTABLISHING A COUNCIL ON ECONOMIC POLICY. (*Sponsor: Assemblymember Allen*)  
(1) IM No. 04-295

**MOTION:** Assemblymember Vehrs moved to adopt Resolution Serial No. 04-162.

Assemblymember Vehrs:

- spoke regarding placing additional work on staff; and
- spoke in opposition to Resolution Serial No. 04-162.

Assemblymember Kvalheim spoke in opposition to Resolution Serial No. 04-162.

Assemblymember Allen:

- stated that it is very important to establish a council on economic policy;
- noted that the Assembly recently experienced a difficult and strenuous process with coal bed methane;
- stated that if the Borough had a council on economic policy they would not have had as many difficulties with the coal bed methane issue; and
- discussed the importance of creating long-term jobs within the Borough and developing an economy that is sustainable.

Discussion ensued regarding establishing a council on economic policy.

*(Resolution Serial No. 04-162 continued on pp. 16 of 19)*

*(The regular meeting recessed at 6:55 p.m. and reconvened at 7 p.m.)*

**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. 04-181: AN ORDINANCE AMENDING MSB 5.25.060(C), SERVICE AREA NO. 36: TALKEETNA SEWER AND WATER SERVICE AREA, AND AMENDING THE “OPERATING RULES, RATES, AND PROCEDURES FOR THE USE OF SUPPLY OF PUBLIC SEWER AND WATER SYSTEMS IN TALKEETNA, ALASKA.” *(Sponsor: Assemblymember Vehrs)*
  - a. IM No. 04-277

Mr. Shiesl:

- reported that Ordinance Serial No. 04-181 would implement a 25 percent rate increase across the board;
- noted that the Talkeetna Sewer and Water Special Service Area No. 36 Board of Supervisors supports the increase;
- commented that this is the first increase since 1996; and
- discussed the problems that staff has been working on with the Talkeetna Sewer and Water Special Service Area (SSA) No. 36 Board of Supervisors.

Assemblymember Allen inquired how the increase of 25 percent was determined.

Mr. Shiesl replied that the Board felt that 25 percent was a reasonable increase until they could further research the problems that they are experiencing.

Assemblymember Simpson inquired if certain people are required to sign-up within the service area.

Mr. Shiesl affirmed that people within the service area are required to sign-up under certain conditions.

Mayor Anderson opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 04-181: Mr. James Kellard, Talkeetna Sewer and Water SSA No. 36 Board of Supervisors, and Mr. R.G. Denny, Talkeetna Sewer and Water SSA No. 36 Board of Supervisors.

The following person spoke in opposition to Ordinance Serial No. 04-181: Mr. Zack Plumer.

The following person stated that the Borough needed to improve the service provided if they are going to increase the rates: Ms. Ruth Wood.

The following person stated that the problems the Talkeetna Sewer and Water SSA No. 36 is dealing with should be solved before any rate increases are implemented: Mr. Chris Hager.

The following person spoke in support of the 25 percent increase, but spoke in opposition to any additional rate increases that may follow: Ms. Gery Denkwalter.

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

MOTION: Assemblymember Vehrs moved to adopt Ordinance Serial No. 04-181.

Assemblymember Vehrs:

- stated that she has been working with the Board on this issue and has listened to the difficulties they have been experiencing;
- noted that the Board was presented with various rate increases and that they chose the smallest increase; and
- discussed the efforts the Board has made in helping to rectify the problems.

Assemblymember Allen:

- commended the Board and Mr. Shiesl for their work;
- stated that this is a major problem that is only going to get worse;
- spoke to the need for a consultant to research the problem in order to give the Borough an overall report of the entire problem; and
- stated that once the problems have been identified, the Borough can begin to fix them.

Discussion ensued regarding the increased rates and the cost of running the service area.

VOTE: The motion failed with Assemblymembers Woods and Simpson in support.

*(The regular meeting recessed at 7:50 p.m. and reconvened at 8:05 p.m.)*

2. Ordinance Serial No. 04-182: AN ORDINANCE AMENDING MSB TITLE 24, TO CHANGE FEES, AND AMENDING MSB 24.15 TO ADD A PROVISION ON EUTHANASIA.
  - a. Resolution Serial No. 04-153: A RESOLUTION REVISING THE ANIMAL CARE AND REGULATION SHELTERS FEE SCHEDULE. *(Sponsor: Assemblymember Vehrs)*
    - (1) IM No. 04-252

Mr. Brodigan provided a staff report.

Mayor Anderson opened the public hearing.

The following person spoke to only using euthanasia in extreme circumstances: Mr. Zack Plumer.

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

**MOTION:** Assemblymember Vehrs moved to adopt Ordinance Serial No. 04-182 and Resolution Serial No. 04-153.

**MOTION:** Assemblymember Vehrs moved a primary amendment to Ordinance Serial No. 04-182, MSB 24.15.080(C), to strike, “or an officer certified in euthanasia training from a nationally recognized course and trained by a licensed veterinarian and approved by the Chief Animal Care and Regulation Officer.”

Assemblymember Vehrs spoke to the amendment.

**VOTE:** The primary amendment passed without objection.

Assemblymember Vehrs:

- stated that the Borough has made great strides to foster or rescue animals that are adoptable so that they do not have to be euthanized; and
- recommended that people become involved in a local rescue group.

**VOTE:** The motion as amended passed without objection.

3. Ordinance Serial No. 04-183: AN ORDINANCE ACCEPTING AND APPROPRIATING \$16,500 FROM THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION, STATE HISTORIC PRESERVATION OFFICE, TO FUND 480, PROJECT NO. 20354, TO CREATE A PLAN WITH GUIDELINES FOR PROTECTING THE PALMER HISTORIC DISTRICT.

a. Resolution Serial No. 04-146: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE AMOUNT OF \$16,500 FOR RESEARCH, COORDINATION, AND PRODUCTION OF GUIDELINES ON PRESERVATION TREATMENT OF BUILDINGS FOR THE PROTECTION OF THE PALMER HISTORIC DISTRICT.

(1) IM No. 04-262

Mr. O’Brien provided a staff report.

Mayor Anderson 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 Allen moved to adopt Ordinance Serial No. 04-183 and Resolution Serial No. 04-146.

**VOTE:** The motion passed without objection.

4. Ordinance Serial No. 04-185: AN ORDINANCE AMENDING MSB 4.28; ENHANCED E-911 ADVISORY BOARD, TO PROVIDE FOR WAIVER OF RESIDENCY REQUIREMENTS FOR BOARD MEMBERS.
  - a. IM No. 04-264

Mr. Brodigan provided a staff report.

Mayor Anderson opened the public hearing.

The following person spoke to other boards that may want to implement the waiver of residency requirements: Ms. Gery Denkwalter.

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

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 04-185.

VOTE: The motion passed without objection.

5. Ordinance Serial No. 04-186: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$9,513 INTERLIBRARY COOPERATIVE GRANT FROM THE STATE OF ALASKA, DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT, DIVISION OF LIBRARIES, ARCHIVES, AND MUSEUMS TO FUND 440, PROJECT NO. 20355, FOR THE RUSSIAN LANGUAGE READING PROGRAM, PHASE II, AT THE WILLOW PUBLIC LIBRARY.
  - a. Resolution Serial No. 04-147: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE RUSSIAN LANGUAGE READING PROGRAM, PHASE II, AT THE WILLOW PUBLIC LIBRARY.
    - (1) IM No. 04-265

Mayor Anderson 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 Vehrs moved to adopt Ordinance Serial No. 04-186 and Resolution Serial No. 04-147.

Assemblymember Vehrs:

- noted that there is a large Russian population in Willow; and
- spoke in support of the legislation.

Assemblymember Woods spoke in support of the legislation.

VOTE: The motion passed without objection.

6. Ordinance Serial No. 04-187: AN ORDINANCE ADOPTING MSB 17.64, ESTABLISHING A CONDITIONAL USE PERMIT FOR WASTE INCINERATORS.  
(Sponsor: Assemblymember Kvalheim)
- a. IM No. 04-271

Mr. O'Brien provided a staff report.

Mayor Anderson 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 Kvalheim moved to adopt Ordinance Serial No. 04-187.

Assemblymember Kvalheim spoke in support of the legislation.

Assemblymember Simpson:

- noted that the only existing waste incinerator is in her area;
- noted that she has not heard very many public comments from her constituents regarding waste incinerators; and
- stated that there is a need to regulate waste incinerators.

MOTION: Assemblymember Simpson moved a primary amendment to Ordinance Serial No. 04-187, MSB 17.64.020 to add subsection (C) to read, "This chapter shall not apply to fireplace, woodstoves, or wood pellet stoves used for building heating purposes, nor shall it apply to barrels used for burning garbage, yard waste, and other household-type wastes typically generated by a residence or small business."

VOTE: The primary amendment passed without objection.

VOTE: The motion as amended passed without objection.

7. Ordinance Serial No. 04-189: AN ORDINANCE APPROVING AN APPROPRIATION OF \$35,000 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO PROJECT NO. 45152, FUND 405, TO SUPPLEMENT THE PURCHASE OF A PUMPER/TANKER VEHICLE AND RELATED EQUIPMENT.
- a. Resolution Serial No. 04-148: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 45152, TO FUND 405, TO PURCHASE A PUMPER/TANKER VEHICLE AND RELATED EQUIPMENT FOR THE MEADOW LAKES FIRE SERVICE AREA.
- (1) IM No. 04-276

Mr. Brodigan provided a staff report.

Mayor Anderson 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 Vehrs moved to adopt Ordinance Serial No. 04-189 and Resolution Serial No. 04-148.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person thanked the Assembly and Mayor Anderson for their support of House Bill 303: Mr. James Skinner.

The following person thanked Assemblymember Vehrs and the Assembly for their support on the Su-Valley roof problems: Ms. Mandy Jo Hartley.

The following person spoke regarding the public notice on land disposals in the Borough and discussed the need for a cost benefit analysis: Ms. Becky Long.

The following person thanked the Borough for the Community Enrichment Program: Ms. Kathleen Flemming.

The following person spoke regarding the value of the lakes on the east side of Chulitna: Mr. Jok Bondarant.

The following person thanked the Assembly and the Borough staff for the Community Enrichment Program and for the part-time parks and recreation employee, Vern Williams: Ms. Ruth Wood.

There being no others who wished to speak, Mayor Anderson closed audience participation.

*(Resolution Serial No. 04-162, continued from pp. 10 of 19)*

MOTION: Assemblymember Allen moved to postpone Resolution Serial No. 04-162 to a time certain of January 4, 2005.

Assemblymember Allen spoke to he reasons for requesting postponement.

Assemblymember Kvalheim spoke in opposition to postponing Resolution Serial No. 04-162.

Assemblymember Vehrs spoke in opposition to postponing Resolution Serial No. 04-162.

VOTE: The motion to postpone failed with Assemblymembers Allen, Simpson, and Woods in support.

Assemblymember Vehrs:

- stated that she would like to see the management review audit completed before implementing this council; and
- encouraged members of organizations to attend the Assembly meetings and to provide input on economic development in the Borough.

Assemblymember Allen emphasized the importance of the legislation.

VOTE: The main motion failed with Assemblymembers Woods and Allen in support.

## C. MAYORAL NOMINATIONS AND APPOINTMENTS

### 1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Animal Care and Regulation Board

Judith Masteller

Library Board

Kevin Fitzgerald

Virginia Robson

Local Emergency Planning Committee

Beatrice Adler

Clint Vardeman

Dennis Casanovas

Talkeetna Flood Control Service Area No. 7

Robert Gerlach

Mayor Anderson requested the following confirmations:

Emergency Medical Services Board

Dennis Johnston

Nancy Johnston

Local Emergency Planning Committee

Resignation of Jim Moody

Senior Citizen Advisory Board

Resignation of Wanda Murphy

Caswell Lakes RSA No. 15

Resignation of Lowell Swift

Greater Butte RSA No. 26

Arthur Quaas

Greater Talkeetna RSA No. 29

John Strassenburgh

Greater Willow RSA No. 20

Ralph Oakley

Knik RSA No. 1

Bruce Braden

Meadow Lakes RSA No. 27  
Jeanne Jones  
Chase Trail SSA No. 134  
Margaret "Peg" Foster  
Circle View and Stampede Estates Flood and Water Erosion Control SSA No. 131  
Duward Cannon, Jr.

**MOTION:** Assemblymember Kvalheim moved to confirm the Mayor's appointments and resignations up for confirmation this evening.

**VOTE:** The motion passed without objection.

**D. OTHER NEW BUSINESS**

*(There was no other new business.)*

**X. RECONSIDERATION**

*(There were no reconsiderations presented.)*

**XI. VETO**

*(There were no vetoes presented.)*

**XII. EXECUTIVE SESSION**

*(There was no executive session held.)*

**XIII. MAYOR AND ASSEMBLY COMMENTS**

Assemblymember Simpson:

- congratulated the Borough for the awards that they received; and
- thanked Mr. O'Brien for providing the spreadsheet with Ordinance Serial No. 04-187.

Assemblymember Woods:

- stated that it is great to be in Talkeetna; and
- spoke to the lengthy timeframe for purchasing the command vehicle for the Butte Fire Service Area.

Assemblymember Allen thanked the community of Talkeetna for their hospitality.

Assemblymember Vehrs:

- asked Mr. Shiesl to prepare an action plan for the Talkeetna Sewer and Water SSA No. 36;
- requested that Ms. McGehee place the action plan on the tracking report;

- thanked the members of the community for the hard work; and
- thanked Mr. Brodigan for the work he has done with animal care and regulation.

Assemblymember Kvalheim thanked the members of the community for attending the meeting.

Mayor Anderson:

- introduced the new Assistant Manager, Marian Romano;
- stated that the Borough will get the Talkeetna Sewer and Water SSA No. 36 problem solved; and
- thanked the community of Talkeetna for their hospitality.

#### **XIV. ADJOURNMENT**

The regular meeting adjourned at 9:10 p.m.

**/s/**

\_\_\_\_\_  
TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

**/s/**

\_\_\_\_\_  
MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: December 7, 2004