

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on December 16, 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. Vern Halter, Assembly District No. 7

Assemblymembers absent and excused were:

Mr. Jim Colver, Assembly District No. 6

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. Jamie Newman, Deputy Borough Clerk
Mr. Terrance Dolan, Public Works 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. Sara Jansen, Planner II

III. APPROVAL OF AGENDA

Mayor DeVilbiss:

- inquired if there were any changes to the agenda; and
- advised that Mr. Archie Giddings will not be present to speak to the Aviation Advisory Board under agency reports this evening.

MOTION: Assemblymember Mayfield moved to amend the agenda by removing Ordinance Serial No. 15-001.

VOTE: The motion passed with Assemblymembers Colligan and Arvin opposed.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Helen Munoz, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: 11/19/14

Mayor DeVilbiss inquired if there were any corrections to the regular meeting minutes of November 19, 2014.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports From Cities

Palmer City

Mr. Joe Hannan, City Manager:

- related that incumbents Hansen and Combs were re-elected to the Palmer City Council in October;
- noted that the Council recently adopted the City's 2015 operating budget;
- added that the budget was adopted without a change in property tax rate;
- related that the MTA Events Center recently reopened after renovations;
- reported that the City has received an offer to purchase three parcels at the Old Glenn Highway adjoining River Front Park;
- spoke to Colony Days activities; and
- wished Merry Christmas and happy New Year to all.

Wasilla City

Mayor Bert Cottle:

- related that the Christmas Friendship Dinner will take place in Wasilla at the Menard Sports Center on December 25, from 11 a.m. to 3 p.m.;
- spoke to the New Year's fireworks display at Iditapark in Wasilla; and
- wished Merry Christmas to all.

2. Matanuska-Susitna Borough School District

(There was no report provided.)

3. ~~Aviation Advisory Board~~ Archie Giddings

4. Alaska State Department of Environmental Conservation - Cindy Gilder

Ms. Gilder:

- spoke to the water body recovery plan designed to improve water quality in Cottonwood Creek;
- related Cottonwood Creek is polluted due to excessive and persistent fecal coliform bacteria;
- spoke to sources of the pollution; and
- requested that the Borough help to inform the public about the recovery plan.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

(There was no report provided.)

2. Joint MSB Assembly/MOA Assembly Transportation Subcommittee

(There was no report provided.)

3. Assembly Public Relations

(There were no reports provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

Mr. Moosey:

- spoke to meetings held with stakeholders in the WesPac liquefied natural gas project;
- noted he will be meeting with staff from the Alaska State Office of Project Management and Permitting;
- related that Borough staff is compiling a grant status report to be shared with Alaska State Legislators; and
- added that he will be meeting with Jim Whitaker, Chief of Staff to Governor Walker.

D. ATTORNEY COMMENTS

Mr. Spiropoulos:

- related that he has been working with Ms. McKechnie on the process for filing the eventual vacancy in Assembly District 6;
- spoke to the Ketchikan Gateway Borough's lawsuit against the State of Alaska over the state's local contribution education funding mandate;
- related that Ketchikan filed a motion for partial reconsideration on the monetary portion of the lawsuit; and
- added that he will keep the Assembly apprised of developments in the case.

E. CLERK COMMENTS

Ms. McKechnie spoke regarding the proposed process for filling the eventual vacancy in Assembly District 6.

MOTION: Assemblymember Colligan moved to direct the Clerk to start pre-advertising based on what is in the packet and to adopt the revisions made to the process as provided in the packet.

VOTE: The motion passed without objection.

MOTION: Assemblymember Halter moved that each Assembly Member be entitled to ask each applicant two questions during the interview process.

VOTE: The motion passed without objection.

MOTION: Assemblymember Mayfield moved that the sample interview questions drafted by the Clerk and Attorney be included in the application packet.

VOTE: The motion failed with Assemblymember Mayfield in favor.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Big Lake RSA Board of Supervisors: 05/29/14
- b. Board of Adjustment and Appeals: 10/01/14
- c. Local Road Service Area Advisory Board: 09/18/14
- d. MSB Fish and Wildlife Commission: 09/25/14
- e. Parks, Recreation, and Trails Advisory Board: 09/22/14
- f. Platting Board: 09/18/14
- g. Transportation Advisory Board: 09/24/14
- h. West Lakes FSA Board of Supervisors: 08/11/14

2. Community Council Minutes:

- a. North Lakes Community Council: 03/27/14, 05/29/14
- b. Point MacKenzie Community Council: 07/17/14
- c. Talkeetna Community Council: 06/02/14, 07/07/14, 08/04/14, 09/02/14, 10/06/14
- d. Trapper Creek Community Council: 08/21/14

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

G. INFORMATIONAL MEMORANDUMS

1. **IM No. 14-259:** Reporting Of Conclusion Of Contract For Bid No. 14-005B To ASRC Civil Construction, LLC In The Final Contract Amount Of \$1,258,647.10 For Hawk Lane Upgrade.
2. **IM No. 14-262:** Reporting Of Conclusion Of Contract For Bid No. 14-029B To Valley General Construction, LLC In The Final Contract Amount Of \$415,066.18 For Sutton Pathway – Glenn Highway To Sutton Elementary School.

The informational memorandums were presented and no comments were noted.

VII. UNFINISHED BUSINESS

(There was no unfinished business.)

VIII. VETO

(There were no vetoes presented.)

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. **Resolution Serial No. 14-116:** A Resolution Adopting The Capital Improvement Program For Fiscal Years 2016-2021.
 - a. IM No. 14-197

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 Arvin moved to adopt Resolution Serial No. 14-116.

MOTION: Assemblymember Sykes moved a primary amendment to IM No. 14-197, National Highway System; Priority Projects, by moving project No. 7 - Knik Arm Crossing, before project No. 9 - Glenn Highway - Moose Creek Canyon Reconstruction - MP 53-56.

Ms. Jansen provided a staff report.

VOTE: The primary amendment failed with Assemblymembers Mayfield, Sykes, and Beck in favor and Assemblymembers Halter, Colligan, and Arvin opposed. (Tie)

vote.) The motion failed with Mayor DeVilbiss invoking his voting privilege in opposition.

MOTION: Assemblymember Halter move a primary amendment to IM No. 14-197, National Highway System; Priority Projects, by moving project No. 7 - Knik-Goose Bay Road Reconstruction, 4 Lane - MP .3-6.8, Centaur to Vine and Parks Highway - Lucus Road to Big Lake Improvements - MP 43.5-52.3 to the No. 1 position and to renumber the remaining projects accordingly.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Arvin moved a primary amendment to IM No. 14-197, General Public Facilities; Project List, by striking the Susitna-Watana Hydro Dam from the project list and inserting Birch Creek Villas - Eight Unit Housing Complex - Phase 2, as project No. 10.

MOTION: Assemblymember Mayfield moved a secondary amendment by striking "Birch Creek Villas - Eight Unit Housing Complex - Phase 2" from the project list.

VOTE: The secondary amendment passed without objection.

VOTE: The primary amendment passed as amended without objection.

MOTION: Assemblymember Sykes moved a primary amendment to IM No. 14-197, Residential and Commercial Streets Needs List In Alphabetical Order - Road Service Area Uncertified Road Upgrades - Design Phase, by inserting "Wide discussion on alternate road service area funding be part of the design process." before the last sentence of the paragraph.

VOTE: The primary amendment failed with Assemblymembers Sykes and Beck in favor.

(The meeting recessed at 7:10 p.m. and reconvened at 7:15 p.m.)

MOTION: Assemblymember Beck moved a primary amendment to IM No. 14-197, General Public Facilities Needs List, by striking the "Agriculture Processing and Product Development Center" from the list.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Arvin moved a primary amendment to IM No. 14-197, Community Transportation Program, Priority Projects, by moving the "South Trunk Road Extension" project from No. 6 to No. 1, and to renumber the remaining projects accordingly.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Halter moved a primary amendment to IM No. 14-197, General Public Facilities, Priority Projects, by moving South Gateway Visitors Center as project No. 3 and the South Denali Visitors Center as project No. 9.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

[Clerk Note: During the discussion of the CIP, it was found that the 2015 Legislative Priorities (Resolution Serial No. 14-073) was finalized incorrectly. Corrections have since been made.]

2. **Ordinance Serial No. 14-169:** An Ordinance Approving An Appropriation Of \$280,000 From South Colony Road Service Area No. 16 Fund Balance, Fund 273, To Fund 410, Project No. 30039, For South Colony Road Service Area No. 16 Capital Projects.
 - a. IM No. 14-254

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. 14-169.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding the Alaska Open Meetings Act and the laws governing the reasonable opportunity for the public to be heard at public meetings, and the process followed by the Planning Commission related to the permit to Central Monofill Services to operate an inert waste monofill in Palmer: Mr. Eugene Haberman.

The following person wished happy holidays to all, spoke regarding the Borough's 50th Anniversary celebration, and the need for a septage facility: Ms. Helen Munoz.

D. CONSENT AGENDA

1. RESOLUTIONS

- a. **Resolution Serial No. 14-117:** A Resolution Supporting The Development Of A Combined Septage And Leachate Treatment Facility.
 - (1) IM No. 14-261

2. ACTION MEMORANDUMS

- a. **AM No. 14-139:** Authorization Of A Sole Source Purchase From EJ Metals, Inc. In The Amount Of \$688,294 For Two Multi-Purpose Ultra-High Pressure Foam Response Units For Central Mat-Su Fire Department.
- b. **AM No. 14-152:** Approval Of The Road Maintenance and Repair Capital Projects – Summer 2015.
- c. **AM No. 14-153:** Acceptance Of Retroactive And Late Filed Senior Citizen And Disabled Veteran Exemption Applications.
- d. **AM No. 14-154:** Acceptance Of Retroactive And Late Filed Senior Citizen And Disabled Veteran Exemption Applications.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

- b. **Resolution Serial No. 14-118:** A Resolution Approving The Financial Responsibility For The M/V Susitna For January, February, And March 2015.
- (1) IM No. 14-263

MOTION: Assemblymember Arvin moved to adopt Resolution Serial No. 14-118.

VOTE: The motion passed with Assemblymembers Colligan and Arvin opposed.

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing - 01/06/15, Assembly Chambers)

- 1. ~~**Ordinance Serial No. 15-001:** An Ordinance Approving A Less Than Fair Market Value Sale Of Borough Owned Property Containing 80 Acres, More Or Less, Identified As Tax Parcels A012 And D008, Section 4, Township 16 North, Range 4 West, And Authorization For The Manager To Negotiate The Sale (MSB006977).~~
 - a. ~~IM No. 15-001~~
- 2. **Ordinance Serial No. 15-002:** An Ordinance Amending MSB Title 24, Animal Care And Regulation. *(Sponsored By Assemblymembers Beck And Halter)*
 - a. **Ordinance Serial No. 15-003:** An Ordinance Adopting MSB 2.29.090, Animal Forfeiture Appeal Procedures; And Amending MSB 2.29.020 And 2.29.080.
 - (1) IM No. 15-003
 - (2) IM No. 15-004

3. **Ordinance Serial No. 15-004:** An Ordinance Accepting And Appropriating \$20,000 From Intercity Rental Car Corporation For An Inspection And Demonstration Sea Trial Of The M/V Susitna, Fund 530.
 - a. **Resolution Serial No. 15-001:** A Resolution Approving The Scope Of Work And Budget For An Inspection And Demonstration Sea Trial Of The M/V Susitna, Fund 530.
 - (1) IM No. 15-005

4. **Ordinance Serial No. 15-005:** An Ordinance Accepting And Appropriating A Grant In The Amount Of \$25,000 To Fund 435, Project No. 10060, From The Rasmuson Foundation For The Geothermal Heating System For The Willow Community Center.
 - a. **Resolution Serial No. 15-002:** A Resolution Approving The Scope Of Work And Amended Budget For The Geothermal Heating System For The Willow Community Center.
 - (1) IM No. 15-007

5. **Ordinance Serial No. 15-006:** An Ordinance Authorizing The Matanuska-Susitna Borough To Issue Areawide General Obligation Bonds, In One Or More Series, To Refund Certain Outstanding General Obligation Bonds Of The Borough; Fixing Certain Details Of Such Bonds; And Authorizing Their Sale.
 - a. IM No. 15-009

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 January 6, 2015.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmations:

Board of Ethics
 Dan Kennedy (term begins 01/01/15)
 Borough Area School Site Selection Committee
 Matthew Beck
 Sarah Welton (term begins 01/01/15)
 Emergency Medical Services Board
 Christian Hartley (term begins 01/01/15)
 Historical Preservation Commission
 Shawna Theodore (resignation)
 Selena Ortega-Chiolero (resignation)
 Labor Relations Board
 Toni Bluel (resignation)
 MSB Fish and Wildlife Commission

Andrew Couch (term begins 01/01/15)
Planning Commission
Thomas Healy (term begins 01/01/15)
Port Commission
Jordan May (term begins 01/01/15)
Caswell FSA No. 135
Larry Cline (term begins 01/01/15)
Central Mat-Su FSA No. 130
David Eller (term begins 01/01/15)
Greater Palmer Consolidated FSA No. 132
Barry Mothershead (term begins 01/01/15)
West Lakes FSA No. 136
William Browne (term begins 01/01/15)
Rae Arno (term begins 01/01/15)
Willow FSA No. 35
Derral Goodbee (term begins 01/01/15)
Alpine RSA No. 31
George Rauscher (term begins 01/01/15)
Big Lake RSA No. 21
Jill Parson (term begins 01/01/15)
Caswell Lakes RSA No. 15
Larry Cline (term begins 01/01/15)
Fairview RSA No. 14
Richard Buzby (term begins 01/01/15)
Greater Butte RSA No. 26
Michael Shields (term begins 01/01/15)
Greater Talkeetna RSA No. 29
William Fitzgerald (term begins 01/01/15)
Greater Willow RSA No. 20
Jim Norcross (term begins 01/01/15)
Lazy Mountain RSA No. 19
Raymond Cordes (term begins 01/01/15)
Meadow Lakes RSA No. 27
Michael Fulton (term begins 01/01/15)
Midway RSA No. 9
Daniel Tucker (term begins 01/01/15)
South Colony RSA No. 16
Daniel Monarch (term begins 01/01/15)
Chase Trail Service Area No. 134
Mike Wood (term begins 01/01/15)

MOTION: Assemblymember Arvin moved to approve the Mayor's appointments and resignations 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

(There was no reconsideration presented.)

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Ms. McKechnie wished Merry Christmas and happy New Year to all.

Mr. Spiropoulos wished Merry Christmas to all.

Mr. Moosey:

- extended a blessed holiday season to all;
- thanked the Assembly for a successful year;
- spoke to infrastructure improvements by the Borough that will impact future generations;
- opined that customer service has improved at the Borough;
- added that the improvements begin and end with the Assembly; and
- expressed excitement about the upcoming year.

Assemblymember Colligan

- extended a Merry Christmas to all;
- spoke to the legacy of Assemblymember Colver on the Assembly;
- extended best wishes to Assemblymember Colver as he begins his tenure as a member of the Alaska House of Representatives; and
- expressed condolences to Assemblymember Colver on the recent passing of his mother Ms. Della Berry.

Assemblymember Beck:

- complimented staff for the work on the Capital Improvement Program (CIP);
- spoke favorably about the amendments made to the CIP by the Assembly;
- thanked members of the Planning Commission for their hard work;
- thanked the public for their involvement in the public process;
- thanked Mayor DeVilbiss for appointing him to the Borough Area School Site Selection Committee;
- extended best wishes to Alaska State Representative-Elect Colver; and
- wished Merry Christmas to all.

Assemblymember Halter:

- wished a Merry Christmas to all, particularly those in Assembly District 7; and
- expressed appreciation to staff for their hard work this past year.

Assemblymember Mayfield:

- spoke to the ribbon cutting he attended for Public Safety Building 5-1;
- added that Station 5-1 is a great facility;
- expressed his appreciation of emergency responders;
- spoke to legislation that he intends to sponsor to amend the fee schedule to reduce the rate charged for meetings held in public libraries;
- spoke to the incorporation process of Big Lake as a second class city;
- related that the Alaska State Local Boundary Commission does intend to recommend incorporation; and
- spoke in support of the Borough transferring existing road service area funds to the city of Big Lake should the annexation be approved by the voters.

Assemblymember Sykes:

- stated that he enjoyed the special Assembly meeting and the discussion that took place on Ordinance Serial No. 14-144;
- noted that he is looking forward to discussing Assembly priorities on January 24; and
- wished everyone a Merry Christmas and a great New Year.

Assemblymember Arvin:

- spoke to Ordinance Serial No. 15-001 and getting it back on a future meeting agenda;
- noted that he looks forward to debating the merits of the legislation; and
- wished everyone a Merry Christmas and a happy New Year.

Mayor DeVilbiss:

- spoke to his experience with items being pulled from the agenda during approval of the agenda; and
- asked Assemblymember Mayfield why he made the motion to remove Ordinance Serial No. 15-001 from the agenda.

Assemblymember Mayfield:

- noted that the Big Lake Community Council came out in opposition to Ordinance Serial No. 15-001;
- opined that the application submitted by Alaska Scholastic Clay Target Program did not provide detailed information about their plan to develop a competitive shotgun course and small-bore rifle range;
- noted that he has concerns about noise abatement, projectile protection, trail protection, and the impact to neighboring residential areas; and
- related that he is not necessarily opposed to the idea, but would like more information included in the application.

Mayor DeVilbiss wished Merry Christmas to all.

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 7:55 p.m.



LARRY DeVLBISS, Borough Mayor

ATTEST:



LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 01/06/15