

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on May 1, 2007, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Curtis D. Menard.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Ms. Lynne Woods, Assembly District No. 1 (*Deputy Mayor*)
Mr. Bill Allen, Assembly District No. 2 (arrived at 8:20 p.m.)
Ms. Michelle R. Church, Assembly District No. 3
Ms. Mary Kvalheim, Assembly District No. 4
Ms. Cindy L. Bettine, Assembly District No. 5
Mr. Robert Wells, Assembly District No. 6
Mr. Tom Kluberton, Assembly District No. 7

Staff in attendance were:

Ms. Michelle M. McGehee, CMC, Borough Clerk
Mr. John Duffy, Borough Manager
Ms. Marian Romano, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Amanda Charles, Executive Assistant to the Borough Clerk
Ms. Tammy Clayton, Finance Director
Mr. Keith Rountree, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Mr. Ron Swanson, Community Development Director
Mr. Dave Hanson, Economic Development Director
Mr. Murph O'Brien, Planning and Land Use Director
Ms. Patty Sullivan, Public Information Manager

III. APPROVAL OF AGENDA

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

GENERAL CONSENT: The agenda was approved without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Bonnie Quill.

V. MINUTES OF PRECEDING MEETINGS

A. Special Assembly Meeting: 04/17/07

Mayor Menard inquired if there were any corrections to the special meeting minutes of April 17, 2007.

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

B. Regular Assembly Meeting: 04/17/07

Mayor Menard inquired if there were any corrections to the regular meeting minutes of April 17, 2007.

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

VI. SPECIAL ORDERS OF THE DAY

A. A Proclamation in Recognition of National Women's Health Week

Mayor Menard read the proclamation into the record.

B. A Proclamation in Recognition of the American Cancer Society Relay for Life

Mayor Menard:

- read the proclamation into the record; and
- presented the proclamation to Ms. Care Tuk.

Ms. Tuk spoke in regard to the efforts of the American Cancer Society and the Relay for Life Program.

Mayor Menard thanked Ms. Tuk and spoke regarding his experiences with cancer.

VII. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Councilmember Metiva:

- spoke to the Crusey St. update continuing into next year;
- added that Target expects to open fall 2008, along with several other retailers;
- extended his appreciation to the Assembly for their help and time; and
- concluded that the Mat-Su Economic Enterprise is currently taking applications for their board.

2. Matanuska-Susitna Borough School District

The following principals provided a report on performance-based budgeting: Mr. Jason Mabry, Colony Middle School; Ms. Amy Spargo, Wasilla Middle School; Mr. Gene Stone, Palmer Junior Middle School; Mr. Andy Murr, Houston Middle School; and Ms. Monica Goyette, Teeland Middle School.

Assemblymember Kvalheim spoke to the Houston Middle School event she attended.

Assemblymember Wells:

- spoke regarding the handout; and
- noted the reduction in school teachers by 29 teachers in five schools if the budget stays status quo.

3. Mat-Su Convention and Visitors Bureau – Dan McDonough

Mr. Dan McDonough:

- extended his appreciation regarding the work session previously held;
- spoke to growth in tourism infrastructure;
- commented on the 70/30 split, funding formula;
- explained that the Mat-Su Convention and Visitors Bureau will become the second largest in the state; and
- spoke to budget needs and an infrastructure grant.

Mayor Menard queried if the new location of the Visitors Bureau is working.

Mr. Dan McDonough:

- noted that the new location is not currently as effective due to the changes in highway configuration; and
- spoke to MSCVB's long-term goals.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Wells advised that the Joint Assembly/School Board Committee on School Issues is scheduled to meet next Monday.

2. Assembly Public Relations

Assemblymember Bettine invited assembly members to attend the Mayor's Blue Ribbon Task Force on Road Service Areas' meeting regarding funding on roads; it will be held Wednesday, May 2, 2007, at 2 p.m. at the Central Mat-Su Public Safety Building.

C. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- stated that there was a reduction in assessment appeals from last year; 700 to 200 in this year;
- spoke to a disaster declaration involving a fuel spill in Sutton, soil contamination therein, and current clean up efforts;
- advised that Mr. Murph O'Brien, Planning and Land Use Director, will be retiring in six weeks time; and
- spoke regarding the two handouts which include updates on financial legislation and possible revenue sources.

Discussion ensued regarding the Assembly's influence with MEA and the new coal-fired power plant.

2. Animal Shelter Design Update – Gary Wolf, Wolf Architecture

Mr. Rountree spoke regarding the inadequacies of the current shelter.

Mr. Chris Whittington-Evans and Mr. Gary Wolf provided an update regarding the proposed design for a remodel of the Animal Shelter.

(The regular meeting recessed at 7:10 p.m. and reconvened at 7:20 p.m.)

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

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

B. PUBLIC HEARINGS (Three minutes per person.)

3. Ordinance Serial No. 07-055: AN ORDINANCE APPROPRIATING \$943,632 OF INTEREST EARNINGS ON THE 2006 GENERAL OBLIGATION SCHOOL BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40161, TO FUND THE SAFETY UPGRADES OF HOLLYWOOD ROAD FOR THE KNIK-GOOSEBAY AREA ELEMENTARY SCHOOL.
 - a. IM No. 07-096
 - b. AM No. 07-061: APPROVAL OF CHANGE ORDER TO THE UNIT COMPANY IN THE AMOUNT OF \$943,632 FOR WORK ON HOLLYWOOD ROAD FOR THE KNIK-GOOSEBAY ELEMENTARY SCHOOL DESIGN/BUILD PROJECT, PROJECT NO. 40161.

Mr. Rountree provided a staff report.

Mayor Menard opened the public hearing.

The following persons spoke in favor of Ordinance Serial No. 07-055 and AM No. 07-061: Mr. Ron Rucker, Ms. Christie Akellcok, Ms. Olivia Holland, Ms. Linda Wilbur, Ms. Donna Ingersoll, and Ms. Kris Moore.

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. 07-055 and approve AM No. 07-061.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 07-056: AN ORDINANCE AMENDING MSB 17.19, GLACIER VIEW SPECIAL LAND USE DISTRICT, TO INCLUDE THE SHEEP MOUNTAIN SUB-DISTRICT.
- a. IM No. 07-084.

Ms. Probasco provided a staff report.

Mayor Menard opened the public hearing.

The following persons spoke in favor of Ordinance Serial No. 07-056: Ms. Katherine Wright, Mr. Tom Wright, Ms. Anj Steer, Mr. Jim Hitchcock, Mr. Rex Close, Mr. Bill Erickson, Mr. Tom Lee, Ms. Trish Boyer, and Mr. Nels Hitchcock.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 07-056.

Assemblymember Woods spoke to the community caring for their area and their efforts to support this ordinance.

Assemblymember Church:

- spoke to previous objections voiced regarding lot size;
- noted why the lot sizes in this case are reasonable; and
- affirmed her support.

VOTE: The motion passed without objection.

(The regular meeting recessed at 8:20 p.m. and reconvened at 8:30 p.m.)

D. ATTORNEY COMMENTS

Mr. Spiropoulos had no comments to present.

E. CLERK COMMENTS

Ms. McGehee spoke regarding the upcoming meeting schedule, the records management report, the quasi-judicial boards report, and the Assembly tracking report.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Animal Care and Regulation Board: 03/12/07
 - b. Local Emergency Planning Committee: 01/24/07
 - c. Real Property Asset Management Board: 02/14/07
 - d. Real Property Asset Management Board Resolution Serial Nos. 07-04(SUB), 07-06, 07-07, and 07-08
 - e. Wasilla-Lakes Fire Service Area Board of Supervisors: 01/15/07
2. Community Council Correspondence:
 - a. Talkeetna Community Council: 12/04/06, 12/18/06, 01/08/07, 02/05/07
 - b. Y Community Council: 01/04/07, 02/01/07

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

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke regarding lack of support for the proposed MEA coal-fire generation plant and requested that the citizens of the Mat-Su borough have a voice: Mr. Bill Erickson, Ms. Sandy McDonald, Mr. Tim Leech and Ms. Ginny King-Taylor.

The following persons spoke regarding their support of the proposed MEA coal-fire generation plant: Mr. Jim Walker and Ms. Laura Likeharder, representatives of MEA.

The following persons spoke in support of upgrades to the animal shelter: Ms. Marci Schmidt, Ms. Maryann Cockle, Mr. Dave Brown, Mr. Jim Chesbro, Ms. Delesa Sarendeo, and Ms. Rebecca Knight.

The following persons spoke regarding the new septic treatment tank, water treatment and recycling center: Mr. Mark Masteller and Mr. Jim Chesbro.

- D. CONSENT AGENDA (Resolution Serial No. 07-047 was pulled from the consent agenda and addressed separately. *See pp 8 of 12*)

1. RESOLUTIONS

- a. Resolution Serial No. 07-046: A RESOLUTION REVISING THE EMERGENCY SERVICES FEE SCHEDULE FOR AMBULANCE AND RESCUE SERVICES.
(1) IM No. 07-105
- c. Resolution Serial No. 07-048: A RESOLUTION SETTING THE SURCHARGE FOR THE WIRELINE AND WIRELESS ENHANCED 911 SYSTEMS FOR THE PERIOD OF JULY 1, 2007, THROUGH JUNE 30, 2008.
(1) IM No. 07-109
- d. Resolution Serial No. 07-049: A RESOLUTION AMENDING THE SCOPE OF WORK FOR CENTRAL MAT-SU PUBLIC SAFETY BUILDING GENERATORS, AUTO SWITCHES, SHEDS, AND RELATED EQUIPMENT, PROJECT NO. 10140, FUND 405, TO ALLOW THE GENERATORS AND RELATED EQUIPMENT TO BE UTILIZED AT ANY OF THE PUBLIC SAFETY BUILDINGS WITHIN THE WASILLA-LAKES FIRE SERVICE AREA.
(1) IM No. 07-113
(2) AM No. 07-074: AWARD OF BID NO. 07-126 TO STATEWIDE COMMERCIAL ELECTRIC FOR THE CONTRACT AMOUNT OF \$184,780 FOR THE STANDBY GENERATORS AND TRANSFER SWITCHES FOR PUBLIC SAFETY BUILDINGS WITHIN THE WASILLA-LAKES FIRE SERVICE AREA.
- e. Resolution Serial No. 07-050: A RESOLUTION SUPPORTING RADIO FREE PALMER'S APPLICATION TO THE FEDERAL COMMUNICATIONS COMMISSION FOR A COMMUNITY-BASED RADIO STATION. *(Sponsored by: Mayor Menard and Assemblymembers Wells and Allen)*
(1) IM No. 07-114
- f. Resolution Serial No. 07-051: A RESOLUTION SUPPORTING THE HONORABLE GOVERNOR SARAH PALIN'S APPOINTMENT OF MR. HOWARD DELO TO THE ALASKA STATE BOARD OF FISHERIES. *(Sponsored by: Assemblymember Kluberton)*
(1) IM No. 07-115

2. ASSEMBLY MEMORANDUMS

- a. AM No. 07-056: APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$400,000 TO QUALITY ASPHALT PAVING FOR THE SELDON ROAD EXTENSION TO CHURCH ROAD PROJECT FOR ADDITIONAL EXCAVATION AND GRAVEL QUANTITIES.
- b. AM No. 07-068: APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$730,568 TO UNIT COMPANY FOR ADDITIONAL IMPROVEMENTS TO THE KNIK-GOOSEBAY ELEMENTARY SCHOOL DESIGN/BUILD PROJECT, PROJECT NO. 40161.

- c. AM No. 07-070: AWARD OF BID NO. 07-130 TO NECHESTA GENERAL FOR THE CONTRACT AMOUNT OF \$135,091 FOR THE UPGRADE AND DRAINAGE OF VARIOUS ROADS IN THE LAZY MOUNTAIN ROAD SERVICE AREA.
- d. AM No. 07-072: AWARD OF BID NO. 07-128 TO ALASKAN INDUSTRIES INC., FOR THE CONTRACT AMOUNT OF \$132,730 FOR FLOORING UPGRADES TO THE WASILLA MIDDLE SCHOOL GYM FLOORS.
- e. AM No. 07-075: AWARD OF PROPOSAL NO. 07-127 TO WELLS FARGO BANK, N.A., FOR THE CONTRACT TO FURNISH FINANCING FOR LOCAL IMPROVEMENT DISTRICTS.

Ms. McGehee read the above legislation into the record.

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

VOTE: The motion passed without objection.

- b. Resolution Serial No. 07-047: A RESOLUTION APPROVING AN AMENDMENT TO THE SCOPE OF WORK AND BUDGET FOR THE CONTINUED DEVELOPMENT OF PHASE II CONSTRUCTION AT PORT MACKENZIE.
- (2) IM No. 07-108

MOTION: Assemblymember Bettine moved to adopt the resolution as read into the record by the Clerk.

Assemblymember Allen noted a lack of development.

Mr. Duffy spoke to the fact that growth and development has happened.

Assemblymember Bettine queried regarding grants.

VOTE: The motion passed without objection.

IX. UNFINISHED BUSINESS

(There was no unfinished business presented.)

X. NEW BUSINESS

- A. INTRODUCTION (For public hearing - 05/15/07, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 07-058: AN ORDINANCE AMENDING MSB 17.73; MULTI-FAMILY DEVELOPMENT DESIGN STANDARDS AND MSB 17.125; DEFINITIONS.
 - a. IM 07-081
2. Ordinance Serial No. 07-059: AN ORDINANCE ADOPTING THE FISH AND NUMBERED LANDS RECREATION MANAGEMENT PLAN, CLASSIFYING THE BOROUGH-OWNED LAND SUBJECT TO THE PLAN AS PUBLIC RECREATION/WATERSHED LANDS.
 - a. IM No. 07-098
2. Ordinance Serial No. 07-060: AN ORDINANCE ADOPTING THE ASSET MANAGEMENT PLAN FOR BOROUGH-OWNED LAND IN THE BUTTE AREA, AND TO CLASSIFY APPROXIMATELY 2,268 ACRES OF BOROUGH-OWNED LAND AS RECOMMENDED IN THE PLAN.
 - a. IM No. 07-101
3. Ordinance Serial No. 07-061: AN ORDINANCE ADOPTING AN AMENDMENT TO THE MATANUSKA-SUSITNA BOROUGH RECREATIONAL TRAILS PLAN COMPONENT OF THE BOROUGH'S COMPREHENSIVE PLAN THAT ADDS TRAILS AND TRAIL SYSTEMS.
 - a. IM No. 07-102
2. Ordinance Serial No. 07-062: AN ORDINANCE RECLASSIFYING A PORTION OF LAND THAT IS APPROXIMATELY 0.41 ACRE ALONG THE NORTH BOUNDARY OF FISH CREEK PARK (TRACT 5B, FIRST ADDITION TO FISH CREEK SUBDIVISION) AS "RESERVED USE-TRANSPORTATION LANDS/PUBLIC RECREATION;" AND DEDICATE A PUBLIC ACCESS EASEMENT ON THE SAME PIECE OF PROPERTY FOR LIMITED PURPOSES.
 - a. IM No. 07-103
3. Ordinance Serial No. 07-063: AN ORDINANCE APPROVING AN APPROPRIATION OF \$450,000 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO PROJECT NO. 45152, FUND 405, TO PURCHASE FIRE APPARATUS AND RELATED EQUIPMENT.
 - a. Resolution Serial No. 07-052: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 45152, FUND 405, TO PURCHASE FIRE APPARATUS AND RELATED EQUIPMENT.
 - (1) IM No. 07-106
4. Ordinance Serial No. 07-064: AN ORDINANCE REAPPROPRIATING \$275,000 FROM THE PLANNING DIVISION'S FISCAL YEAR 2007 OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NO. 45220, BIG LAKE COMPREHENSIVE PLAN UPDATE, PROJECT NO. 45179, FOR THE MSB PUBLIC FACILITIES PLAN UPDATE, PROJECT NO. 20332; ASSIST DEVELOPERS TO INCORPORATE TRAFFIC CALMING INTO THEIR SUBDIVISION PLAN, PROJECT

NO. 45221, A STUDY TO CONNECT COLLECTOR ROADS ALONG PARKS HIGHWAY CORRIDOR BETWEEN WASILLA AND BIG LAKE AND PROJECT NO. 45222 COMPLETION OF THE LAZY MOUNTAIN COMPREHENSIVE PLAN AND THE SUTTON COMPREHENSIVE PLAN UPDATE.

a. IM No. 07-099

5. Ordinance Serial No. 07-065: AN ORDINANCE REPEALING MSB 23.010.130, FOREST MANAGEMENT, AND CREATING A NEW CHAPTER MSB 23.20, FOREST MANAGEMENT.

a. Ordinance Serial No. 07-066: AN ORDINANCE REPEALING MSB 23.05.005, DEFINITIONS, AND CREATING A NEW SECTION MSB 23.05.150, DEFINITIONS.

b. Ordinance Serial No. 07-067: AN ORDINANCE AMENDING MSB 23.060.030, CLARIFYING AND ADDING A FUNCTION AND DUTY RELATED TO FOREST MANAGEMENT AND TIMBER SALES.

(1) IM No. 07-104

Ms. McGehee read the above legislation into the record.

MOTION: Assemblymember Woods moved to introduce the legislation as read into the record by the Clerk and set the public hearings for May 15, 2007.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Menard requested the following confirmations:

Borough Area Schools Site Selection Committee

William Bruu

Joint Assembly/School Board Committee on School Issues

Resignation of Assemblymember Allen

Library Board

Julia Ede

Mayor Menard made the following recommendations:

Borough Area Schools Site Selection Committee

Sarah Welton

Dan Contini

Joint Assembly/School Board Committee on School Issues

Assemblymember Church

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

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

XI. RECONSIDERATION

(There were no reconsiderations presented.)

XII. VETO

(There were no vetoes presented.)

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Kvalheim:

- thanked Mr. O'Brien for all his work and dedication at the Borough; and
- commented on penalties for animal neglect.

Mr. Kluberton noted his appreciation to the Assembly for supporting the Governor's appointment of Mr. Delo to the Alaska State Board of Fisheries.

Mr. Allen:

- thanked the Clerk for the card for Mr. Elmer Feltz's family;
- noted he was at a conference on "philanthropic and challenges of our time";
- requested acknowledgement for the Distinguished Grant Maker of the Year award, which is a nationally recognized award, that was presented to Diane Caplan;
- noted that he will be introducing a resolution/proclamation at the next meeting in recognition of Ms. Caplan; and
- queried how much money is invested in the prison that will not be reimbursed.

Mr. Duffy stated they have stopped expending funds until the Commissioner makes further decisions regarding expenditures.

Assemblymember Allen spoke to the necessity for an animal shelter and the lack of funding available.

Assemblymember Wells:

- spoke regarding the animal shelter;
- commented that the previous \$10 million bond failed;
- suggested that the \$5 million bond project should be on a ballot; and
- noted that he attended community council meetings in regards to the Hatcher Pass SPUD.

Assemblymember Bettine:

- spoke to the Knik-Goosebay school project;
- commented that there was no project one year ago;
- thanking staff for the work done in expediting the project;
- added that she is working on state officials for a light at the Hollywood and Vine intersection;
- noted the difference between Borough land and State land on Vine Road;
- stated she has received comments from the community and advisory board in regard to what the delegation has told them will be funded;
- spoke regarding the animal shelter and non-profit support groups;
- declared that she supports the \$5 million project;
- opinioned that she thinks it should be discussed whether it should appear on the ballot; and
- spoke to the non-areawide fund.

Assemblymember Woods:

- thanked everyone for the Sheep Mountain SPUD district; and
- stated she that was proud to be present at the first check presentation for the Farm Land Preservation Bill.

Mayor Menard:

- thanked everyone for a good meeting; and
- queried Mr. Spiropoulos concerning the procedures for the upcoming public meetings regarding the school budget.

Mr. Spiropoulos:

- advised that Mayor Menard cannot veto nor preside over the meeting in regard to the school board budget portion of the public hearings; and
- spoke regarding the two separate ordinances.

XV. ADJOURNMENT

The regular meeting adjourned at 10:24 p.m.