

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on November 19, 2014, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Larry DeVilbiss.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Jim Sykes, Assembly District No. 1
Mr. Matthew Beck, Assembly District No. 2
Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)
Mr. Steve Colligan, Assembly District No. 4
Mr. Dan Mayfield, Assembly District No. 5
Mr. Jim Colver, Assembly District No. 6 (*arrived at 7:24 p.m.*)
Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Moosey, Borough Manager
Mr. George Hays, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Assistant Clerk
Ms. Tammy Clayton, Finance Director
Mr. Terrance Dolan, Public Works Director
Ms. Eileen Probasco, Planning and Land Use Director
Mr. Dennis Brodigan, Emergency Services Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Eric Phillips, Community Development Director
Mr. Michael Brown, Capital Projects Director
Mr. Eric Wyatt, Information Technology Director
Ms. Amy Bohmbach, Administrative Assistant I

III. APPROVAL OF AGENDA

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

Mr. Moosey advised that Colaska had requested that Ordinance Serial No. 14-129 be postponed until February, 2015.

Mayor DeVilbiss:

- stated that postponements could be done when the legislation is taken up; and

- noted for the public that all public hearings on the agenda will be held before the legislation is postponed.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Dr. Sabrieta Holland, a member of the Animal Care and Regulation Board.

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 10/14/14
- B. Special Assembly Meeting: 10/21/14
- C. Regular Assembly Meeting: 10/21/14
- D. Special Assembly Meeting: 10/28/14
- E. Joint Assembly/Planning Commission Meeting: 10/28/14

Mayor DeVilbiss inquired if there were any corrections to the special meeting minutes of October 14, 2014, the special meeting minutes October 21, 2014, the regular meeting minutes of October 21, 2014, the special meeting minutes of October 28, 2014, or the joint Assembly/Planning Commission meeting minutes of October 28, 2014.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There were no reports provided.)

2. Matanuska-Susitna Borough School District

(There was no report provided.)

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Beck:

- noted that all school bond projects are on schedule;
- spoke to a survey that was sent out to parents with two different school schedules in order to determine which parents prefer;

- stated that there has been a lot of input, with 1,500 replies that included recommendations; and
- commended the School District for that work.

2. Joint MSB Assembly/MOA Assembly Transportation Subcommittee

Assemblymember Colligan:

- noted that the joint committee has not met recently;
- spoke to the joint meeting of the Borough and the Municipality of Anchorage;
- noted the differences in the way the two municipalities conduct business;
- related that there was a lot of discussion regarding transportation needs;
- opined that Anchorage needs to bring their transportation plan needs for discussion with the Borough;
- advised that the joint meeting went well, with a lot of engaging conversation;
- spoke to the Eagle River hill reconstruction that is occurring;
- advised that it is only partially funded and that Anchorage has requested Borough support of that project;
- spoke to the discussion regarding the possibility of consolidating public transportation; and
- opined that the discussion regarding the port and the rail was good to have.

3. Assembly Public Relations

Assemblymember Beck:

- spoke to the Ad Hoc committee regarding agriculture; and
- thanked staff for attending the meeting.

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. Donlin Gold Status Report – Mr. Kurt Parkan

Mr. Kurt Parkan of Donlin Gold, reported on the activities of the company.

4. Summer Road Project Update

Mr. Terry Dolan, Public Works Director, provided an update regarding road projects that were worked on over the summer.

Mr. Moosey:

- noted that the summer construction season went very well;
- spoke to the need to earn the trust of residents by completing bond projects on time;
- opined that staff has done a good job of working together to make that happen;
- spoke to recent awards that staff and the Borough have received; and

- stated that there are 31 parcels for sale through Land Management, which will provide revenue for the Borough.

D. ATTORNEY COMMENTS

Mr. Spiropoulos:

- noted that at the Attorney's conference in Anchorage, the company Uber hired people to lobby on their behalf;
- stated that he was advised that their company would be making contact with the Borough soon;
- advised that the Borough does not have a transportation regulation ordinance;
- noted that as a second class borough there is only so much that can be regulated;
- noted that possibly the Assembly would like to discuss this in the near future;
- related that legislative budgetary restrictions were also a topic of discussion at the conference;
- stated that oral argument was June 3 for the Ketchikan Gateway Borough versus the State of Alaska regarding education funding and the required local contribution;
- advised that Ketchikan is taking the position that they will prevail;
- noted the next legislative session the mandatory local contribution law will no longer exist, if they do prevail;
- related that an appeal of that decision could take up to a year before it is resolved;
- stated that he will keep the Assembly informed on the status;
- spoke to the need to discuss the recently enacted Alaska State marijuana initiative;
- spoke to the need to monitor how the Legislature will proceed with implementation;
- stated that he would make a presentation to the body at the next meeting; and
- stated that the oral argument for the Ray DeVilbiss versus the Borough lawsuit is next Monday.

E. CLERK COMMENTS

Ms. McKechnie spoke regarding the upcoming meeting schedule.

MOTION: Assemblymember Mayfield moved to schedule a planning session for January 17, 2015, at 9 a.m.

MOTION: Assemblymember Mayfield moved a primary amendment by striking "January 17" and inserting "January 24" in its place.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

MOTION: Assemblymember Mayfield moved to schedule a meeting for December 4, 2014, to discuss the procedures for appointing someone to fill the eventual vacancy of the Assembly District 6 seat.

MOTION: Assemblymember Beck moved a primary amendment by striking “December 4” and inserting “December 2, at 4 p.m.”

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Aviation Advisory Board: Resolution Serial Nos. 14-004, 14-005
- b. Caswell FSA Board Of Supervisors: 05/14/14
- c. Emergency Medical Services Board: 02/05/14
- d. Enhanced 911 Advisory Board: 06/10/14
- e. Greater Butte RSA Board Of Supervisors: 01/09/14
- f. Greater Talkeetna RSA Board Of Supervisors: 07/10/14
- g. Greater Willow RSA Board Of Supervisors: 06/26/14
- h. Local Emergency Planning Committee: 06/18/14
- i. Local Road Service Area Advisory Board: 08/21/14, Resolution Serial No. 14-05
- j. MSB Fish and Wildlife Commission: 05/22/14
- k. Parks, Recreation, and Trails Advisory Board: 07/28/14
- l. Planning Commission: 09/15/14, Resolution Serial Nos. 14-18 (AM), 14-25, 14-28, 14-30, 14-32
- m. Port Commission: 07/21/14
- n. Transportation Advisory Board: 08/27/14
- o. Wastewater and Septage Advisory Board: 05/13/14, Resolution Serial Nos. 14-01, 14-02, 14-03, 14-04, 14-05, 14-06
- p. West Lakes FSA Board of Supervisors: 05/12/14

2. Community Council Minutes:

- a. Big Lake Community Council: 07/08/14, Resolution Serial No. 14-103
- b. Chase Community Council: 04/03/14
- c. Lazy Mountain Community Council: 04/10/14
- d. Meadow Lakes Community Council: 07/07/14, 07/09/14, 08/08/14, 08/13/14
- e. Trapper Creek Community Council: 07/17/14
- f. Willow Area Community Organization: 03/03/14, 04/07/14, 05/05/14, 06/02/14, 07/07/14, 08/04/14

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

G. INFORMATIONAL MEMORANDUMS

- 1. **IM No. 14-144:** Reporting Of Conclusion Of Contract For Bid No. 14-116B And 14-117B To Alaskan Industries, Inc. For Multi-Purpose Room Flooring Replacement At

Five Schools And Multi-Purpose Room Flooring Replacement At Four Schools, Project Nos. 40178 And 40186, For The Final Contract Amounts Of \$364,800 And \$396,400.

The informational memorandum was presented and no comments were noted.

VII. UNFINISHED BUSINESS

A. **Ordinance Serial No. 14-119:** An Ordinance Approving A Supplemental Appropriation Of \$450,000 From The Wasilla-Lakes Fire Service Area Fund Balance, Fund 250, To The Fiscal Year 2015 Wasilla-Lakes Fire Service Area Operating Budget, Fund 250, For Wages And Benefits For Four New Permanent Fire Service Captain Positions.

1. IM No. 14-175

MOTION PENDING: Assemblymember Colligan moved to adopt Ordinance Serial No. 14-119.

Mr. Moosey requested that the legislation be amended by striking the last whereas clause in its entirety.

MOTION: Assemblymember Colligan moved a primary amendment to Ordinance Serial No. 14-119, by striking the last whereas clause in its entirety, which reads: "WHEREAS, the FFII/Captain positions will be employees who supervise other supervisory employees, these positions will be "exempt" from the MSBEA Bargaining Unit as per Borough Code 2.52.653."

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

VIII. VETO

(There were no vetoes presented.)

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

IX. SPECIAL ORDERS

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. 14-129:** An Ordinance Approving The Colaska, Inc. Application To Purchase The Development Rights On 213.05 Acres Of Agricultural Rights Only

- Property Purchased By Colaska, Inc. For Gravel And Fill Extraction (MSB001878).
- a. IM No. 14-183

Mayor DeVilbiss opened the public hearing.

The following persons spoke in opposition to Ordinance Serial No. 14-129: Ms. Elsa Billingham and Mr. Bud Smith

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 14-129.

MOTION: Assemblymember Halter moved a primary amendment to Ordinance Serial No. 14-129, as follows:

- by inserting at the end of the title “and appropriate the proceeds into an account to purchase agricultural land;” and
- by inserting a number 5 to read “5. All proceeds in the amount of \$7,561 per acre and the total amount of \$1,610,871.05 for the 213.05 acre parcel be used solely by the Borough to purchase like or better land designated agricultural land to promote agriculture.”

MOTION: Assemblymember Colligan moved to postpone Ordinance Serial No. 14-129 to a time certain of February 17, 2015.

MOTION: Assemblymember Sykes moved a primary amendment by striking “February 17, 2015” and inserting “April 7, 2015.”

(Assemblymember Colver entered the meeting at 7:24 p.m.)

VOTE: The primary amendment passed with Assemblymembers Colver and Halter opposed.

VOTE: The motion to postpone passed as amended without objection.

2. **Resolution Serial No. 14-102:** A Resolution Approving An Application To Relocate The Big Lake Lodge Beverage Dispensary License In The Unincorporated Area Of The Borough To Palmer City Alehouse Within The Incorporated Limits Of The City Of Palmer.

- a. IM No. 14-232

Mayor DeVilbiss 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 Beck moved to adopt Ordinance Serial No. 14-102.

VOTE: The motion passed without objection.

Mayor DeVilbiss queried if there was any objection to taking up public hearing nos. 3 and 4 together.

There was no objection noted.

3. **Ordinance Serial No. 14-139:** An Ordinance Confirming The Assessment Roll For The Dusk Lake Estates Natural Gas Local Improvement District No. 532 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
 - a. **Ordinance Serial No. 14-140:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$79,000 Principal Amount Of Special Assessment Bonds For The Dusk Lake Estates Natural Gas Local Improvement District No. 532, And Fixing Details Of Said Bonds.
 - (1) IM No. 14-234
4. **Ordinance Serial No. 14-142:** An Ordinance Confirming The Assessment Roll For The West Carpenter Lake Road Natural Gas Local Improvement District No. 542 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
 - a. **Ordinance Serial No. 14-143:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$132,000 Principal Amount Of Special Assessment Bonds For The West Carpenter Lake Road Natural Gas Local Improvement District No. 542, And Fixing Details Of Said Bonds.
 - (1) IM No. 14-236

Mayor DeVilbiss 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 Mayfield moved to adopt Ordinance Serial Nos. 14-139, 14-140, 14-142 and Ordinance Serial No. 14-143.

MOTION: Assemblymember Halter called for the question (to stop debate).

VOTE: The motion passed without objection.

VOTE: The main motion passed without objection.

5. **Ordinance Serial No. 14-144:** An Ordinance Repealing MSB 8.32, Electrical Generation Facility Or Power Plant; And Adopting MSB 17.06 Electrical Generating And Delivery Facility.
 - a. IM No. 14-203

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 14-144: Mr. Berkeley Tilton, MSB 8.32 Review Commission Chair; and Mr. Mark Mastellar, MSB 8.32 Review Commission Board Member.

The following person spoke to concerns with the public process: Mr. Eugene Haberman.

The following person spoke to concerns with the proposed legislation: Mr. Jim Walker.

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

MOTION: Assemblymember Colligan moved to adopt Ordinance Serial No. 14-144.

MOTION: Assemblymember Colligan moved to postpone Ordinance Serial No. 14-144 to a time certain of December 2, 2014.

MOTION: Assemblymember Colver moved a primary amendment by striking "December 2" and inserting "December 16, at 4 p.m." in its place.

VOTE: The primary amendment passed without objection.

VOTE: The motion to postpone passed as amended without objection.

Mayor DeVilbiss queried if there was any objection to taking up public hearing nos. 6 through 10 together.

There was no objection noted.

6. **Ordinance Serial No. 14-145:** An Ordinance Approving An Appropriation Of \$34,552 From Fairview Road Service Area No. 14 Fund Balance, Fund 271, To Fund 410, Project No. 30037, For Fairview Road Service Area No. 14 Capital Projects.
 - a. IM No. 14-213
7. **Ordinance Serial No. 14-146:** An Ordinance Approving An Appropriation Of \$50,000 From Big Lake Road Service Area No. 21 Fund Balance, Fund 277, To Fund 410, Project No. 30043, For Big Lake Road Service Area No. 21 Capital Projects.
 - a. IM No. 14-214
8. **Ordinance Serial No. 14-147:** An Ordinance Approving An Appropriation Of \$26,000 From Meadow Lakes Road Service Area No. 27 Fund Balance, Fund 281, To Fund 410, Project No. 30047, For Meadow Lakes Road Service Area No. 27 Capital Projects.
 - a. IM No. 14-215

9. **Ordinance Serial No. 14-148:** An Ordinance Approving An Appropriation Of \$46,000 From Bogard Road Service Area No. 25 Fund Balance, Fund 279, To Fund 410, Project No. 30045, For Bogard Road Service Area No. 25 Capital Projects.
 - a. IM No. 14-216
10. **Ordinance Serial No. 14-149:** An Ordinance Approving A Reappropriation Of \$21,000 From The Bogard Road Service Area No. 25 Fiscal Year 2015 Operating Budget, Fund 279, To Fund 410, Project No. 30045, For Bogard Road Service Area No. 25 Capital Projects.
 - a. IM No. 14-217

Mayor DeVilbiss 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 Colligan moved to adopt Ordinance Serial Nos. 14-145, 14-146, 14-147, 14-148, and 14-149.

VOTE: The motion passed without objection.

11. **Ordinance Serial No. 14-150:** An Ordinance Amending MSB Title 24, Animal Care And Regulation, By Adopting MSB 24.07, Sled Dogs And Mushing Facilities; And By Amending MSB 24.05.010, 24.05.030, 24.05.060, 24.10.020, And 24.40.050. (*Sponsored by Assemblymember Halter*)
 - a. IM No. 14-220

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 14-150: Ms. Dee Dee Jonrowe; Mr. Jamie Smyth; Mr. Justin High; Ms. Jamiee High; Mr. Michael Baker; Ms. Jamie West, Willow Dog Musers Association; Mr. John Wood, Animal Care and Regulation Board Chair; and Mr. Buzz Smith.

The following person spoke to concerns with portions of the ordinance: Dr. Sabrieta Holland, Veterinarian.

The following person spoke to concerns with enforcement of code: Ms. Patricia Rosnel.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 14-150.

MOTION: Assemblymember Mayfield moved a primary amendment to Ordinance Serial No. 14-150, MSB 24.07.050(B), by striking the words “road” and “street” throughout the paragraph, to read: “It shall be lawful to tether or

fasten sled dogs to a kennel dog truck or dog transport trailer within any right-of-way, trail, trailhead, or public place within the Borough if done in a reasonably safe manner, even if the sled dog has access to that alley,

right-of-way, trail, or public place, notwithstanding any other section of Borough code.”

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

(The meeting recessed at 8:37 p.m. and reconvened at 8:45 p.m.)

12. **Ordinance Serial No. 14-151:** An Ordinance Reappropriating \$1,600,000 For A Portion Of The Fiscal Year 2015 Designated Legislative Grant Projects From The Alaska State Department Of Commerce, Community, And Economic Development, From Fund 400, To Fund 430, State Of Alaska To Provide 50 Percent Matching Funds For Borough Transportation School Access Bonds, Project No. 40201.

a. IM No. 14-222

Mayor DeVilbiss 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 Colligan moved to adopt Ordinance Serial No. 14-151.

VOTE: The motion passed without objection.

13. **Ordinance Serial No. 14-152:** An Ordinance Accepting And Appropriating \$178,281.57 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 2015 Designated Legislative Grant Projects.

a. **Resolution Serial No. 14-103:** 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. 14-223

Mayor DeVilbiss 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 Colligan moved to adopt Ordinance Serial No. 14-152 and Resolution Serial No. 14-103.

VOTE: The motion passed without objection.

14. **Ordinance Serial No. 14-153:** An Ordinance Accepting And Appropriating \$68,420 From The Alaska State Division Of Homeland Security And Emergency Management Grant Program, To Fund 425, Project No. 45158, For Emergency Operation Center Software And Incident Command System Training.
 - a. **Resolution Serial No. 14-104:** A Resolution Approving The Scope Of Work And Budget For The Alaska State Division Of Homeland Security And Emergency Management Grant, Project No. 45158, Fund 425, For Emergency Operation Center Software And Incident Command System Training.
 - (1) IM No. 14-225

Mayor DeVilbiss 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 Colligan moved to adopt Ordinance Serial No. 14-153 and Resolution Serial No. 14-104.

VOTE: The motion passed without objection.

15. **Ordinance Serial No. 14-154:** An Ordinance Accepting And Appropriating \$13,476 For A Portion Of The Fiscal Year 2015 Designated Legislative Grant Projects From The Alaska State Department Of Commerce, Community, And Economic Development For The Soapstone Road Upgrade, Project No. 30044, Fund 410.
 - a. **Resolution Serial No. 14-105:** A Resolution Approving The Scope Of Work And Budget For A Portion Of The Fiscal Year 2015 Designated Legislative Grant Projects From The Alaska State Department Of Commerce, Community, And Economic Development For The Soapstone Road Upgrade Project, Project No. 30044.
 - (1) IM No. 14-226

Mayor DeVilbiss 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 Sykes moved to adopt Ordinance Serial No. 14-154 and Resolution Serial No. 14-105.

VOTE: The motion passed without objection.

16. **Ordinance Serial No. 14-155:** An Ordinance Accepting And Appropriating \$150,000 For A Portion Of The Fiscal Year 2015 Designated Legislative Grant Projects Under \$50,000 From The Alaska State Department Of Commerce, Community, And Economic

Development For The Lazy Mountain, Greater Talkeetna, Fairview, And Greater Butte Road Service Areas, Project Nos. 30041, 30049, 30037, 30046, Fund 410.

- a. **Resolution Serial No. 14-106:** A Resolution Approving The Scope Of Work And Budget For A Portion Of The Fiscal Year 2015 Designated Legislative Grant Projects Under \$50,000 From The Alaska State Department Of Commerce, Community, And Economic Development In The Amount Of \$150,000 For The Lazy Mountain, Greater Talkeetna, Fairview, And Greater Butte Road Service Areas, Project Nos. 30041, 30049, 30037, And 30046.
- (1) IM No. 14-227

Mayor DeVilbiss 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 Sykes moved to adopt Ordinance Serial No. 14-155 and Resolution Serial No. 14-106.

VOTE: The motion passed without objection.

17. **Ordinance Serial No. 14-156:** An Ordinance Authorizing The Borough To Incur Indebtedness In The Principle Amount Of \$3,060,343 From The Alaska State Department Of Environmental Conservation, Clean Water Fund For The Closure Of Central Landfill Cell 2A, Project No. 25052.
- a. **Resolution Serial No. 14-107:** A Resolution Accepting The Scope Of Work And Offer Of Loan Funds In The Amount Of \$3,060,343 From The Alaska State Department Of Environmental Conservation, Clean Water Fund For The Closure Of Central Landfill Cell 2A.
- (1) IM No. 14-228

Mayor DeVilbiss 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 Beck moved to adopt Ordinance Serial No. 14-156 and Resolution Serial No. 14-107.

VOTE: The motion passed without objection.

18. **Ordinance Serial No. 14-157:** An Ordinance Accepting And Appropriating \$7,500 From The Alaska State Department Of Education To Fund 480, Project No. 20364, For Continuing Education Grants At The Big Lake, Sutton, Talkeetna, Trapper Creek, And Willow Public Libraries.

- a. **Resolution Serial No. 14-108:** A Resolution Approving The Scope Of Work And Budget For Continuing Education Grants For The Big Lake, Sutton, Talkeetna, Trapper Creek, And Willow Public Libraries.

(1) IM No. 14-230

Mayor DeVilbiss 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. 14-157 and Resolution Serial No. 14-108.

MOTION: Assemblymember Halter called for the question (to stop debate).

VOTE: The motion passed without objection.

VOTE: The main motion passed without objection.

19. **Ordinance Serial No. 14-158:** An Ordinance Amending MSB 5.25.140, To Adopt A Name Change From Wasilla-Lakes Fire Service Area To Central Mat-Su Fire Service Area And Adopting A Name Change From Wasilla-Lakes Fire Service Area Board Of Supervisors To Central Mat-Su Fire Service Area Board Of Supervisors.

a. IM No. 14-231

Mayor DeVilbiss 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 Colligan moved to adopt Ordinance Serial No. 14-158.

VOTE: The motion passed without objection.

20. **Ordinance Serial No. 14-159:** An Ordinance Amending MSB 15.39.050 And MSB 3.15.215, In Order To Remove Term Limitations For The Board Of Adjustment And Appeals And Board Of Equalization. (*Sponsored By Mayor DeVilbiss*)

a. IM No. 14-233

Mayor DeVilbiss 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 Colligan moved to adopt Ordinance Serial No. 14-159.

MOTION: Assemblymember Mayfield moved to postpone Ordinance Serial No. 14-159 to a time certain of December 2, 2014.

VOTE: The motion to postpone passed without objection.

21. **Ordinance Serial No. 14-160:** An Ordinance Approving Subdivision Of An 80-Acre Parcel Into Two 40-Acre Parcels With Conveyance Pursuant To A Settlement Agreement (MSB000539).
- a. IM No. 14-237

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 14-160: Mr. Rob Wells.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 14-160.

MOTION: Assemblymember Beck moved a primary amendment to Ordinance Serial No. 14-160 as follows:

- In the first whereas clause by striking the words “one containing the home site from the parent parcel” and inserting in its place “each to contain 2.5 acres of the available 5-acre home site with fee simple potential and no agriculture rights only home site;” and
- Inserting the following whereas clause: “Whereas, Title 13 allowed for the purchase of one 5-acre fee simple home site with approval of the Assembly. The two 2.5 acre home sites could be purchased fee simple and subdivided with application and fulfillment of requirements for survey, fair market value appraisal, and appraisal price paid to the Matanuska-Susitna Borough.”

Mayor DeVilbiss queried if there was any objection to taking up the primary amendment for Ordinance Serial No. 14-160, immediately following audience participation.

There was no objection noted.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke to concerns on process: Mr. Eugene Haberman.

The following person spoke to the need for a regional waste water and septage treatment facility: Ms. Helen Munoz.

(Ordinance Serial No. 14-160 continued.)

MOTION: Assemblymember Beck moved a secondary amendment by inserting a new whereas clause at the end to read: “Whereas, provisions shall be made to prohibit any further subdivision and restrict transfer of homesite without concurrent transfer of the parent parcel to the same owner.”

VOTE: The secondary amendment passed without objection.

VOTE: The primary amendment passed as amended without objection.

VOTE: The main motion passed as amended without objection.

D. CONSENT AGENDA

1. RESOLUTIONS

a. **Resolution Serial No. 14-109:** A Resolution Amending The Scope Of Work For Project No. 45066 To Purchase Multi-Purpose, Ultra-High Pressure Response Units For The Central Mat-Su Fire Service Area.

(1) IM No. 14-244

b. **Resolution Serial No. 14-110:** A Resolution Authorizing A Loan Application To The State Of Alaska Department Of Environmental Conservation, Alaska Clean Water Fund, In The Amount Of \$22,000,000 For Design And Construction Of A Septage And Leachate Treatment And Disposal Facility.

(1) IM No. 14-251

2. ACTION MEMORANDUMS

a. **AM No. 14-140:** Authorization To Purchase Five Command And Support Vehicles For Emergency Services From Kendall Ford In The Amount Of \$140,018.

c. **AM No. 14-145:** Award Of Bid No. 15-048B To Phillips Scales, LLC In The Amount Of \$279,249 To Furnish And Install Commercial Scales At The Central Landfill.

d. **AM No. 14-146:** Authorization to Amend Contract No. 14-2447 With Hattenburg, Dilley And Linnell In The Amount Of \$49,160 For Additional Studies And Engineering Services For The Yoder Dike Repair Project, Project No. 75006.

e. **AM No. 14-147:** Approval Of The Destruction Of Ballots From The October 7, 2014, Regular Borough Election.

f. **AM No. 14-148:** Award Of Request For Proposal No. 15-045P In An Amount Not To Exceed \$133,600 To AMC Engineers For Fire Alarm Replacement Design At Wasilla High School, Palmer High School, Burchell High School, Teeland Middle School, Big Lake Elementary School, Larson Elementary School, And The School District Administration Building.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

b. **AM No. 14-143:** Approval Of The Matanuska-Susitna Borough Assembly Meeting Schedule for 2015.

MOTION: Assemblymember Sykes moved to adopt AM No. 14-143.

MOTION: Assemblymember Sykes moved a primary amendment to AM No. 14-143, by striking “May 19” and inserting “May 26” in its place and by striking the “June 2” meeting.

VOTE: The primary amendment failed with Assemblymembers Sykes and Colligan in support.

MOTION: Assemblymember Sykes moved a primary amendment to strike the “July 17” meeting.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 12/02/14, Assembly Chambers)

1. **Ordinance Serial No. 14-161:** An Ordinance Approving A Supplemental Appropriation Of \$50,000 From The Greater Willow Road Service Area No. 20 Fund Balance, Fund 276, To The Greater Willow Road Service Area No. 20 Fiscal Year 2015 Operating Budget, Fund 276.

a. IM No. 14-240

2. **Ordinance Serial No. 14-162:** An Ordinance Approving An Appropriation Of \$83,000 From The Midway Road Service Area No. 9 Fund Balance, Fund 270, To Fund 410, Project No. 30036, For The Midway Road Service Area No. 9 Capital Projects.

a. **Ordinance Serial No. 14-163:** An Ordinance Approving A Reappropriation Of \$97,000 From The Midway Road Service Area No. 9 Fiscal Year 2015 Operating Budget, Fund 270, To Fund 410, Project No. 30036, For The Midway Road Service Area No. 9 Capital Projects.

(1) IM No. 14-241

(2) IM No. 14-242

3. **Ordinance Serial No. 14-164:** An Ordinance Appropriating \$60,000 From The Greater Palmer Consolidated Fire Service Area Fund Balance, Fund 259, To Fund 405, Project No. 45071, For The Purchase Of A Wildland Fire Vehicle And Related Equipment.
 - a. **Resolution Serial No. 14-111:** A Resolution Approving The Scope Of Work And Budget For Project No. 45071 For The Purchase Of A Wildland Fire Vehicle And Related Equipment.
 - (1) IM No. 14-245
4. **Ordinance Serial No. 14-165:** An Ordinance Approving An Appropriation Of \$40,000 From The Knik Road Service Area No. 17 Fund Balance, Fund 274, To Fund 410, Project No. 30040, For The Knik Road Service Area No. 17 Capital Projects.
 - a. IM No. 14-247
5. **Ordinance Serial No. 14-166:** An Ordinance Approving A Supplemental Appropriation Of \$10,000 Of Revenues From Public Donations To The Fiscal Year 2015 Animal Care And Regulation Division Operating Budget.
 - a. IM No. 14-248
6. **Ordinance Serial No. 14-167:** An Ordinance Accepting And Appropriating \$600,000 For A Portion Of Grant Funds From The Alaska State Department Of Commerce, Community, And Economic Development For A Willow Fire Service Area Fiscal Year 2015 Designated Legislative Grant Project For Project No. 45282, Fund 405.
 - a. **Resolution Serial No. 14-112:** A Resolution Approving The Scope Of Work And Budget For A Portion Of The Alaska State Department Of Commerce, Community, And Economic Development Grant For Willow Fire Service Area Project No. 45282.
 - (1) IM No. 14-250
7. **Ordinance Serial No. 14-168:** An Ordinance Amending MSB 2.71.100, MSB 4.05.040 And MSB 25.15.050(C) To Add A Requirement That Municipal Officials, Candidates For Elective Office And Applicants To Boards And Commissions Disclose Civil And Criminal Judgments Which Are Less Than 10 Years Old. *(Sponsored By Assemblymember Mayfield)*
 - a. IM No. 14-252

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Arvin moved to introduce the legislation as read into the record by the Clerk and set the public hearings for December 2, 2014.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmations:

Health and Social Services Board
Carol Koliadko
Trapper Creek RSA No. 30
Earl Boone
Circle View & Stampede Estates Flood & Water Erosion Control No. 131
Claire Mothershead

Mayor DeVilbiss has the following under consideration:

Aviation Advisory Board
Patrick Martin
Michael Pannone
Mark Stigar
Board of Adjustment and Appeals
H. Paul Campbell
Board of Equalization
David Heier
Read Dunn
Edna DeVries
Board of Ethics
Dan Kennedy
Emergency Medical Services Board
Alaina Anderson
Sandra Hoeft
Mia Mangione
Health and Social Services Board
Judy Gette
Victoria Knapp
Jennifer Burkmire
Library Board
Veronica Cavanaugh
Local Emergency Planning Committee
William Morrow
Linda Russell
MSB Fish and Wildlife Commission
Jennifer Ehmann
Office of Administrative Hearings
Karen Jennings
Parks, Recreation, and Trails Advisory Board
David Palmer
George Brown
Sonya Larkey-Walden
Planning Commission
Vern Rauchenstein
Platting Board
Marty Van Diest

Transportation Advisory Board
Beth Fread
Daniel Elliott
Caswell FSA No. 135
Larry Cline
Greater Palmer Consolidated FSA No. 132
Barry Mothershead
Wasilla-Lakes FSA No. 130
David Eller
West Lakes FSA No. 136
Rae Arno
Willow FSA No. 35
Derral Godbee
Alpine RSA No. 31
George Rauscher
Big Lake RSA No. 21
Jill Parson
Caswell Lakes RSA No. 15
Larry Cline
Fairview RSA No. 14
Richard Buzby
Greater Butte RSA No. 26
Michael Shields
Greater Willow RSA No. 20
Jim Norcross
Meadow Lakes RSA No. 27
Michael Fulton
Midway RSA No. 9
Daniel Tucker
South Colony RSA No. 16
Daniel Monarch

MOTION: Assemblymember Colligan moved to approve the Mayor's appointments up for confirmation this evening.

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS
(There was no other new business.)

D. REFERRALS (For referral to the Planning Commission for 90 days or other date specified by the Assembly)

(There were no referrals presented.)

XI. RECONSIDERATION

A. **Resolution Serial No. 14-073:** A Resolution Approving The State Legislative Priorities For 2015. *(Reconsideration filed by Assemblymember Colver 10/28/14)*

1. IM No. 14-138

MOTION: Assemblymember Colver moved to reconsider Resolution Serial No. 14-073.

VOTE: The motion passed with Assemblymember Halter opposed.

MOTION: Assemblymember Colver moved a primary amendment to Resolution Serial No. 14-073, Consolidated Fleet Services Complex, by striking "\$1 Million" and inserting "\$11 million" in its place.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Halter moved a primary amendment to Resolution Serial No. 14-073, by inserting the following language for the Port MacKenzie Rail Extension Project: "PORT MACKENZIE RAIL EXTENSION - \$120 million - The 32.5 mile rail line extension connecting the Borough's Port MacKenzie to the Alaska Railroad Corporation's (ARRC) existing mainline track near Houston is a joint project of the Borough and ARRC. The project includes a 1.5 mile bimodal loop, one of the longest rail and road loops in Alaska for 100-car trains and semis carrying bulk materials. The rail extension provides an economic transportation route from Interior Alaska to tidewater at Port MacKenzie. Rich mineral deposits locked in the Interior will have a cost effective transportation alternative to trucking. Project cargo, bulk resources, and fuel exports will develop further at Port MacKenzie due to the economies of rail. Although dependent on the funding, the project could be completed as early as 2017. Total project cost is estimated at \$303.5 million. Remaining funds required to complete the project are \$120 million. A breakdown of the request is as follows: estimated \$40 million for segment 2, estimated \$15 million for segment 5, and estimated \$65 million for ballast, ties, rail, and loop."

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

MOTION: Assemblymember Beck moved for reconsideration of AM No. 14-143.

VOTE: The motion passed without objection.

MOTION: Assemblymember Beck moved a primary amendment to AM No. 14-143 by striking "May 19" and inserting "May 26" in its place.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

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

VOTE: The motion passed without objection.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Moosey requested that Chief Steele come forward and introduce the new Deputy Director of Emergency Services.

Chief Steele:

- introduced the new Deputy Director of Emergency Services, Mr. Ken Barkely; and
- spoke to Mr. Barkely's emergency services experience.

Mayor DeVilbiss welcomed Mr. Barkely.

Mr. Spiropoulos announced that Ms. McKechnie is the new president of the Alaska Association of Municipal Clerks (AAMC).

Ms. McKechnie thanked Mr. Spiropoulos for making that announcement.

Assemblymember Colver:

- summarized his past experience in filling a vacancy on the Assembly;
- opined that questions should be determined in advance of the interviews;
- opined that it was a good meeting;
- encouraged members to attend the Alaska Municipal League (AML) conferences; and
- spoke to the many benefits of doing so.

Assemblymember Sykes:

- noted that Ms. Lauren Driscoll, the Borough's Chief of Planning, was awarded Planner of the Year at the Municipal Planner's Conference;
- spoke to having viewed Dike No. 5 at Circle View, which is holding up well;
- spoke to having attended public meetings regarding buyouts along the Matanuska River;
- noted conversations that he has had with the public regarding the stability of Port MacKenzie;
- thanked the Finance Department for correcting an error in which an appropriation was put into the incorrect account;
- requested that funds not be identified by number only, but by title as well;
- spoke to his desire to have the Borough checkbook online;
- opined it was a great meeting; and
- wished the body Happy Thanksgiving.

Assemblymember Colligan:

- noted that many public perceptions regarding Port McKenzie have been inaccurate;
- related that the Borough has worked hard to address the concerns and correct the inaccuracies; and
- reiterated that the joint meeting with the Municipality of Anchorage was a good one.

Assemblymember Mayfield:

- spoke to having attended the AML Conference;
- stated that he learned how important the Clerk is to the Assembly accomplishing the work of the public;
- stated that he appreciates everything he learned at AML;
- spoke to having attended the Planner's meeting in which Ms. Driscoll received her award;
- congratulated the town of Big Lake for an award they received;
- thanked the body for a good meeting; and
- wished the body Happy Thanksgiving.

Assemblymember Beck:

- congratulated Ms. McKechnie on her appointment to president of AAMC;
- welcomed the new Deputy Director of Emergency Services; and
- spoke to the passing of Ms. Annabel Chuwalik.

Assemblymember Halter:

- thanked the body for their support of Ordinance Serial No. 14-150;
- noted that it was important to him;
- spoke to looking forward to learning more regarding electrical generation facilities; and
- stated that he appreciates the input from the public.

Mayor DeVilbiss:


- stated that he is sympathetic to the desire for term limits when eliminating them is suggested;
- noted that it is important to be consistent, as road service areas do not have term limits;
- spoke to having attended a Transportation Coalition meeting;
- noted the discussion regarding the consolidation of transportation services;
- stated that he is receiving a lot of phone calls regarding the newly enacted Alaska State Marijuana initiative;
- noted that he is looking forward to that discussion;
- spoke to the lack of elected officials from all levels at the AML Conference; and
- spoke to the need to keep in contact with State Legislators.

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 10:14 p.m.



LARRY DeVILBISS, Borough Mayor

ATTEST:



LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 12/16/14