I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on December 7, 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
Ms. Cindy L. Bettine, Assembly District No. 5 *(arrived at 6:07 p.m.)*
Mr. Jim Colver, Assembly District No. 6 *(entered telephonically at 7:04 p.m.)*
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. Jeff Dillon, Community Development Manager
Mr. Jim Rowland, Public Works Civil Engineer
Mr. George Rauscher, Construction Inspector Intern
Ms. Sonya Conant, Human Resources Director

III. APPROVAL OF AGENDA

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

MOTION: Assemblymember Ewing moved to take up the executive session for the interim evaluation of the Acting Borough Manager immediately following special orders of the day.

VOTE: The motion passed without objection.

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

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. George Rauscher, Construction Inspector Intern.

V. SPECIAL ORDERS OF THE DAY

A. Animal Care and Regulation Shelter Volunteers

Ms. Gray:
- stated that shelter volunteers are very dedicated to their work;
- spoke to the many projects that the volunteers assist with;
- related that the volunteers average 500 to 1,000 hours per month;
- opined that the volunteer program has been very successful;
- stated that the shelter relies heavily on the assistance of volunteers; and
- presented certificates to Ellen Deiman, Read Dunn, Bonnie Fugimoto, Dawn Isbill, Star Jennings, Julie Johnson, Ashley Kjelland, Kiley McCormick, Ranaye Sinnett, Tucker Smith, Denali Weed, Jennifer Weed, and Maggie Zwolinski.

XII. EXECUTIVE SESSION *(for subjects that tend to prejudice the reputation and character of any person provided the person may request a public discussion or matters immediate public knowledge of which would clearly have an adverse impact upon the finances of the Borough.)*

A. INTERIM EVALUATION OF THE BOROUGH MANAGER

MOTION: Assemblymember Bettine moved to enter into executive session to discuss subjects that tend to prejudice the reputation and character of any person provided the person may request a public discussion. Specifically, to conduct an interim evaluation of the Acting Borough Manager. Those present during the executive session were the members of the Assembly and Ms. Gray.

Deputy Mayor Arvin advised that the Assembly would hold the executive session in the Lower Level Conference Room to allow the public to remain in Assembly chambers.

VOTE: The motion passed without objection and the Assembly entered into executive session at 6:09 p.m.

MOTION: Assemblymember Bettine moved to exit executive session.

VOTE: The motion passed without objection and the Assembly exited executive session at 6:57 p.m.

Assemblymember Bettine stated for the record that the Assembly did not conclude their business in executive session and may enter into executive session later in the meeting.

VI. MINUTES OF PRECEDING MEETINGS

A. Special Assembly Meeting: 11/20/10
B. Regular Assembly Meeting: 11/23/10

Deputy Mayor Arvin inquired if there were any corrections to the special meeting minutes of November 20, 2010, or the regular meeting minutes of November 23, 2010.

Assemblymember Keogh:
- stated that he had voted in opposition to Ordinance Serial No. 10-103, at the November 23, 2010, regular meeting; and
- stated that the minutes from that date indicate that there was no objection noted.

Ms. McKechnie advised that the appropriate changes would be made.

[Clerk's note: the November 20, 2010, minutes were revised to reflect the changes requested by Assemblymember Keogh.]

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

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

X. 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. 10-107: AN ORDINANCE ACCEPTING AND APPROPRIATING A $38,800 COASTAL MANAGEMENT (306 PROGRAM, REQUIRED TASKS) GRANT TO FUND 480, PROJECT NO. 20158, FOR FISCAL YEAR 2011 REQUIRED TASKS.

a. Resolution Serial No. 10-094: A RESOLUTION ESTABLISHING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA COASTAL MANAGEMENT (306 PROGRAM, REQUIRED TASKS) GRANT FOR FISCAL YEAR 2011.

(1) IM No. 10-133

Ms. Nelson 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 Bettine moved to adopt Ordinance Serial No. 10-107 and Resolution Serial No. 10-094.

VOTE: The motion passed without objection.

2. Ordinance Serial No. 10-108: AN ORDINANCE AMENDING MSB 17.02 TO EXEMPT DEVELOPMENT IN THE PORT DISTRICT FROM THE REQUIREMENTS OF THE MANDATORY LAND USE PERMIT.
a. IM No. 10-172

Ms. Nelson and Mr. Hanson provided a staff report.

Deputy Mayor Arvin opened the public hearing.

The following person spoke in support of Ordinance Serial No. 10-108: Ms. Niki Taysom.

The following person spoke to concerns with the permitting process: Mr. Andre Ciostek.

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

MOTION: Assemblymember Bettine moved to adopt Ordinance Serial No. 10-108.

MOTION: Assemblymember Colver moved to postpone Ordinance Serial No. 10-108 to a time certain of February 1, 2011.

Assemblymember Colver:
- stated that he is not in favor of having several different permits within code;
- opined that it should be consistent;
- spoke to concerns with differences in permit types;
- stated that there should be the same set of standards; and
- opined that the legislation should not move forward.

Assemblymember Keogh:
- noted his agreement with Assemblymember Colver;
- stated that he appreciates the efforts to streamline the government process to avoid redundancy; and
- stated that he is not in favor of this legislation.

Assemblymember Ewing stated that he understands that the legislation is only removing redundancies.

Assemblymember Bettine:

- stated that she is conflicted regarding this legislation;
- spoke to being on the Assembly that created the mandatory land use permit;
- opined that the permits are not that difficult to obtain;
- stated that she is not in favor of postponing; and
- queried if the suggested changes to MSB 18.02.010 made during the staff report could be done this evening.

Mr. Spiropoulos stated that no amendment could be made this evening to MSB 18.02.010, as this section of code was not advertised to the public.

Discussion ensued regarding:

- possible postponement of the legislation; and
- different types of permits for land development.

VOTE: The motion to postpone failed with Assemblymembers Keogh, Arvin and Colver in support.

VOTE: The main motion passed with Assemblymember Keogh opposed.

3. Ordinance Serial No. 10-109: AN ORDINANCE ACCEPTING AND APPROPRIATING $174,440 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT PROGRAM, TO FUND 425, PROJECT NO. 45158, FOR EMERGENCY EQUIPMENT AND TRAINING EXPENSES.

a. Resolution Serial No. 10-095: 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 EQUIPMENT AND TRAINING EXPENSES.

(1) IM No. 10-183

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 Bettine moved to adopt Ordinance Serial No. 10-109 and Resolution Serial No. 10-095.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 10-110: AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $27,188 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY

MANAGEMENT, TO FUND 480, PROJECT NO. 45126, TO ALLOW FOR THE CONTINUATION OF THE CITIZEN CORPS PROGRAM.

a. Resolution Serial No. 10-096: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT, FUND 480, PROJECT NO. 45126, TO ALLOW FOR THE CONTINUATION OF THE CITIZEN CORPS PROGRAM.

(1) IM No. 10-184

Mr. Brodigan provided a staff report.

Deputy Mayor Arvin opened the public hearing.

The following person spoke in support of Ordinance Serial No. 10-110 and Resolution Serial No. 10-096: Ms. Niki Taysom.

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

MOTION: Assemblymember Bettine moved to adopt Ordinance Serial No. 10-110 and Resolution Serial No. 10-096.

Assemblymember Ewing:
- stated that these funds will support the Community Emergency Response Team;
- spoke to the funds being well spent on education and training; and
- stated that he supports the legislation.

VOTE: The motion passed without objection.

(The regular meeting recessed at 8:10 and reconvened at 8:27 p.m.)

5. Ordinance Serial No. 10-111: AN ORDINANCE REPEALING MSB 4.45 AND MSB 23.60, REAL PROPERTY ASSET MANAGEMENT BOARD. *(Sponsored by Assemblymember Arvin)*

a. IM No. 10-187

Deputy Mayor Arvin opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 10-111: Mr. Marvin Yoder, Mr. Dick Zoffel, Ms. Kay Slack, Mr. Darcie Salmon, Mr. Dave Cruz, Ms. Lucille Frey, Mr. Paul Campbell, Mr. Patrick O'Connor, and Mr. Mike Alexander.

The following persons spoke to the need for governmental efficiency: Mr. Marty Metiva and Mr. John Klapperich.

The following persons spoke in opposition to Ordinance Serial No. 10-111: Ms. Terry Snyder, Real Property Asset Management Board member; Ms. Bonnie Zirkle; Mr. Bish Buckle, Real Property Asset Management Board Chair; Mr. Andre Ciostek; Ms. Jamey Duhamel; Mr. Dan Elliott, Real Property Asset Management Board; Ms. Jean Holt; Ms. Niki Taysom; and Ms. Kathy Wells, Friends of Mat-Su Director.

The following person spoke to repealing all Borough boards and for the Assembly to bring back the boards that are really needed: Mr. Pio Cottini.

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

MOTION: Assemblymember Bettine moved to adopt Ordinance Serial No. 10-111.

Assemblymember Bettine:
- spoke to the comments regarding redundancy; and
- queried how the Real Property Asset Management Board (RPAMB) might be redundant.

Mr. Dillon:
- stated that the RPAMB looks only at Borough owned land that does not have a direct land use classification;
- related that the Board may assist in the selection of an area for a public safety building;
- stated that the common duplicity that he is aware of is primarily with Recreation Services; and
- further added that recently there was a trail issue that went before the Recreation Services because it was a trail and it also went before the Real Property Asset Management Board as it was Borough owned land.

Deputy Mayor Arvin queried if this issue would also go before the Planning Commission.

Mr. Dillon stated that this issue would not, as it was an issue as to how the trail would be classified.

Assemblymember Keogh:
- spoke to the RPAMB being primarily an advisory board;
- stated that the Land Management Division has been reduced; and
- queried if it is true that there are only four people who manage the 350,000 to 400,000 acres of public lands within the Borough.

Mr. Dillon affirmed the query.

Discussion ensued regarding:

- expense involved to staff the Real Property Asset Management Board;
- functions of the Real Property Asset Management Board;
- staff in the Land Management Division; and
- possibility of reviewing other boards and commissions.

MOTION: Assemblymember Bettine moved to postpone Ordinance Serial No. 10-111 indefinitely.

Assemblymember Bettine:

- stated that with the situation in Land Management right now, that she does not want to get rid of a good sounding board;
- noted that the department no longer has a director and that the parks manager has left;
- stated that she does not want to strap the department even further; and
- noted her agreement to take a look at all Borough boards and commissions.

Assemblymember Colver:

- spoke to the discussion the Assembly had when setting priorities regarding paring down Borough boards and commissions;
- opined that the Assembly needs to review boards that were created within the last 10 years;
- apologized to the volunteers who are on the RPAMB that the Board may be repealed; and
- spoke to the need to prioritize resources and staff time.

Assemblymember Ewing:

- spoke to concerns with the Assembly continually postponing legislation; and
- stated that he is opposed to postponement.

VOTE: The motion to postpone indefinitely failed with Assemblymembers Keogh and Bettine in support.

MOTION: Assemblymember Bettine moved a primary amendment to Ordinance Serial No. 10-111, by inserting the effective date of "April 1, 2011."

Assemblymember Woods opined that the Assembly should adopt the legislation and move forward.

Assemblymember Ewing stated that he is not in support of the amendment.

MOTION: Assemblymember Bettine moved to extend the meeting past 10 p.m. and not to exceed 11 p.m.

VOTE: The motion passed with Assemblymember Halter opposed.

VOTE: The primary amendment failed with Assemblymembers Bettine and Keogh in support.

Assemblymember Halter:

- opined that the repealing of any boards and commissions should be done in a different manner;
- stated that he was in favor of reviewing boards and commissions at budget time; and
- opined that it appears as though there is one board that is being picked on.

Assemblymember Ewing stated that the Assembly should review all of the Borough's Boards and Commissions between now and April 14, 2011.

Deputy Mayor Arvin:

- stated that one of his duties as Deputy Mayor is to review and make recommendations for filling the board vacancies;
- noted that the RPAMB is made up of eleven members with specialized expertise;
- related that the RPAMB has six vacancies;
- spoke to concerns with the Board conducting business without a quorum due to the vacancies;
- stated that he saw it as a Board that was taking no action; and
- requested support for the legislation.

VOTE: The main motion passed with Assemblymembers Keogh, Halter, and Bettine opposed.

(The regular meeting recessed at 10 p.m. and reconvened at 10:12 p.m.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke to overall concerns with the School District: Ms. Niki Taysom.

The following person spoke in support of Resolution Serial No. 10-098: Mr. Ed Strabel.

D. CONSENT AGENDA (Resolution Serial Nos. 10-097, 10-098, 10-101 and AM Nos. 10-101 and 10-107 were pulled from the consent agenda and addressed separately. *See pp. 10-14)*

1. RESOLUTIONS

a. Resolution Serial No. 10-093: A RESOLUTION APPROVING AMENDMENTS TO THE BOROUGHWIDE RECORDS RETENTION SCHEDULE, REVISION NO. 10.

(1) IM No. 10-185

d. Resolution Serial No. 10-099: A RESOLUTION CONSENTING TO THE GENERAL NATURE AND LOCATION OF THE SETTLER'S BAY SHOPPING CENTER PROJECT FUNDED THROUGH THE ALASKA INDUSTRIAL DEVELOPMENT AND EXPORT AUTHORITY.

(1) IM No. 10-191

e. Resolution Serial No. 10-100: A RESOLUTION CONSENTING TO THE LOCATION AND GENERAL NATURE OF THE GOOSE CREEK CORRECTIONAL CENTER WASTEWATER FACILITY PROJECT FUNDED THROUGH THE ALASKA INDUSTRIAL DEVELOPMENT AND EXPORT AUTHORITY.

(1) IM No. 10-194

g. Resolution Serial No. 10-102: A RESOLUTION PROVIDING FOR A POSSIBLE RUNOFF ELECTION FOR THE OFFICE OF MAYOR.

(1) IM No. 10-198

2. ASSEMBLY MEMORANDUMS

b. AM No. 10-106: DESTRUCTION OF BALLOTS FROM THE OCTOBER 5, 2010, BOROUGH REGULAR ELECTION.

d. AM No. 10-109: APPROVAL OF ELECTION OFFICIALS FOR THE JANUARY 11, 2011, BOROUGH SPECIAL ELECTION AND POSSIBLE RUNOFF ELECTION.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

b. Resolution Serial No. 10-097: A RESOLUTION ESTABLISHING FEES AT THE BRETT MEMORIAL ICE ARENA, THE PALMER AND WASILLA POOLS, THE BOROUGH LIBRARIES, BOROUGH GYM, PARK FACILITIES, AND THE COMMUNITY ENRICHMENT PROGRAM.

(1) IM No. 10-141

MOTION: Assemblymember Woods moved to adopt Resolution Serial No. 10-097.

Assemblymember Woods:

- stated that there is a room in the Palmer Library that is not on the fee schedule; and
- queried the reason.

Ms. Gray stated that the Palmer Library is operated by the city of Palmer and not the Borough.

Deputy Mayor Arvin:

- stated that he reviewed all the fees;
- queried what the genesis of the fee increase was;
- stated that a lot of Borough residents use indoor facilities; and
- queried if this is the appropriate time to raise fees in such small increments.

Mr. Dillon:

- stated that historically parks and recreation fees have been free from inception until the 1960's;
- related that the desire to offset property taxes is what brought about charging fees for facilities;
- added that there was a trend for adding fees for specialized services such as ice rinks and swimming pools;
- stated that the Borough tries to keep those fees at a minimum as it affects the citizens ability to recreate;
- related that typically fee increases are reflected in utilities, ice preparation, and heating buildings; and
- stated that outdoor facilities are being kept at the same rate

Discussion ensued regarding:

- increase of fees;
- current fee schedule versus proposed fee schedule;
- minimizing the impact to the residents ability to recreate;
- the positive effects of incremental increases in fees; and
- the possibility of charging fees for trail usage.

MOTION: Assemblymember Halter moved a primary amendment to Resolution Serial No. 10-097, by striking the Kroto Creek Trailhead parking fees.

VOTE: The primary amendment passed with Assemblymembers Keogh, Ewing, and Bettine opposed.

MOTION: Assemblymember Colver moved a primary amendment to Resolution Serial No. 10-097, page 4 of the resolution, parking fees at improved trail heads, to insert the following language after the words "per day/per vehicle": "excepting for school district sanctioned events."

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

c. Resolution Serial No. 10-098: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE 2010 TOURISM INFRASTRUCTURE SURVEY AND GROOMING POOL.

(1) IM No. 10-173

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

Assemblymember Halter queried whether or not this was retroactive.

Mr. Dillon affirmed the query.

MOTION: Assemblymember Colver moved a primary amendment to Resolution Serial No. 10-098, by inserting $10,000 for trail grooming, with the funds being provided out of the bed tax funds from fiscal year projects.

Assemblymember Bettine:
- stated that she does not support the amendment;
- opined that additional funds should not be spent;
- spoke to developing new trails and creating destinations within the Borough and to improve infrastructure; and
- related that she may support an amendment at a later time.

Assemblymember Colver:
- opined that this serves a need;
- spoke to upcoming functions that are bringing in bed tax;
- stated that the formula was adjusted in order to provide more funding to the Mat-Su Convention and Visitors Bureau;
- pointed out that there was $50,000 in funds for grooming last year; and
- opined that the funds would lapse back into the fund if not used.

Ms. Clayton:
- stated that the funds cannot be transferred in this manner; and
- related that legislation would need to come back before the Assembly with appropriations and to approve the scope of work.

Discussion ensued regarding:
- locating funds;
- what projects may have remaining funds;
- the possibility of Administration bringing back legislation to appropriate funds; and
- how trails are groomed in the winter.

VOTE: The primary amendment failed with Assemblymembers Halter, Colver and Arvin in favor.

VOTE: The main motion passed as amended without objection.

f. Resolution Serial No. 10-101: A RESOLUTION APPROVING THE FEDERAL PRIORITIES FOR THE MATANUSKA-SUSITNA BOROUGH FOR THE YEAR 2011.1

(1) IM No. 10-196

MOTION: Assemblymember Bettine moved to adopt Resolution Serial No. 10-101.

MOTION: Assemblymember Bettine moved to postpone Resolution Serial No. 10-101 to a time certain of December 14, 2010.

Assemblymember Bettine:

- spoke to the meeting scheduled for December 14, 2010; and
- opined it would be beneficial to the Assembly to address it at that time.

VOTE: The motion passed without objection.

2. ASSEMBLY MEMORANDUMS

a. AM No. 10-101: APPROVAL OF THE ROAD MAINTENANCE AND REPAIR CAPITAL PROJECTS FOR THE SUMMER OF 2011.

MOTION: Assemblymember Colver moved to adopt AM No. 10-101.

MOTION: Assemblymember Colver moved a primary amendment to AM No. 10-101, to Bogard Road Service Area No. 25, by inserting $10,000 for street lights in Kings Ridge Subdivision, numbering this as project no. 7 and to renumber the remaining projects accordingly.

Assemblymember Colver:

- stated that this will facilitate safety at bus stops; and
- further added that he would be remiss in representing his constituents if he did not address this issue.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

b. AM No. 10-107: APPROVAL OF A CONTRACT AMENDMENT (CHANGE ORDER) TO DOWL HKM, IN THE AMOUNT OF $315,205 FOR THE BOGARD ROAD EXTENSION EAST DESIGN SERVICES, PROJECT NO. 06-134.

MOTION: Assemblymember Ewing moved to adopt AM No. 10-107.

Assemblymember Ewing:

- spoke to concerns with change orders; and
- stated that he is not in support of the legislation.

Assemblymember Colver:

- stated that he thought the Assembly had seen the last of change orders for this project;
- spoke to concerns with the cost; and
- opined that the Assembly needs a work session regarding the Bogard Road Extension project prior to any additional funds being expended.

MOTION: Assemblymember Ewing moved to suspend the rules to extend the meeting past 11 p.m. and not to exceed 11:20 p.m.

VOTE: The motion passed without objection.

Deputy Mayor Arvin:

- spoke to the reasons for change orders on this project;
- spoke to concerns to a recent change order the Assembly approved within the last six weeks for the same project; and
- queried if it would delay the project should the Assembly postpone this legislation.

Mr. Rowland stated that the last change order for this project was in December 2009.

Deputy Mayor Arvin stated that it seems like the last change order was more recent than that.

Assemblymember Bettine queried if the funds had been expended.

Mr. Rowland stated that they had not.

Assemblymember Bettine queried the timeframe in which the funds are needed.

Mr. Rowland stated that it would be nice to have the funds now; however it would not stop the project.

Assemblymember Colver requested that Mr. Rowland speak to the scope of work.

Mr. Rowland:

- stated that since the last change order that most of 2010 has been spent on right-of-way acquisition;
- related that there are 34 parcels, of which 12 have been acquired;
- stated that the intent is to have the right-of-way acquisition completed by April of 2011;
- noted that the design phase is approximately 95 percent complete; and
- stated that with these funds the project could be wrapped up.

Assemblymember Bettine:

- opined that the Assembly should adopt the legislation in order to keep the project going forward; and
- noted the work session scheduled on this issue for February 1, 2011.

VOTE: The motion passed with Assemblymember Ewing opposed.

MOTION: Assemblymember Colver moved to suspend the rules to take up Resolution Serial No. 10-078 next.

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

1. MOTION TO AMEND SOMETHING PREVIOUSLY ADOPTED

a. Resolution Serial No. 10-078: A RESOLUTION APPROVING STATE PRIORITIES FOR THE MATANUSKA-SUSITNA BOROUGH FOR THE CALENDAR YEAR 2011. *(Adopted October 19, 2010)*

(1) IM No. 10-160

MOTION: Assemblymember Keogh moved a primary amendment to Resolution Serial No. 10-078, by inserting the Port MacKenzie Dock expansion to the list of priorities in the amount of $10,000,000.

MOTION: Assemblymember Halter moved a secondary amendment to insert the Port MacKenzie Dock Expansion project immediately following substandard roads and bridges on the list.

Assemblymember Colver:

- noted his objection to secondary amendment; and
- opined that it should be added to the end of the list in order to allow smaller projects a chance to be seen.

Deputy Mayor Arvin stated that the Assembly did not prioritize the list.

Assemblymember Bettine stated that she does not have a preference as to where the project is placed on the list as long as it is there.

VOTE: The secondary amendment failed with Assemblymembers Bettine, Halter, and Woods in support.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Colver moved a primary amendment to Resolution Serial No. 10-078, by striking "$1,500,000 for Lucille/Seldon intersection improvement" and inserting in its place "$7,000,000 to improve Lucille Street from Spruce Street to North Seldon intersection, to improve the Lucille/Seldon intersection, and to upgrade portions of Seldon."

Assemblymember Keogh opined that in light of the extensive discussion on the legislation, that the Assembly should use the list as currently amended.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Bettine moved to suspend the rules to extend the meeting past 11:20 p.m. and not to exceed 11:30 p.m.

VOTE: The motion passed without objection.

Deputy Mayor Arvin queried what business the Assembly would like to take up next.

Assemblymember Bettine stated that she would like to take up unfinished business.

There was no objection noted.

VIII. UNFINISHED BUSINESS

A. Ordinance Serial No. 10-018: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REPEALING MSB 17.28, INTERIM MATERIALS DISTRICT; REPEALING MSB 17.30, CONDITIONAL USE PERMIT (CUP) FOR EARTH MATERIALS EXTRACTION ACTIVITIES; ADOPTING MSB 28.10.025 PUBLIC NOTIFICATION; AMENDING 28.100, DEFINITIONS; AND AMENDING MSB 28.30 EARTH MATERIALS EXTRACTION TO CREATE COMPREHENSIVE EARTH MATERIAL EXTRACTION REGULATIONS INCLUDING PROVISIONS FOR REGULATING EXCAVATION INTO THE SEASONAL HIGH WATER TABLE, RECLAMATION, AND PERFORMANCE SECURITIES.

1. Resolution Serial No. 10-010: A RESOLUTION ESTABLISHING FEES AUTHORIZED UNDER MSB 28.10.040, FEES; FOR EARTH MATERIAL EXTRACTION PERMIT APPLICATION PROCESSING AND INSPECTION UNDER MSB 28.30.

a. IM No. 10-030

MOTION PENDING: Assemblymember Woods moved to adopt Ordinance Serial No. 10-018 and Resolution Serial No. 10-010.

[Clerk's note: the main motion was made by former Assemblymember Lynne Woods on September 21, 2010.]

MOTION: Assemblymember Bettine moved to postpone Ordinance Serial No. 10-018 and Resolution Serial No. 10-010 indefinitely.

VOTE: The motion passed without objection.

Deputy Mayor Arvin:

- spoke to the large size of the legislation being overwhelming; and
- noted that the Assembly had requested that staff bring back smaller ordinances, addressing current code, in order to address concerns of the Assembly, the industry and the public.

XI. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 01/18/11, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 11-002: AN ORDINANCE AMENDING MSB 3.04.110, REPORTING AND LAPSE OF APPROPRIATIONS; TO PROVIDE FOR A TEMPORARY CHANGE TO THE SCHOOL DISTRICT'S LAPSING FUNDS. *(Sponsored by Assemblymembers Halter and Ewing)*

a. IM No. 11-002

2. Ordinance Serial No. 11-003: AN ORDINANCE AUTHORIZING THE ISSUANCE OF AREAWIDE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED $33,785,000, TO FINANCE THE MAJOR RENOVATION AND RENEWAL OF EDUCATIONAL CAPITAL IMPROVEMENTS AND RELATED CAPITAL IMPROVEMENTS IN THE BOROUGH, FIXING CERTAIN DETAILS OF SUCH BONDS AND AUTHORIZING THEIR SALE.

a. IM No. 11-004

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Bettine moved to introduce the legislation as read into the record by the Clerk and set the public hearings for January 18, 2011.

VOTE: The motion passed without objection.

A. CLERK COMMENTS

Ms. McKechnie:
- spoke regarding the special election brochure attached to the Clerk's report; and
- queried if there were any changes to the brochure.

There were no changes noted.

MOTION: Assemblymember Bettine moved to direct staff to hire a temporary employee to assist the Acting Borough Manager with day to day operations, until such a time that a Manager is hired.

VOTE: The motion passed without objection.

MOTION: Assemblymember Bettine moved to temporarily increase the Acting Manager's salary by an additional $1,000 per month.

MOTION: Assemblymember Bettine moved a primary amendment to keep the Acting Manager salary increase until such a time that a Borough Manager is hired.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Deputy Mayor Arvin requested the following confirmations:

Enhanced 911 Advisory Board
- Dennis Casanovas

Planning Commission
- Aaron Downing

Deputy Mayor Arvin made the following recommendations:

Aviation Advisory Board
- Barry Stanley
- Archie Giddings

Board of Equalization
- Thomas Healy

Joint Assembly/School Board Committee on School Issues
- Sarah Welton
- Lynn Gattis

Planning Commission
- Dick Zobel

Port Commission
- Paul Campbell

Transportation Advisory Board
- Henry Cottle

Alpine RSA No. 31
- Jed Workman

Meadow Lakes RSA No. 27
- Stephen Edwards

Trapper Creek RSA No. 30
- Sylvan (Hal) Morgan

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

MOTION: Assemblymember Keogh moved to divide the question to address the confirmation of Mr. Aaron Downing to the Planning Commission separately.

(Assemblymember Colver was disconnected from the meeting at 11:28 p.m. due to issues with the Borough teleconferencing system and was unable to reconnect.)

VOTE: The motion to divide the question passed with Assemblymembers Ewing and Woods opposed.

MOTION: First Segment. Assemblymember Bettine moved to approve the Mayor's recommendations for confirmation with the exception of Mr. Aaron Downing's confirmation to the Planning Commission.

VOTE: The first segment passed without objection.

MOTION: Second Segment. Assemblymember Keogh moved to approve Mr. Aaron Downing's confirmation to the Planning Commission.

Assemblymember Keogh:
- stated that he is not in favor of Mr. Downing being on the Planning Commission;
- related that his concerns stem from his previous experiences and personal conversations with Mr. Downing; and
- opined that someone else would be more appropriate for the position.

Deputy Mayor Arvin:
- stated that he moved Mr. Downing; and
- spoke to the history of the Assembly moving forward confirmations of people who are within their own districts.

MOTION: Assemblymember Bettine moved to suspend the rules to extend the meeting past 11:30 p.m. and not to exceed 11:35 p.m.

VOTE: The motion passed without objection.

Assemblymember Halter spoke to previous disagreements of the Assembly when moving Planning Commission members forward.

Assemblymember Bettine acknowledged that there have been issues with confirming members to the Planning Commission.

Deputy Mayor Arvin spoke in support of confirming Mr. Downing to the Planning Commission.

Discussion ensued regarding confirming Mr. Downing to the Planning Commission.

VOTE: The second segment failed with Assemblymembers Arvin, Ewing and Woods in support and Assemblymembers Keogh, Halter, and Bettine opposed (tie vote).

VII. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

2. Reports from cities

(There were no reports provided.)

3. Matanuska-Susitna Borough School District

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

(There was no report provided.)

2. Assembly Public Relations

(There were no reports provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. Hiring of the Borough Manager
4. ~~Mr. Jon Lee; CEO Mat-Su Regional Hospital~~

(There were no comments provided.)

B. ATTORNEY COMMENTS

(There were no comments provided.)

C. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
a. Greater Butte RSA Board of Supervisors: 07/08/10
b. Library Board: 06/30/10, 08/28/10, Resolution Serial Nos. 10-02, 10-03
c. Local Emergency Planning Committee: 09/15/10
d. Platting Board: 10/07/10
e. Port Commission: 09/20/10

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

D. INFORMATIONAL MEMORANDUMS

1. IM No. 10-193: DELEGATION OF PARKS AND RECREATIONAL POWERS TO THE CITY OF PALMER FOR CERTAIN PARKS AND RECREATIONAL ACTIVITIES FOR FAIRFIELD PARK, LOCATED WITHIN CITY BOUNDARIES AND MORE SPECIFICALLY DESCRIBED AS LOT NUMBER 55921000L0PP, FAIRFIELD PARK SUBDIVISION, ACCORDING TO PLAT NO. 2006-136, PALMER RECORDING DISTRICT, CONTAINING 16,264 SQUARE FEET (MSB 006525).

[Clerk's note: The informational memorandum was not presented and will be carried forward to the January 18, 2011, regular meeting agenda.]

IX. VETO

(There were no vetoes presented.)

XII. RECONSIDERATION

(There were no reconsiderations 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 or matters immediate public knowledge of which would clearly have an adverse impact upon the finances of the Borough.)*

B. HIRING OF THE BOROUGH MANAGER
C. CONTRACT TERMS FOR THE BOROUGH MANAGER

[Clerk's note: The executive session was not taken up again by the Assembly.]

XIV. MAYOR AND ASSEMBLY COMMENTS

(There were no comments provided.)

XV. ADJOURNMENT

The regular meeting adjourned at 11:34 p.m.

RONALD ARVIN, Deputy Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 01/18/11