

# MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645 - 907-861-8683

## **BOROUGH MAYOR**

Larry DeVilbiss

## **BOROUGH CLERK**

Lonnie R. McKechnie, CMC

## **BOROUGH MANAGER**

John Moosey

## **BOROUGH ATTORNEY**

Nicholas Spiropoulos



## **BOROUGH ASSEMBLY**

Jim Sykes, District 1  
Matthew Beck, District 2  
Ronald Arvin, District 3  
Steve Colligan, District 4  
Dan Mayfield, District 5  
Barbara J. Doty, District 6  
Vern Halter, District 7

## **ASSEMBLY AGENDA** **ASSEMBLY CHAMBERS** **350 EAST DAHLIA AVENUE, PALMER**

### **REGULAR MEETING**

**6 P.M.**

**TUESDAY, APRIL 21, 2015**

#### **I. CALL TO ORDER**

#### **II. ROLL CALL**

#### **III. APPROVAL OF AGENDA**

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

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

- A. Joint Assembly/Planning Commission Meeting: 03/24/15
- B. Special Assembly Meeting: 04/07/15
- C. Regular Assembly Meeting: 04/07/15

#### **VI. REPORTS/CORRESPONDENCE**

##### **A. AGENCY REPORTS (MSB 2.12.082; Seven minutes per person.)**

- 1. Reports From Cities
- 2. Matanuska-Susitna Borough School District
- 3. Aviation Advisory Board – Mr. Archie Giddings

##### **B. COMMITTEE REPORTS**

- 1. Joint Assembly/School Board Committee On School Issues
- 2. Joint MSB Assembly/MOA Assembly Transportation Subcommittee
- 3. Assembly Public Relations

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. Tax And Local Improvement District Sale Process – Ms. Nancy Hereford

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

pp. 35-82

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
  - a. Board of Adjustment and Appeals: 11/24/14
  - b. Emergency Medical Services Board: 10/01/14
  - c. Greater Butte RSA Board of Supervisors: 10/09/14
  - d. Greater Talkeetna RSA Board of Supervisors: 11/13/14
  - e. Local Emergency Planning Committee: 12/17/14
  - f. Meadow Lakes RSA Board of Supervisors: Resolution Serial No. 15-01
  - g. Parks, Recreation, and Trails Advisory Board: 12/01/14
  - h. Transportation Advisory Board: 01/21/15, Resolution Serial No. 15-04
2. Community Council Minutes:
  - a. Butte Community Council: 03/11/15, Resolution Serial No. 15-01
  - b. North Lakes Community Council: 10/30/14, 11/20/14, 01/29/15
  - c. Trapper Creek Community Council: 01/15/15

G. INFORMATIONAL MEMORANDUMS

VII. SPECIAL ORDERS

- A. PERSONS TO BE HEARD (MSB 2.12.081; Three Minutes Per Person.)  
*(Requires 11 Days Advance Notice And Must Otherwise Be In Compliance With The Necessary Code Requirements. If No Advance Notice Is Given, Persons Wishing To Speak May Do So Under The Audience Participation Section Of The Agenda.)*
- B. PUBLIC HEARINGS (Three Minutes Per Person.)

A D O P T E D	A M E N D E D	P O S T P O N E D	D E F E A T E D

- pp. 83-93  
Doty
1. **Ordinance Serial No. 15-023:** An Ordinance Creating North Westfork Drive Road Paving Local Improvement District No. 562, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement, And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.  
a. IM No. 15-047
- pp. 94-104  
Doty
2. **Ordinance Serial No. 15-024:** An Ordinance Creating Country Ridge Estates Road Paving Local Improvement District No. 563, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement, And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.  
a. IM No. 15-048
- pp. 105-115  
Doty
3. **Ordinance Serial No. 15-025:** An Ordinance Creating East New Field Drive Road Paving Local Improvement District No. 564, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement, And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.  
a. IM 15-049
- pp. 116-126  
Halter
4. **Ordinance Serial No. 15-034:** An Ordinance Creating A Portion Of West Greensward Drive Natural Gas Local Improvement District No. 549, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement, And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.  
a. IM No. 15-063
- pp. 127-137  
Mayfield
5. **Ordinance Serial No. 15-035:** An Ordinance Creating A Portion Of Stepan Lake Non-Contiguous Natural Gas Local Improvement District No. 554, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement, And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.  
a. IM No. 15-064
- pp. 138-154  
Doty
6. **Ordinance Serial No. 15-040:** An Ordinance Confirming The Assessment Roll For The Field Of View Park Subdivision Community Water Local Improvement District No. 476 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.  
a. **Ordinance Serial No. 15-041:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$332,000
- pp. 155-170

A D O P T E D	A M E N D E D	P O S T P O N E D	D E F E A T E D

Principal Amount Of Special Assessment Bonds For The Field Of View Park Subdivision Community Water Local Improvement District No. 476, And Fixing Details Of Said Bonds.

(1) IM No. 15-077

pp. 171-202  
Mayfield

7. **Ordinance Serial No. 15-042:** An Ordinance Confirming The Assessment Roll For The South Big Lake Road And West Susitna Parkway Natural Gas Local Improvement District No. 508 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.

pp. 203-219

a. **Ordinance Serial No. 15-043:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$867,000 Principal Amount Of Special Assessment Bonds For The South Big Lake Road And West Susitna Parkway Natural Gas Local Improvement District No. 508, And Fixing Details Of Said Bonds.

(1) IM No. 15-078

pp. 220-229  
Doty

8. **Ordinance Serial No. 15-044:** An Ordinance Confirming The Assessment Roll For The East Carney Road Natural Gas Local Improvement District No. 534 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.

pp. 230-246

a. **Ordinance Serial No. 15-045:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$97,000 Principal Amount Of Special Assessment Bonds For The East Carney Road Natural Gas Local Improvement District No. 534, And Fixing Details Of Said Bonds.

(1) IM No. 15-079

pp. 247-279  
Halter

9. **Ordinance Serial No. 15-046:** An Ordinance To Enter Into A Lease With Matanuska Telephone Association For A Communication Site (MSB007021).

a. IM No. 15-070

pp. 280-285  
Arvin

10. **Ordinance Serial No. 15-047:** An Ordinance Appropriating \$63,655,000 To Fund 400, School Projects, For The Acquisition, Construction, And Installation Of School And Related Capital Improvements Within The Borough And \$511,579 To Fund 400 For Related Issuance Costs From The Proceeds Of The 2015 Series "B" General Obligation Schools Bonds.

a. IM No. 15-083

pp. 286-300  
Arvin

11. **Ordinance Serial No. 15-048:** An Ordinance Appropriating \$1,600,000 To Fund 430, For The Construction, Additions, Improvements, Betterments, Repair, Reconstruction, Or

A D O P T E D	A M E N D E D	P O S T P O N E D	D E F E A T E D

Acquisition Of Public Roads And Facilities And Acquisition Of Lands Or Rights In Lands Related Thereto Which Would Address Urgent Safety Issues And Transportation Needs And \$17,481 To Fund 430 For Related Issuance Costs From The Proceeds Of The 2015 Series "C" General Obligation Transportation Bonds.

a. IM No. 15-084

pp. 301-312  
Colligan

12. **Ordinance Serial No. 15-049:** An Ordinance Accepting And Appropriating \$2,790,927 From The Alaska State Department Of Transportation And Public Facilities, To Fund 430, Project No. 35403, For The Road Improvements To South Clapp Street And Realignment Intersection At Knik Goose Bay Road Project.

pp. 313-317

a. **Resolution Serial No. 15-037:** A Resolution Approving The Scope Of Work And Budget, Authorize The Manager To Enter Into A Transfer Of Responsibilities Agreement With The Alaska State Department Of Transportation And Public Facilities, Approve A Contract Amendment To Bristol Environmental Remediation Services, LLC. Contract No. 14-160B In An Amount Not To Exceed \$2,480,825 And Approve Award Of Contract To Hattenburg, Dilley, And Linnell For Construction Management Services In An Amount Not To Exceed \$206,735 For Road Improvements To South Clapp Street Realignment And Intersection At Knik Goose Bay Road Project, Project No. 35403.

(1) IM No. 15-086

pp. 318-326  
Arvin

13. **Ordinance Serial No. 15-050:** An Ordinance Adopting MSB 4.80, Establishing The Agriculture Advisory Board And Its Composition, Functions, And Duties.

a. IM No. 15-088

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

D. CONSENT AGENDA

1. RESOLUTIONS

pp. 327-331  
Mayfield

a. **Resolution Serial No. 15-038:** A Resolution Amending The Scope Of Work For Revision No. 3, Which Will Remove Culvert No. 15, McRoberts Creek At Maud Road, And Add A Culvert At Meadow Creek At Beaver Lake Road, Project No. 30114.

(1) IM No. 15-093

A D O P T E D	A M E N D E D	P O S T P O N E D	D E F E A T E D

pp. 332-367  
Halter

- b. **Resolution Serial No. 15-039:** A Resolution Approving The Start Of The Comprehensive Planning Process For Chase Community Council.  
(1) IM No. 15-082

pp. 368-374  
Arvin

- c. **Resolution Serial No. 15-040:** A Resolution Approving Certain Unincorporated Communities And The Incorporated Nonprofit Entity For Participation In The Fiscal Year 2016 Community Revenue Sharing Program.  
(1) IM No. 15-089

pp. 375-380  
Arvin

- d. **Resolution Serial No. 15-041:** A Resolution Establishing The Minimum Level Of Funding For The Matanuska-Susitna Borough School District For The Fiscal Year Ending June 30, 2016.  
(1) IM No. 15-102

2. ACTION MEMORANDUMS

pp. 381-383  
Arvin

- a. **AM No. 15-026:** Approve Amendment To Contract No. 14-067P With Collins Construction In The Amount Of \$4,511,715 To Construct High School Competition Artificial Turf Football/Soccer/Track Stadium With Bleachers And Lights, And Competition Softball And Baseball Fields, Project No. 40187.

pp. 384-388  
Arvin

- b. **AM No. 15-030:** Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications.

pp. 389-393  
Mayfield

- c. **AM No. 15-032:** Award Of Invitation To Bid No. 15-093B To F – E Contracting, Inc. In The Contract Amount Of \$15,640,049 For Dena’ina Elementary School Construction.

pp. 394-403  
Halter

- d. **AM No. 15-033:** Within Tax Parcel D5, Vacate Any Public Interest In The Following: 20-Foot Wide Road And Utility Easement Within The Parcel As Shown On The Recorded Plat Of Herkimer Subdivision, Within The Dashed Lines Leading To The Lake As Shown On The Same Plat, And The 50-Foot Wide Road Easement That Goes From The Southeast Corner Of Section 7 Running Generally Northwesterly To Tract I Herkimer Subdivision Recorded At Book 117, Page 137. Located In Section 7, Township 17 North, Range 2 West, Seward Meridian, Alaska.

pp. 404-406  
Arvin

e. **AM No. 15-034:** Approval Of Change Order No. 3 To Northern Asphalt Construction, Inc. In The Amount Of \$786,800 Adding Cruiser Street, Project No. 35442; Reliance Road, Project No. 35442; Northern Rose And Mollie's Circle Local Improvement District, Project No. 60104; Mountain Trails Road, Project Nos. 75003 And 35187; And Ravenview Drive, Project No. 35406; And Southcentral Regional Emergency Services Training Center Road Paving To The 2014-2015 Roads Paving Project, Project No. 45268.

pp. 407-410  
Arvin

f. **AM No. 15-037:** Award Of Request For Proposal No. 15-087P To CRW Engineering Group, LLC. For The Contract Amount Of \$195,747 For Southcentral Emergency Services Training Center, Five Year Plan And Construction Documentation.

pp. 411-418  
Halter

g. **AM No. 15-038:** Eliminate And Modify The 30-Foot Wide Drainage And Utility Easement Within Lot 4, Block 1, Polka Dot Acres, Plat No. 71-90, Located In Section 16, Township 17 North, Range 2 West, Seward Meridian, Alaska.

pp. 419-422  
Sykes

h. **AM No. 15-039:** Award Of Proposal No. 15-090P To DOWL In The Contract Amount Of \$157,625 For Design Of Three Bridge Replacements Across Bodenbug Creek.

pp. 423-427  
Colligan

i. **AM No. 15-040:** Award Of Bid No. 15-108B To Collins Construction, Inc. In The Contract Amount Of \$17,345,602 For Iditarod Elementary School Construction.

pp. 428-432  
Halter

j. **AM No. 15-041:** Award Of Bid No. 15-112B To Wolverine Supply, Inc. In The Contract Amount Of \$247,000 For Trapper Creek Elementary Fire Protection System.

pp. 433-435  
Halter

k. **AM No. 15-042:** Approval Of Contract Amendment No. 2 To PND Engineers, Inc. In The Amount Of \$51,236 For Bridge No. 2161, Oilwell Road Over Kroto Creek, Project No. 35014, Contract No. 13-141P.

pp. 436-441  
Arvin

l. **AM No. 15-043:** Award Of Invitation To Bid No. 15-110B To D & S Road Services In The Contract Amount Of \$250,425 For Crack Sealing Services.

A D O P T E D	A M E N D E D	P O S T P O N E D	D E F E A T E D

A D O P T E D	A M E N D E D	P O S T P O N E D	D E F E A T E D

- pp. 442-443  
Colligan                    m.    **AM No. 15-044:** Approve Utility Relocation By Matanuska Telephone Association In The Amount Of \$135,490.88 For Mariann’s Place, Redwood Lane, Elderberry Drive, And Willow Lane, Project No. 30036.
  
- pp. 444-448  
Beck                            n.    **AM No. 15-045:** Award Of Bid No. 15-098B To Southcentral Construction, Inc. For The Contract Amount Of \$2,415,085 For Central Landfill Cell 2A Closure 2015.
  
- pp. 449-454  
Arvin                            o.    **AM No. 15-046:** Award Of Bid No. 15-097B To Prosser-Dagg Construction Company, LLC. For The Contract Amount Of \$3,902,375 For Athletic Field Improvements At Multiple Locations.
  
- pp. 455-459  
Arvin                            p.    **AM No. 15-047:** Award Of Bid No. 15-101B To Valley General Construction, LLC. For The Contract Amount Of \$344,480 To Reconstruct Approximately 3,722 Linear Feet Of Mariann’s Place, Redwood Lane, Elderberry Drive And Willow Lane.
  
- pp. 460-463  
Arvin                            q.    **AM No. 15-048:** Award Of Request For Proposal No. 15-083P To DOWL In The Contract Amount Of \$457,170 For The Regional Aviation System Plan Study, Phase II.
  
- pp. 464-468  
Arvin                            r.    **AM No. 15-049:** Award Of Bid No. 15-049 To Orion Construction, Inc. In The Contract Amount Of \$1,049,500 For School Districtwide Americans With Disabilities Act Upgrades.
  
- pp. 469-472  
Beck                            s.    **AM No. 15-050:** Award Of Bid No. 15-140B To TB Inc. Doing Business As TBI Construction Company In The Contract Amount Of \$746,989 For Dorothy Swanda Jones Building Rooftop Unit Connection And Fireproofing.

VIII. UNFINISHED BUSINESS

A. MOTION PENDING:                    Assemblymember Sykes moved to direct the Manager to write a letter to the Governor and Legislative Delegation in support of vetoing House Bill 132 and that when the Mayor meets with Governor Walker that he take the same position.

A D O P T E D	A M E N D E D	P O S T P O N E D	D E F E A T E D

IX. VETO

X. NEW BUSINESS

A. INTRODUCTION (For public hearing – 05/04/15, Central Mat-Su Public Safety Building and 05/07/15, Willow Community Center)

pp. 473  
Arvin

1. **Ordinance Serial No. 15-015:** An Ordinance Appropriating Monies From The Central Treasury For The Borough Operating Funds, Enterprise Funds, Education Operating Fund, And Capital Funds, Establishing The Rate Of Levy For All Borough Functions For The Fiscal Year Beginning July 1, 2015, And Ending June 30, 2016, And Setting The Surcharge Rate For The Wireline And Wireless Enhanced 911 Systems For The Period Of July 1, 2015, Through June 30, 2016.

B. INTRODUCTIONS (For public hearing – 05/05/15, Assembly Chambers)

pp. 474-540  
Beck

1. **Ordinance Serial No. 15-051:** An Ordinance To Enter Into A Management Agreement Greater Than Five Years In Length With The Mountain View Estates Homeowners Association For 81,913 Square Feet Of Borough-Owned Property Dedicated To Public Purpose As Open Space, To Serve As A Buffer To Reduce Natural And Manmade Erosion Hazards, And To Protect The Public's Health, Safety, And Welfare (MSB006950).
  - a. IM No. 15-039

pp. 541-545  
Mayfield

2. **Ordinance Serial No. 15-052:** An Ordinance Accepting And Appropriating \$26,060 From The Alaska State Department Of Natural Resources, Office Of History And Archaeology To Fund 480, Project No. 47011, For The Purpose Of Completing The Cottonwood Creek Archaeological Survey For Nominating Phase II Of An Archaeological District For Listing In The National Register Of Historic Places.

pp. 546-548

- a. **Resolution Serial No. 15-042:** A Resolution Approving The Scope Of Work And Budget And Authorizing The Manager To Enter Into An Agreement For The Purpose Of Completing The Cottonwood Creek Archaeological Survey For Nominating Phase II Of An Archaeological District For Listing In The National Register Of Historic Places.
  - (1) IM No. 15-091

pp. 549-573  
Arvin

3. **Ordinance Serial No. 15-053:** An Ordinance Extending The Time Limit For Completion Of Borough Capital Projects.
  - a. IM No. 15-092

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- pp. 574-584 Halter      4.      **Ordinance Serial No. 15-054:** An Ordinance Approving The Land Classification Of Borough Parcel Tax ID No. 2167B11L020, Within Township 27 North, Range 7 West, Section 31, Seward Meridian, Alaska, As Reserve Use Lands For The Purpose Of A Temporary Public Access Corridor To The Kenny Creek Subdivision (MSB007026).  
a.      IM No. 15-094
  
- pp. 585-615 Halter      5.      **Ordinance Serial No. 15-055:** An Ordinance Accepting And Appropriating \$100,000 From The Willow Area Community Organization To Fund 435, Project No. 10060, For The Ground Source Heat Pump For The Willow Community Center Project.  
a.      **Resolution Serial No. 15-043:** A Resolution Approving The Scope Of Work And Budget And Authorizing The Manager To Sign The Memorandum Of Agreement For The Design And Construction Of The Ground Source Heat Pump For The Willow Community Center Building Project, Project No. 10060.  
(1)      IM No. 15-095
  
- pp. 616-618      6.      **Ordinance Serial No. 15-056:** An Ordinance Reappropriating \$10,000 From The Planning Division Fiscal Year 2015 Operating Budget; \$10,000 From The Information Technology Department Fiscal Year 2015 Operating Budget; \$10,000 From The Capital Projects Department Fiscal Year 2015 Operating Budget; And \$10,000 From The Public Works Department Fiscal Year 2015 Operating Budget, Fund 100, To Fund 480, Project No. 47518, For The GIS/Cartegraph Integration Project.  
a.      **Resolution Serial No. 15-044:** A Resolution Approving The Scope Of Work And Budget For The GIS/Cartegraph Integration Project.  
(1)      IM No. 15-096
  
- pp. 619-624 Arvin      7.      **Ordinance Serial No. 15-057:** An Ordinance Amending MSB 23.10.060, Considerations; MSB 23.10.180, Leases; And MSB 26.05.040(A)(6), Incentives; Relating To Less Than Fair Market Value Disposals.  
a.      **Resolution Serial No. 15-045:** A Resolution Amending Title 23, Land And Resource Management Policies And Procedures Manual, Real Property Disposals: Less Than Fair Market Value, Part 60. *(Sponsored By Assemblymember Mayfield)*  
(1)      IM No. 15-097
  
- pp. 625-628      8.      **Ordinance Serial No. 15-058:** An Ordinance Approving The Manager To Enter Into An Agreement With The University Of Alaska To Purchase The Fireweed Building, Located At
  
- pp. 629-670 Mayfield
  
- pp. 641-644
  
- pp. 645-650 Beck

A D O P T E D	A M E N D E D	P O S T P O N E D	D E F E A T E D

533 Fireweed Avenue, Palmer, Alaska, For The Purpose Of A Permanent Location For The Borough's Capital Projects Department (MSB006903).

a. IM No. 15-099

pp. 651-661  
Arvin

9. **Ordinance Serial No. 15-059:** An Ordinance Approving A Land Exchange Of .57 Acres Of Borough-Owned Land For .19 Acres Of Land Owned By Douglas L. Olson, Located In The Area Of Trunk Road – Parks Highway Interchange For The Purpose Of The Trunk Road Extension South Road Project; And Authorizing The Manager To Execute The Documents Necessary To Complete The Land Exchange (MSB007034/DPW000085).

pp. 662-664

a. **Resolution Serial No. 15-046:** A Resolution Approving The Best Interest Finding In Support Of A Land Exchange Of .57 Acres Of Borough-Owned Land For .19 Acres Of Land Owned By Douglas L. Olson Located In The Area Of Trunk Road – Parks Highway Interchange For The Purpose Of The Trunk Road Extension South Road Project (MSB007034/DPW000085).

(1) IM No. 15-100

pp. 665-669  
Mayfield

10. **Ordinance Serial No. 15-060:** An Ordinance Appropriating \$707,594 To Fund 495 For Issuance Costs From The Proceeds Of The Matanuska-Susitna Borough, State Of Alaska Lease Revenue Refunding Bonds, Series 2015 (Goose Creek Correctional Center Project).

a. IM No. 15-101

pp. 670-680  
Sykes

11. **Ordinance Serial No. 15-061:** An Ordinance Repealing Permanent Registration Of Motor Vehicles Over Eight Years Old And Permanent Registration Of Non-Commercial Trailers And Repealing Changes To The Motor Vehicle Tax Distribution To Restore The Distribution To The Original Amounts. (*Sponsored By Assemblymember Sykes*)

a. IM No. 15-103

pp. 681-686  
Halter

12. **Ordinance Serial No. 15-062:** An Ordinance Amending MSB 3.04.075, Tax Levy Limitation, To Provide That The Tax Cap Does Not Apply To Taxes To Fund Service Areas. (*Sponsored By Assemblymember Halter*)

a. IM No. 15-105

C. MAYORAL NOMINATIONS AND APPOINTMENTS

pp. 687-751

1. VACANCY REPORT

D. OTHER NEW BUSINESS

pp. 752-760  
Arvin

E. REFERRALS (For Referral To The Planning Commission For 90 Days Or Other Date Specified By The Assembly)

- 1. **Ordinance Serial No. 15-063:** An Ordinance Amending MSB 15.24.031, Initiating And Amending Lake Management Plans, By Placing A Temporary Moratorium On Initiation And Amendments To Lake Management Plans.
  - a. IM No. 15-104

XI. RECONSIDERATION

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

XIII. EXECUTIVE SESSION

XIV. ADJOURNMENT

A D O P T E D	A M E N D E D	P O S T P O N E D	D E F E A T E D

**Disabled Persons Needing Reasonable Accommodation In Order To Participate At An Assembly Meeting  
Should Contact The Borough ADA Coordinator At 861-8432 At Least One Week In Advance Of The Meeting.**

**THE MINUTES ARE  
LOCATED AT THE  
BACK OF THE  
PACKET.**

DUE 11 DAYS PRIOR TO MEETING

**OFFICIAL USE ONLY**

Date Received:	<u>3/17/15</u>
Meeting Date Approved:	<u>4/21/15</u>
Clerk Approval:	<u>[Signature]</u>

**MATANUSKA-SUSITNA BOROUGH  
AGENCY REPORTS**

**RECEIVED  
MAR 17 2015  
CLERKS OFFICE**

MEETING DATE REQUESTED: April <sup>21</sup> 2015

NAME OF SPEAKER: Archie Giddings (Chair)

ORGANIZATION: Aviation Advisory Board

PLEASE CHECK ONE OF THE FOLLOWING THAT APPLIES:

Governmental Agency \_\_\_\_\_ Have Received a Grant from the Borough \_\_\_\_\_ Borough Board

Borough Recognized Community Council \_\_\_\_\_ None Apply \_\_\_\_\_

DAYTIME TELEPHONE: 373-9018 -Board Admin: Debbie Passmore 861-7716

SUBJECT: Update on MSB Aviation Advisory Board;

AAB Resolutions 14-004, 14-005 (14-003 was withdrawn);  
14-006, 14-007, 14-008, 15-01

REQUESTED ACTION (if applicable): \_\_\_\_\_

- Documentation is attached for inclusion with assembly packet.
- Twenty-five (25) copies of a prepared statement or other pertinent document will be provided to the Clerk's Office by noon of the assembly meeting date.

**THERE IS (7) MINUTES ALLOTTED FOR YOUR PRESENTATION**

<b>FOR OFFICIAL USE</b>
Assembly Action/Comments:

**MATANUSKA-SUSITNA BOROUGH  
AVIATION ADVISORY BOARD  
RESOLUTION SERIAL NO. 14-004**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AVIATION ADVISORY BOARD RECOMMENDING THE ASSEMBLY FULLY SUPPORT THE REINTRODUCTION OF FORMER HOUSE BILL NO. 350 (INTRODUCED 2/26/2014; TO BE REINTRODUCED IN THE 2014/2015 LEGISLATURE).

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WHEREAS, towers present potential obstacles to flight patterns; and

WHEREAS, the AAB has heard much testimony over the past four years regarding the importance of regulating towers in the Matanuska-Susitna Borough for safety purposes; and

WHEREAS, the 2008 Regional Aviation System Plan addresses towers in the Airport Compatibility section (copy attached); and

WHEREAS, the Matanuska-Susitna Borough Aviation Advisory Board (AAB) submitted Resolution 10-02 (copy attached) recommending the Matanuska-Susitna Borough Require Red Lighting on Towers Within a Half Mile of the Parks and Glenn Highways; and

WHEREAS, the AAB submitted Resolution 12-01 (copy attached) recommending the Planning Commission Require Lighting Be Placed on a Proposed 120-Foot Telecommunications Tower; and

WHEREAS, the AAB submitted Resolution 12-11 (copy attached) recommending Assembly adoption of Regulations Regarding Tall Structures Within the Matanuska-Susitna Borough; and

WHEREAS, House Bill 350 (copy attached) relates to an Act relating to the registration and marking of towers; relating to the duties of the Department of Transportation and Public Facilities; and providing for a effective date; and


WHEREAS, there are approximately 149 towers in the Borough with more being constructed each year.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Aviation Advisory Board respectfully recommends the Matanuska-Susitna Borough Assembly fully support House Bill 350.

ADOPTED by the Matanuska-Susitna Borough Aviation Advisory Board on this 21 day of August, 2014.

  
\_\_\_\_\_  
Archie Giddings, CHAIRMAN

ATTEST:

  
\_\_\_\_\_  
Debbie Passmore, Secretary

**Table 1: Summary of Regional Aviation System Plan Recommendations**

Issue	Recommendation
Involvement of Aviation Community	Form Aviation Advisory Board
Airspace	Require airport airspace reviews and registration by the Federal Aviation Administration.
	Encourage continuous operation of aircraft with landing lights on.
	Hold ongoing discussions with military on use of Matanuska-Susitna Borough airspace.
	Support implementation of Capstone in Matanuska-Susitna Borough.
Communications	Continue to reassign radio frequencies to follow a logical geographic pattern.
	Communicate frequencies and airport locations to pilots.
	Identify reporting points and military routes/airspace on the Sectional and/or Alaska Supplement.
	Conduct ongoing pilot education about all of the topics addressed in the Regional Aviation System Plan.
Airport Compatibility	Expand radio and radar coverage in Matanuska-Susitna Borough at a later date, if demand and need grows.
	Notify property owners of locations of airports on Matanuska-Susitna Borough or State of Alaska Department of Transportation and Public Facilities maps and on plat notes for properties near busier airports.
	Address airports in comprehensive plans and Special Land Use Districts.
	Involve Aviation Advisory Board in Lake Management Plans that address aviation.
	Encourage consolidation of towers and involve Aviation Advisory Board in tower reviews.
	Consider airport compatibility when siting public facilities near airports.
Public Airport Improvements	Require a conditional use permit, planned unit development, or land use permit for new airports, commercial floatplane bases, helipads, and heliports. Adopt airport template(s) that address minimum airport safety standards.
	Amend Title 27 to define platting requirements specifically for airports. Require airports to be shown on a plat if subdivision of land is required.
	Airport owners should consider RASP public comments about future airport improvement needs.

MATANUSKA-SUSITNA BOROUGH  
AVIATION ADVISORY BOARD RESOLUTION NO. 10-02

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AVIATION ADVISORY BOARD RECOMMENDING THE MATANUSKA-SUSITNA BOROUGH REQUIRE RED LIGHTING ON TOWERS WITHIN A HALF MILE OF THE PARKS AND GLENN HIGHWAYS.

WHEREAS, pilots are often flying in weather that moderately or severely restricts vision from the cockpit; and

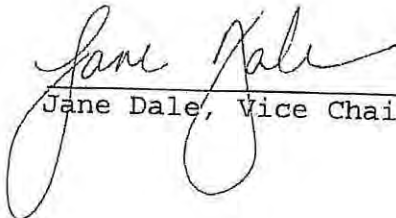
WHEREAS, during these times of bad weather pilots use the major highways as a visual reference to guide them to their destinations; and

WHEREAS, pilots also decrease their altitude to obtain better vision of reference points such as the road system; and


WHEREAS, towers over 150 feet within a half mile either side of these major highways become obstacles to aircraft in weather that causes limited sight distance.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Aviation Advisory Board recommends the Matanuska-Susitna Borough require red lighting on towers over 150 feet within a half mile either side of the Parks and Glenn Highways.

ADOPTED by the Matanuska-Susitna Borough Aviation Advisory Board this 8th day of April, 2010.

  
Jane Dale, Vice Chair

ATTEST:

  
Mary Brodigan, Aviation Advisory Board Clerk

Aviation Advisory Board Resolution 10-02  
Adopted: April 8, 2010

**MATANUSKA-SUSITNA BOROUGH  
AVIATION ADVISORY BOARD  
RESOLUTION SERIAL NO. 12-01**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AVIATION ADVISORY BOARD RECOMMENDING THE PLANNING COMMISSION REQUIRE LIGHTING BE PLACED ON A PROPOSED 120-FOOT TELECOMMUNICATIONS TOWER

---

WHEREAS, Sheinberg Associates for AT&T Mobility, has submitted a Conditional Use Permit application for a 120-foot telecommunications tower located near Talkeetna at 27993 South Talkeetna Spur Road, within Township 25 North, Range 4 West, Section 18, Seward Meridian; and

WHEREAS, the location of the proposed tower is approximately one mile northeast of a non-registered, private-use airstrip; and

WHEREAS, the location of the proposed tower will be a distance of approximately 3,000 feet north from the shoreline of Fish Lake, an active float plane base; and

WHEREAS, a float plane sightseeing company operates from the north shore of Fish Lake; and

WHEREAS, the Susitna River is located one mile to the west of the proposed tower; and

WHEREAS, moisture from the Susitna River and other adjacent lakes and wetlands assist in establishing foggy, low weather conditions; and


WHEREAS, during visually restrictive flight conditions, many pilots will use geographic features for navigation

including the Susitna River, the railroad and Talkeetna Spur Road; and

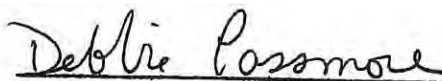
WHEREAS, the proximity of the tower to an existing airstrip, Fish Lake, and Talkeetna Spur Road may pose a safety risk for pilots.

NOW, THEREFORE, BE IT RESOLVED, the Matanuska-Susitna Borough Aviation Advisory Board recommends to the Planning Commission that the proposed 120-foot telecommunications tower, located at 27993 South Talkeetna Spur Road, within Township 25 North, Range 4 West, Section 18, Seward Meridian, be constructed with an aviation hazard beacon conforming to all FAA marking requirements.

ADOPTED by the Matanuska-Susitna Borough Aviation Advisory Board this 12th day of January, 2012.

  
\_\_\_\_\_  
Archie Giddings, Chair

ATTEST:

  
\_\_\_\_\_  
Debbie Passmore, Aviation Advisory Board Clerk

**MATANUSKA-SUSITNA BOROUGH**  
**AVIATION ADVISORY BOARD RESOLUTION NO. 12-11**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AVIATION ADVISORY BOARD RECOMMENDING ASSEMBLY ADOPTION OF REGULATIONS REGARDING TALL STRUCTURES WITHIN THE MATANUSKA-SUSITNA BOROUGH.

---

WHEREAS, the Regional Aviation System Plan (RASP) was adopted by the Borough Assembly in 2009; and

WHEREAS, the RASP contains recommendations for developing language in the Borough code for aviation use along with any compatible land use; and

WHEREAS, towers present potential obstacles to flight patterns.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Aviation Advisory Board recommends that the Borough Assembly adopt regulations regarding the location of any tall structure installed in the Matanuska-Susitna Borough that has the potential of interfering with flight activity.

BE IT FURTHER RESOLVED, that the Matanuska-Susitna Borough Aviation Advisory Board recommends the tower height be limited to a height that will provide proper clearance for flight activities around any existing FAA-registered aviation facility.

ADOPTED by the Matanuska-Susitna Borough Aviation Advisory Board this 13 day of September, 2012.

  
\_\_\_\_\_  
Archie Giddings, Chair

ATTEST:

Debbie Passmore  
Debbie Passmore, Aviation Advisory Board Clerk

**HOUSE BILL NO. 350**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE ISAACSON

Introduced: 2/26/14  
Referred: Transportation

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the registration and marking of towers; relating to the duties of the  
2 Department of Transportation and Public Facilities; relating to the duties of the  
3 University of Alaska Fairbanks; and providing for an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 \* **Section 1.** AS 02.10 is amended by adding new sections to read:

6 **Sec. 02.10.100. Registration and marking of tower structures.** (a) A  
7 communications, wind, or other tower greater than 100 feet in height above ground  
8 level shall

9 (1) have at least one seven-foot safety sleeve, attached in a manner that  
10 does not interfere with a spherical marker ball,

11 (A) on each anchor point above the adjacent vegetative canopy;

12 and

13 (B) on each outer guy wire;

14 (2) have at least four high visibility spherical marker balls of aviation

1 orange color attached to each outer guy wire at least 15 feet from the top wire  
2 connection to the tower; and

3 (3) have at least four high visibility spherical marker balls of aviation  
4 orange color attached to each outer guy wire at or below the middle point of the tower.

5 (b) The owner of a tower greater than 50 feet in height above ground level  
6 shall, not later than 20 days before installation of a tower, register the tower with the  
7 department. Registration under this section shall include

8 (1) the location of the tower, including the location by coordinates and  
9 the nearest community or municipality;

10 (2) the height above ground and the total height of the tower;

11 (3) the type of tower;

12 (4) the owner of the tower; and

13 (5) the method used to make the tower visible under (a) of this section.

14 (c) The owner of a tower subject to registration under (b) of this section shall  
15 notify the department within 30 days after the removal or significant alteration of the  
16 tower.

17 (d) Within 15 days after receiving the information required under (b) or (c) of  
18 this section, the department shall

19 (1) transmit the information to the University of Alaska Fairbanks; and

20 (2) make the information required under (b) of this section available on  
21 the department's Internet website.

22 (e) Within 15 days after receiving information under (d) of this section, the  
23 University of Alaska Fairbanks shall, on an Internet website hosting a geographic  
24 information network, display the information received under (d) of this section in an  
25 interactive map.

26 (f) An action may not be brought against the University of Alaska Fairbanks  
27 for damages resulting from information or a lack of information provided on the  
28 Internet website specified in (e) of this section.

29 (g) On or after the effective date of this Act, a tower greater than 50 feet in  
30 height may not be constructed within one mile of an airport intended for public use or  
31 directly through or under an air approach of an airport intended for public use. The

1 prohibition in this section may be waived if the commissioner finds it is not  
 2 practicable to construct a tower more than one mile from an airport intended for public  
 3 use.

4 (h) The owner of a tower shall comply with applicable federal laws, standards,  
 5 and published recommendations related to lighting, marking, painting, and visibility of  
 6 a tower.

7 (i) A person who violates this section is guilty of a violation and shall be  
 8 punished as provided in AS 12.55.

9 **Sec. 02.10.190. Definitions.** In this chapter,

10 (1) "airport" means an area of land or water that is used or intended for  
 11 use for the landing and take-off of aircraft, and any appurtenant areas that are used or  
 12 intended for use for airport buildings or other airport facilities or rights-of-way,  
 13 together with airport buildings and facilities located in the area;

14 (2) "commissioner" means the commissioner of transportation and  
 15 public facilities;

16 (3) "department" means the Department of Transportation and Public  
 17 Facilities;

18 (4) "tower" includes accessory facilities and guy wires attached to the  
 19 tower.

20 \* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
 21 read:

22 **TRANSITIONAL PROVISIONS.** The owner of a tower existing on the effective date  
 23 of this Act shall register the tower in accordance with AS 02.10.100(b), enacted by sec. 1 of  
 24 this Act, within 45 days after the effective date of this Act. A person in violation of this  
 25 section is guilty of a violation and shall be punished as provided in AS 12.55.

26 \* **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).

**MATANUSKA-SUSITNA BOROUGH  
AVIATION ADVISORY BOARD  
RESOLUTION SERIAL NO. 14-005**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AVIATION ADVISORY BOARD RECOMMENDING IMPLEMENTATION OF A BOROUGH-WIDE POLICY REGARDING DISEMINATION OF INFORMATION FROM BOROUGH DEPARTMENTS THROUGH THE AVIATION ADVISORY BOARD SUPPORT STAFF TO THE AVIATION ADVISORY BOARD ON NEW PROJECTS THAT WOULD POTENTIALLY AFFECT AVIATION FACILITIES.

---

WHEREAS, there is an inconsistency in which borough departments route proposed project information and what type of project information is routed to other departments; and

WHEREAS, this has led to projects from Borough departments affecting aviation facilities without the Aviation Advisory Board having the chance to comment on the project before it is constructed; and

WHEREAS, the Sunday Lane road relocation/trail project will impact aircraft operations on Willow Lake adding to the chances of a serious collision in winter by increased trail use by snow machines and dog sleds. This project affects aviation but was not reviewed by the Aviation Advisory Board at any time; and

WHEREAS, aviation facilities are prone to impact from surrounding land use due to both the surface and surrounding airspace being used for operations.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Aviation Advisory Board respectfully recommends the Matanuska-Susitna Borough Manager implement a borough-wide policy in regard to dissemination of information from Borough Departments to the Aviation Advisory Board support staff on new projects that would affect aviation facilities.

ADOPTED by the Matanuska-Susitna Borough Aviation Advisory Board on this 21 day of August, 2014.



\_\_\_\_\_  
Archie Giddings, CHAIRMAN

ATTEST:



\_\_\_\_\_  
Debbie Passmore, Secretary

**MATANUSKA-SUSITNA BOROUGH  
AVIATION ADVISORY BOARD  
RESOLUTION SERIAL NO. 14-006**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AVIATION ADVISORY BOARD ENCOURAGING THE BOROUGH ASSEMBLY TO REQUEST THE GOVERNOR'S OFFICE AND ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES TO PROVIDE INCENTIVES, OPPORTUNITIES AND FUNDING AT THE NORTHWAY AIRPORT THAT WILL ATTRACT BUSINESSES THAT PROVIDE AVIATION SUPPORT & FUEL FOR AIRCRAFT FLYING TO AND FROM ALASKA.

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WHEREAS, Northway Airport is a critical fuel stop link for personal and business aircraft travelling from the Lower 48 through Canada to Alaska; and

WHEREAS, there is currently no fuel available to aircraft at Northway Airport; and

WHEREAS, the lack of fuel reduces the amount of economic activity/business occurring in Alaska due to aviation travel; and

WHEREAS, there are no facilities at this time. We request the ADOT&PF install an airport fueling station at the airport that could either be owned, managed and operated by the ADOT&PF or an adequately prepared contractor; and

WHEREAS, environmental damage has been done over decades and requiring contractors to clean up is cost prohibitive to providing contractors the opportunity to participate at that location. We request the ADOT&PF remove the requirement in the lease for contractors to clean up any existing fuel, oil and other environmental problems at the Northway Airport; and

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Aviation Advisory Board respectfully encourages the Borough Assembly to request the Governor's Office and Alaska Department of Transportation and Public Facilities to provide incentives at the Northway Airport that will attract businesses

that provide aviation support and fuel for aircraft flying to and from Alaska.

ADOPTED by the Matanuska-Susitna Borough Aviation Advisory Board on this 11<sup>th</sup> day of December, 2014.



\_\_\_\_\_  
Archie Giddings, CHAIRMAN

ATTEST:



\_\_\_\_\_  
Debbie Passmore, Secretary

MATANUSKA-SUSITNA BOROUGH  
AVIATION ADVISORY BOARD  
RESOLUTION SERIAL NO. 14-007

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AVIATION ADVISORY BOARD ENCOURAGING THE BOROUGH ASSEMBLY TO REQUEST FUNDING FROM THE FEDERAL HIGHWAY ADMINISTRATION FOR AVIATION CROSSING WARNING LIGHTS ON THE PARKS HIGHWAY AT THE WILLOW AIRPORT TO IMPROVE SAFETY.

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WHEREAS, Willow Airport, a state-owned facility is split by the Parks Highway, part of the National Highway System; and


WHEREAS, aircraft on floats land on Willow Lake and are towed across the Parks Highway year round for maintenance and for float removal and attachment; and

WHEREAS, there are no warning lights on the highway to warn travelling vehicles that aircraft and slow moving tow vehicles with aircraft are crossing the highway; and


WHEREAS, the Federal Highway Administration has a highway safety program that could fund this safety improvement.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Aviation Advisory Board respectfully encourages the Borough Assembly to request funding from the Federal Highway Administration for aviation crossing warning lights on the Parks Highway at the Willow Airport to improve safety.

ADOPTED by the Matanuska-Susitna Borough Aviation Advisory Board on this 11<sup>th</sup> day of December, 2014.

  
\_\_\_\_\_  
Archie Giddings, CHAIRMAN

ATTEST:

  
\_\_\_\_\_  
Debbie Passmore, Admin. Support

MATANUSKA-SUSITNA BOROUGH  
AVIATION ADVISORY BOARD  
RESOLUTION SERIAL NO. 14-008

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AVIATION ADVISORY BOARD IN APPRECIATION OF THE SERVICES OF MS. JANE DALE.

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WHEREAS, Ms. Dale served on the Matanuska-Susitna Borough Aviation Advisory Board from November 2009 to December 2014; and

WHEREAS, Ms. Dale was a reliable and committed member of the Board; and

WHEREAS, Ms. Dale's vast knowledge of Aviation issues contributed in many ways to discussions before the Aviation Advisory Board; and

WHEREAS, the Board members enjoyed serving with Ms. Dale as a fellow board member and wish her well.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Aviation Advisory Board expresses its gratitude to Ms. Jane Dale for having served as a member of the Aviation Advisory Board.

ADOPTED by the Matanuska-Susitna Borough Aviation Advisory Board this 11<sup>th</sup> day of December, 2014.



Archie Giddings, Chair

ATTEST:



Debbie Passmore, Administrative Support

MATANUSKA-SUSITNA BOROUGH  
AVIATION ADVISORY BOARD  
RESOLUTION SERIAL NO. 15-01

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AVIATION ADVISORY BOARD  
RECOMMENDING IMPLEMENTATION OF A BOROUGH-WIDE POLICY REGARDING USE OF  
THE CRITERIA MATRIX FOR EVALUATING TALL TOWER PERMIT APPLICATIONS

WHEREAS, the Aviation Advisory Board is asked to consider  
tall towers on occasion; and

WHEREAS, standardized process is important in reviewing  
tall tower permit applications; and

WHEREAS, tall towers can impact aviation safety in the  
Matanuska-Susitna Borough; and

WHEREAS, the Aviation Advisory Board has created a minimum  
*Criteria Matrix for Evaluating Tall Tower Permit Applications*;  
and

WHEREAS, in the criteria matrix, the possible points are 1-  
5 where 1 is the lowest negative impact on aviation safety and 5  
is the highest negative impact; and

WHEREAS, the criteria matrix can be used as an advisory  
tool to the Matanuska-Susitna Borough.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna  
Borough Aviation Advisory Board adopts the Tall Tower Criteria  
Matrix to be used by the Aviation Advisory Board to consider  
tall towers in the future.

ADOPTED by the Matanuska-Susitna Borough Aviation Advisory  
Board on this 12<sup>th</sup> day of February, 2015.

  
\_\_\_\_\_  
Archie Giddings, CHAIRMAN

ATTEST:

*Debbie Passmore*

Debbie Passmore, Secretary

	<b>Criteria Matrix for Evaluating Tall Tower Permit Applications</b>	<b>Possible Points</b>	<b>(Applicant Name) (Tower Location)</b>
<b>1</b>	Will the tower or building impact the approach of public use, registered private or commonly-used off-airport landing areas?	5 4 3 2 1	
<b>2</b>	If the FAA's advisory circular indicates a change in approach minimums, how will this impact the aviation community? Is this the only approach at your airport predicated on a specific type of navigational aid? Does the impacted approach offer the lowest minimums at that facility?	5 4 3 2 1	
<b>3</b>	Will the structure in question be close to a visual landmark such as a highway, mine, reservoir, or any other point commonly used as a visual reference for VFR pilots?	5 4 3 2 1	
<b>4</b>	Will the tower underlie terminal airspace, creating traffic compression and with it an increased risk of a mid-air collision?	5 4 3 2 1	
<b>5</b>	Will the structure lie in an area in which a high volume of training activities is conducted?	5 4 3 2 1	
<b>6</b>	Will the proposed structure lie along commonly used VFR egress or ingress tracks to your airport?	5 4 3 2 1	
<b>7</b>	If this facility falls under 14 CFR Part 77 criteria, has the FAA conducted a review and provided a letter of non-objection for this application?	5 4 3 2 1	
	<b>Total:</b>		

## **I. CALL TO ORDER; ROLL CALL**

A meeting of the Matanuska-Susitna Borough Board of Adjustment and Appeals was called to order at 10 a.m. by Chair Buswell for the purpose of an appeal hearing for BOAA Case No. 14-01.

Board members present and establishing a quorum were:

Mr. A.C. Buswell, III  
Mr. Terry Nicodemus  
Ms. Claudia Roberts

Staff in attendance were:

Ms. Brenda J. Henry, Assistant Clerk  
Mr. John Aschenbrenner, Deputy Borough Attorney  
Mr. Mark Whisenhunt, Planner II

## **II. APPROVAL OF AGENDA**

Chair Buswell queried if there were any changes to the agenda.

Mr. Aschenbrenner:

- spoke to 15.39.190, which dictates the timeframes for speaking at the hearing;
- stated that Borough Staff is not listed; and
- requested that the timeframes and who provides testimony as outlined in code be strictly followed.

Mr. Baird:

- spoke in opposition, as the Borough is the appellant; and
- noted that the Borough would have more time than the entitlement applicant.

MOTION: Mr. Nicodemus moved to amend the agenda to include Borough Staff as outlined in code.

VOTE: There was no objection noted.

Chair Buswell spoke to concerns that the time for Borough Staff was not included.

Ms. Henry:

- advised that Borough staff was not omitted inadvertently;
- stated that the agenda is prepared slightly different when the Borough is the appellant;
- noted that the timeframes are subject to change at the discretion of the Chair; and
- related that both sides should have equal opportunity to present their cases.

There was no objection noted.

Chair Buswell stated that if there was no objection that all parties would have equal time to present their cases, which would be 25 minutes.

There was no objection noted.

### III. APPROVAL OF MINUTES

A. October 1, 2014.

Chair Buswell queried if there were any changes to the October 1, 2014, meeting minutes.

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

### IV. ITEMS OF BUSINESS

A. MSB Motion To Supplement Record

Chair Buswell requested that Ms. Henry speak to the MSB Motion to Supplement Record.

Ms. Henry:

- advised that the motion to supplement the record came in late on Friday;
- stated that when it did, she called the Chair to see how he would like to proceed, as the document was too large to scan to email;
- further stated that due to it being too large to scan to email, that there was not enough time to get it to the entitlement applicant via United States mail, prior to the hearing;
- advised that the Chair had requested that she not serve the parties and that the Board would take it up at the hearing; and
- read the MSB Motion to Supplement the record into the record.

Chair Buswell stated that if there was no objection that the hearing would go off record in order to allow the parties to review the MSB supplement to the record.

*(The meeting recessed at 10:08 a.m. and reconvened at 10:13 p.m.)*

MOTION: Mr. Nicodemus moved to supplement the record.

VOTE: The motion passed without objection.

B. Appeal Hearing - BOAA Case No. 14-01 - MSB Planning Commission Resolution Serial Nos. 14-21 and 14-30, Approval of the Variance for Tract C-2 Sky Ranch at Pioneer Peak Addition No. 1, Palmer Recording District

*(Times frames are pursuant to MSB 15.39.190(B) and are subject to change at the discretion of the Chair pursuant to MSB 15.39.190(C).)*

1. Borough Staff (10 minutes)

Mr. Mark Whisenhunt, Planner II, provided testimony.

Mr. Nicodemus asked questions of Mr. Whisenhunt.

Mr. Paul Hulbert, Platting Officer, provided testimony.

MOTION: Mr. Nicodemus moved to allow Mr. Hulbert additional time to conclude his testimony.

VOTE: There was no objection noted.

Mr. Hulbert continued his testimony.

Mr. Nicodemus asked questions of Mr. Hulbert.

2. Mr. John Aschenbrenner (15 minutes)

Mr. John Aschenbrenner, Deputy Borough Attorney, presented oral argument.

*(The meeting recessed at 10:54 a.m. and reconvened at 11 a.m.)*

3. Mr. Ronald Baird (15 25 minutes)

Mr. Ronald Baird, attorney for the entitlement applicant, presented oral argument.

Mr. Nicodemus asked questions of Mr. Baird.

4. Mr. John Aschenbrenner – rebuttal (5 minutes)

Mr. Aschenbrenner provided rebuttal.

Ms. Roberts asked questions of Mr. Aschenbrenner.

Mr. Nicodemus asked questions of Mr. Aschenbrenner.

**V. ADJUDICATORY SESSION**

MOTION: Mr. Nicodemus moved to enter into adjudicatory session.

VOTE: The motion passed and the Board entered into adjudicatory session at 11:42 p.m.

MOTION: Mr. Nicodemus moved to exit adjudicatory session.

VOTE: The motion passed and the Board exited adjudicatory session at 2:58 p.m.

Chair Buswell requested that Ms. Henry read the entire draft final order and finding of fact and conclusions of law into the record.

Ms. Henry read the final order into the record.

MOTION: Ms. Roberts moved to adopt the final order as read into the record by the Clerk.

VOTE: The motion passed without objection.

## VI. BOARD COMMENTS

Mr. Nicodemus:

- noted the decision was based on the fact that the entitlement applicant created their own hardship; and
- stated that had the hardship been created by someone else that the Board might have sided with the Planning Commission decision.

Ms. Roberts:

- noted her agreement with Mr. Nicodemus;
- stated that she would have liked to support this vacation; and
- related that the decision is guided by code.

Chair Buswell stated that he agrees with both comments.

## VII. ADJOURNMENT

The meeting adjourned at 3:04 p.m.

MATANUSKA-SUSITNA BOROUGH  
BOARD OF ADJUSTMENT AND APPEALS



A.C. BUSWELL, III, Board Chair

ATTEST:



BRENDA J. HENRY, CMC, Assistant Clerk

Minutes Approved: 03/31/15

MATANUSKA-SUSITNA BOROUGH

BOARD OF ADJUSTMENT AND APPEALS

IN RE: )  
 )  
 MSB Planning Commission )  
 Resolution Serial Nos. 14-21 and 14-30 )  
 Approval of the Variance for Tract C-2 )  
 Sky Ranch at Pioneer Peak Addition )  
 No. 1, Palmer Recording District )  
 )  
 Matanuska-Susitna Borough, ) BOAA Case No. 14-01  
 Appellant )  
 \_\_\_\_\_ )

**NOTICE OF RIGHT TO APPEAL AND FINAL ORDER**

NOTICE IS HEREBY GIVEN that the Matanuska-Susitna Borough Board of Adjustment and Appeals ("BOAA"), on November 24, 2014, rendered the following order regarding the appeal filed in the above referenced matter. This final order may be appealed within 30 days of the date of this decision, pursuant to MSB 15.39.250 and the Alaska Rules of Appellate Procedure, Part 600.

**FINDINGS OF FACT**

1. This appeal was filed in a timely manner.
2. The BOAA has jurisdiction over this matter pursuant to MSB 15.39.030(A)(1).
3. Per MSB 15.39.220(A), the BOAA may affirm, reverse, or modify in whole or in part, the appealed determination, decision, or order, or remand pursuant to MSB 15.39.150.
4. The subject lot is 6.38 acres in size.

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BOAA Case No. 14-01  
 Final Order and Notice of Right to Appeal  
 Page 1 of 4

5. At the time of construction in 1994, the subject lot was 9.71 acres in size with a future development designation on Plat No. 92-55.
6. The subdivision plats for Phases I, II, III, and IV show the 33-foot section line easement on the west side of the tract from the Matanuska River north to where sections 20 and 17 abut.
7. The subdivision plats for Phases I, II, III, and IV were approved by the Platting Board and recorded on September 25, 1989 through September 9, 1992.
8. Both the application material and MSB Assessment records indicated construction of the subject structure began in 1994.
9. The subject lot is not unusually small or narrow, and there are no topographical features that would prevent this structure from being built in full compliance with the minimum setback requirements.
10. The 25-foot minimum setback from public use easement was first adopted on July 3, 1973.
11. Construction of the subject structure began in 1994, which makes the structure ineligible for legal non-conforming status.
12. The applicable Borough setback requirements do not have specific provisions for parcels that abut more than one right-of-way and/or public use easement.

13. Many properties within the Borough abut more than one right-of-way and/or public use easement, including every parcel that abuts a street intersection.
14. The Board does not find that the narrowing of the setback to 15-feet from 25-feet undermines the general policies underlying setbacks by reducing separation distances for air, light, fire protection, and prevention of overcrowding regarding this section line easement.
15. On September 26, 2013, the Alaska State Department of Natural Resources denied the application for vacation of section line easement, as they did not believe it was in the best interest of the state to permanently vacate a public easement solely to address an encroachment issue. R. 41

#### CONCLUSIONS

Based on the above findings, the Board of Adjustment and Appeals makes the following conclusions:

1. There are no unusual conditions or circumstances that apply to this property for which the variance is sought.
2. The strict application of the provisions of this title would not deprive the applicant of rights commonly enjoyed by other properties.
3. The special conditions that require the variance were caused by the person seeking the variance.

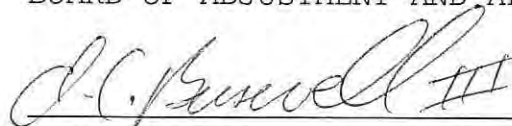
4. The person seeking the variance built the structure too close to the section line easement and created the need for the variance.
5. The requirements for a land use variance within the Borough are contained in MSB 17.65.020 mandate that all requirements listed be met in order to grant a variance. The provisions of MSB 17.65.030 are prohibitions such that the existence of any of the prohibitions precluded the granting of the variance.
6. The most stark evidence demonstrating that the MSB Planning Commission erred by granting this variance is that it made specific findings demonstrating that the prohibitions contained in MSB 17.65.030(A)(1) were supported by substantial evidence.

**ORDER**

Based on the above findings of fact and conclusions of law, the Board of Adjustment and Appeals hereby orders that the decision of the Planning Commission is REVERSED and the variance at issue is REVOKED.

ADOPTED by the Board of Adjustment and Appeals this 24 day of ~~November~~ 2014.

MATANUSKA-SUSITNA BOROUGH  
BOARD OF ADJUSTMENT AND APPEALS



A.C. Buswell, III, Chairperson

MATANUSKA-SUSITNA BOROUGH  
EMERGENCY MEDICAL SERVICES BOARD MINUTES

October 1, 2014

Chairwoman Mangione called the regular meeting of the EMS Advisory Board to order at 6:20 p.m. in the Cottonwood Public Safety Building.

The following members were present and established a quorum:

Jalan Van Nice, Butte;	Cheri Day, Sutton (via phone)
Alaina Anderson, Dispatch;	Mia Mangione, Talkeetna
Kara Boothby, Central Alt.;	Deb Spaulding, Willow Alt.
Roger Swingle, Medical Director;	Christian Hartley, Fire Service Areas

Other persons present include: DES EMS Quality Assurance Manager, Shari Turner; DES EMS Training Coordinator, Bill Mackreth; and Trapper Creek EMS Chief, Carol Starbuck

A quorum was established and due notice had been published.

APPROVAL OF AGENDA

GENERAL CONSENT: The agenda was approved as presented without any objections.

APPROVAL OF THE MINUTES

April 2, 2014

MOTION: Ms. Boothby moved and Dr. Swingle seconded, to approve the minutes as presented.

GENERAL CONSENT: There was no objection to the approval of the minutes.

PERSONS TO BE HEARD

There were no persons present with requests to speak.

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## ADMINISTRATIVE REPORTS

### Emergency Services Deputy Director

Mr. Vardeman was not present and provided notes that stated the following:

We have a signed agreement with MSRMC to allow observations as well as some hands-on care! Unfortunately, for the time being, only full time personnel will fall under the agreement due to some insurance requirements. I am hopeful that as this program moves forward, we will be able to bring more responders into the hospital.

Ken Barkley has been hired as the new Deputy Director- Fire. He will be starting on November 3<sup>rd</sup>. Please stop by to offer a warm welcome when you get a chance.

Work is continuing on the new Station 5-1 close to the hospital. We are on schedule to occupy the station in December. Not only will it house an ambulance crew but it will also have two static simulation labs always prepared for practice and education. It will also be a medical supply point that will replace Station 6-5.

Chiefs Wallace and Wiseman are altering their schedules to begin covering shifts seven days a week. They are also dividing up the Borough geographically to even out their span of control and balance their work loads. Information is going out to define their work teams. I look forward to this positive change to have better communication throughout the system and thank the two for their willingness to embrace change.

Teaching CPR at the State Fair was a great success. Thanks to Brian, Gene and Stephanie for their hard work leading up to the Fair and to all responders that helped staff and teach at the tent!

Winter weather is coming! Please be sure to remind everyone about safe operations in inclement weather. Make sure you have appropriate PPE available to everyone when working on ice and in the cold.

Mr. Vardeman thanks everyone and our responders for all they do!

### EMS Training Coordinator -

Mr. Mackreth was present and provided the following information:

#### Alaska EMS

The state office was able to procure a visit from the National Highway Transportation for Patient Safety Administration. They evaluated the Alaska EMS System in May. Recommendations were big and broad. A few of the more focused recommendations from the committee are guiding

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many actions at the state office level. One being the institution of a new EMT 1 written exam January 1st.

Public comment closed May 23rd on the EMS Regs project. Most changes included the removal of old terms and procedures. They are using this as an opportunity to update the application fee schedule. There is also a proposal to remove the EMT 1 written test for recertification. There was a difference of opinion on this issue.

The EMT exams will be changing from paper exams to online exams about the same time as the online application process is activated.

### Mat-Su EMS

Plans are underway for an EMT 1 course up North. Ms. Mangione is expected to be the instructor, as a college employee, so her responder hours aren't affected.

In September, we had an ACLS Refresher course and a Critical Care CME session. In August, we had a PEPP course and a scenario drill marathon. Some used this as a practice session for the Megacodes. It wasn't a large turnout, but those that attended got much out of it.

The Standing Orders test deadline on October 1 caught some by surprise, which highlights some of the communication challenges that we experience. Many responders acknowledged that they did receive the email reminders and others that stated they went back in their emails and never received the message. Those that have not taken the test or have not passed it, may be pulled from responding on an ambulance, but we won't be able to take everyone out of service at one time of course. Ms. Turner said that if it is brought to her attention that a responder has not passed the test, then she will deal with it on a case by case basis.

The next deadline is December 1 for expanded scope skills and topic reviews. Without them, we can't have an expanded scope agreement with the state. It's our year to renew the agreement and we don't want to report that we have been out of compliance. If someone needs help, have them contact the MSB EMS Training office.

### Upcoming training

The Mat-Su EMS Symposium is coming up. Will finish up scheduling teachers, volunteer victims, etc. Mr. Mackreth passed out the schedule to the members. The symposium will be held at Station 61: October 9, 10, 11, 13, and 14. It straddles two weeks to help reduce the 29.9 hours/week limit for responders.

EMS Instructor

Ms. Strickler was not present; no report was provided.

Quality Assurance Manager

Ms. Turner said there is a link on the DES website there is a link to the Notice of Privacy Practices brochure. Please let patients know it is also available online.

Last week, Ms. Turner did Narcotics runs. Core has a lot of drugs that will be expiring November 1 and December 1. She put them there from the Rural EMS stations so they would have a better chance of getting used up.

Reporting for Glori, the standing order revisions are still in progress. It takes time to go through them with a fine tooth comb. Most revisions are minor. The major revisions are including RSI and crichothyrotomy. We are looking at using a different kit for the crichothyrotomy. The training tools, manuals, etc will be revised as well.

Members had additional questions about possible changes to the standing orders that were discussed.

Mr. Mackreth has been working hard on a training manual which will be coming out later this month. Training requirements will be outlined in the manual as well.

Reminder - Training activity forms are very important to get in to the EMS Training office for tracking purposes, so we know what is going on and can make sure they get entered on the training calendar.

e-PCRs are still moving forward, but there are many pieces to the puzzle with IT, dispatch, medical billing, and more. There is also so much configuring to the database and entering data prior to the training. She is looking at June of 2015 to be functioning borough-wide.

Ms. Turner asked for each service area to look at the reports from dispatch that she sends out. She wants each station to set goals based on the reports and she will be in touch about this soon.

Ms. Anderson suggests that we have an e-PCR party once it is up and running.

Ms. Vitt asked Ms. Turner if we needed to leave, under New Business, the IV Stick Training. Ms. Turner said we can take it off as it is no longer applicable.

Ms. Starbuck asked if there were any options for on-call responders to practice their IV sticks on other responders. At this time, there is not any options to practice sticks on live persons.

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EMS Board

## Medical Director

Dr. Swingle went over the Caris Registry data that he put together on the cardiac arrests. He stressed some of the information that is helpful to include with the PCR's. He said that about 80% of the reports have 95% of the information needed. Sometimes the "city" is not included. He also has trouble tracking if there is witnessed arrest or not. Caris emphasizes the outcomes of patients that have a witnessed, shockable cardiac arrest. In 2014, the survival rate in our borough is between 40-60% which is very good. He has not received all the outcome information from Providence yet. We are also saving some patients that have un-witnessed cardiac arrest as well.

He shared his schedule for the quarterly reviews in the northern areas and Butte in October, Sutton will be in November. He still needs to coordinate with Willow and Core to get theirs scheduled.

For the RSI protocol, we will be meeting on October 23rd. Full Time paramedics will be doing RSI's. Also on the 23rd, we will be doing Megacodes.

Dr. Swingle will be one of the instructors for the MSB EMS Symposium and will attend the EMS Symposium in Anchorage in November.

Our full time MICP's will eventually be trained on advanced transport skills and medications with MSRMC. We are waiting to get training scheduled with the hospital.

## REPRESENTATIVE REPORTS

### CISM –

Mr. Wiseman was not present and no other report was given.

### Core -

Ms. Boothby mentioned that most may have heard of the administrative change for Chief Wallace and Chief Wiseman with changing their areas and schedule. Teams have been created. Working groups are also working on scheduling, strategic planning, etc. They are discussing possible designator changes, but are open to getting ideas for overall growth of the borough. There should be some good changes coming soon from the work groups.

Ms. Anderson said that she has been part of the workgroup setting new zones so that Lakes, Palmer, and Central call outs are more even.

Butte -

Mr. Van Nice said he just found out that the borough employee that handled the vehicle licensing has resigned which is probably why the Unimog has been sitting in his backyard without a license. The State of Alaska doesn't want to license it because some of the documents are written in German and they can't translate. He said he'll figure out if he needs to get a certified interpreter.

He also stated that he was very proud of his medics that handled a call this morning. It was an un-witnessed arrest and last he knew the patient's heart was still beating from the last report at the hospital.

Willow -

Ms. Spaulding commented that they are moving the ambulance to the Houston Station since the only two medics for Willow live in Houston. This will help the response times.

Fire Service Area -

Mr. Hartley said that the oxygen station that we put in our station with Dr. Swingle's help, with the last large blackout for 5-6 hours, we used it three times during that time to fill up the seniors bottles. It saved a few calls into dispatch. They will put in large tanks soon so they can do transfills. Right now it is dependent on the generator running.

Talkeetna -

Chairwoman Mangione said that "officially" the Medic 4 program has ended for the summer. They put over 12,000 miles on the vehicle they borrowed. Medic 4 responded on 159 calls. Ms. Boothby said it was a huge help for the Medic 1's. Medic 4 will still respond, but from their own home, not the station. Talkeetna had 87 runs during that 159 runs period.

Trapper Creek -

Ms. Starbuck said they are low on responders now. She is really looking forward to the EMT 1 class to get some new responders in the area. Kathy Ernst will be on a medical mission until May of 2015. She agreed that having Medic 4 was wonderful to have. There are a few responders finishing up their internships.

## COMMITTEE REPORTS

### Standard Operating Procedures (Policies and Procedures) Committee

Ms. Turner said we need to find another name for the committee such as "guidelines" instead of "procedures". The full set of policies they were supposed to be acknowledged and signed by May 15th. We received less than 25% from responders. After a point, it doesn't matter though since the policies have been out. Ms. Boothby said that some of the acknowledgements were lost from the Core area and are trying to track them down. They will do an annual revision that will be out around May 2015. Input is welcome.

### AED Registry/Hands Only CPR Project Work Group

Dr. Swingle said they have corresponded some, but it has gone a little slower than he would like. He received some updated AED locations around some areas of the borough. He'd like the chiefs to compile a list of local AEDs for him when he comes up for quarterly reviews. Dr. Swingle requested that Ms. Boothby send him the AED list again.

They have made lots of progress in getting the community trained in Hands Only CPR.

## OLD BUSINESS

### Board Member Update -

Ms. Vitt went over the current board member vacancies which mostly included the alternate positions and a few rural areas. There are three members with expiring terms in December. She passed out applications to those expiring.

### State Fair Booth Recap –

Ms. Vitt that the State fair Hands Only CPR booth had over 5000 trained or committed to be trained. Those that committed to train 5 or more would get a free training kit to take home. It was very successful for Hands Only CPR, but wasn't very successful as an EMS recruitment platform. There are a lot of "out of area" visitors at the fair. She gave kudos to Chief Wiseman and Chief Wallace, along with several other responders that offered to take on shifts at the fair.

Dr. Swingle suggested doing this at more community events in the borough. Ms. Vitt requested that members email her a list of community events so we can plan ahead to possible train Hands Only CPR. Ms. Boothby asked if anyone knew where the action packer totes with CPR training supplies may be. No one has seen them recently.

Off-topic, there was discussion on what it would take to add a member position for Lake Louise Ambulance. Ms. Vitt will check with the Clerk's office to find out the steps required.

Radio Communications –

Ms. Day said it is still a problem, but there was no other discussion.

NEW BUSINESS

IV Stick Training

Ms. Turner agreed that this item should be removed for future meetings.

EMS Board Vice Chair Nominations and Election

Ms. Vitt passed out the ballots to the voting members. Cheri Day was the only official nomination. There was a space for a write in nomination. Cheri Day won the vote for Vice Chair for the EMS Board.

MOTION: Dr. Swingle motioned and Ms. Anderson seconded to approve Cheri Day as Vice Chair of the EMS Board.

GENERAL CONSENT: There were no objections from the board. All were in favor.

INFORMATIONAL ITEMS

Chairwoman Mangione opened discussion to the members to see if there was a better time/date for the board meetings. Everyone agreed that 6:00 p.m. was the best time overall. There was discussion if Clint Vardeman would attend more if it was at 5:00 p.m.

MOTION: Ms. Boothby motioned for Chairwoman Mangione to send a board recommended letter to Mr. Vardeman requesting that he attend the EMS Board meetings in the hopes that more could be accomplished during the meetings. Ms. Spaulding seconded the motion.

GENERAL CONSENT: There was no objection from the board.

NEXT MEETING

Chairwoman Mangione announced that the next meeting would be held on December 3, 2014 at 6:00 p.m. at Cottonwood PSB.

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EMS Board

2014

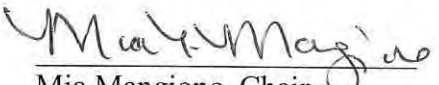
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ADJOURNMENT

MOTION: Mr. Van Nice moved and Ms. Day seconded to adjourn the meeting.

All in favor

The meeting ended at 8:15 p.m.

  
Mia Mangione, Chair

ATTEST:

  
Stephanie Vitt, Secretary

RECEIVED

JAN 13 2015

CLERKS OFFICE

Greater Butte  
Road Service Area Board  
RSA #26  
Regular Meeting Minutes

Approved Michael D. Shields

Attested Lacey Kufersack

Date 1/8/15

October 9, 2014, at the MSB O&M Building

Meeting Called to Order at 6:00 pm

In Attendance:

Mike Shields, Supervisor  
Roy Nuttal, Supervisor  
Will Barickman, MSB Superintendent

Visitors

Marty Quaas  
Lewis Claiborne

**Roll Call:** A quorum of 2 RSA 26 Supervisors present.

**Approval of Minutes** from July 10, 2014, regular meeting; approved as written.

**Borough Staff Reports**

Road Superintendent's Report on:

Monthly Budget Performance handout.

Optional Maintenance projects status: Old Timber cul-de-sac completed by Spains. Mothershead RAP application damaged by resident "releveling" which added RAP to his own driveway; will repair in spring, hope the Borough charges cost to the resident.

ROW issues: Birch Hill cul-de-sac removed from upgrade contract for now.

CIP Projects status: Tempra et.al. is done, though surface is still plastic when wet. Birch Hill progressing very well, will hold off on E-1 surface until spring.

Update handout on Fund Balance.

**Unfinished Business**

Lombardo design to correct resident-created drainage nightmare still problematic; will treat as a CIP "hole-plugger" relative to available funding for now.

Parks & Rec plans for Butte trailhead: have 2 alternatives, are proceeding with one to buy lot across Mothershead for additional parking.

Ursa Drive possible cul-de-sac: Will and Mike will investigate.

Streetlight on Robert Lile: Request appears to be unsupported given options available to the resident and the lack of problem definition; Board at present considers the request unjustified.

**New Business**

Discussed pending Amendment to MSB Ordinance 14-108; Board does not support it as it is basically "unfundable" in the long term.

Discussed Circle View Estates platting decision; it will work so long as a dike never fails.

CIP Resolution for next FY discussed and approved.

**Adjourned:** Meeting adjourned at 7:15 pm. Next regular meeting is on January 8, 2015.


Greater Talkeetna Road Service Board of Supervisors  
Minutes of Regular Meeting  
November 13, 2014

A regular meeting of the Greater Talkeetna Road Service Area Board of Supervisors (RSA 29) was held at the Talkeetna Fire Hall on November 13, 2014. Board members John Strassenburgh and Dave Johnston were present. Community members Eric Denkewalter and Cari Sayre as well as Bill Stearns and Dawn Jones of D&S Road Services also attended.

- I. There was a quorum, and the meeting was called to order at 7:00 pm.
- II. Minutes of the October 9, 2014 meeting were approved as written.
- III. Eric Denkewalter spoke under Persons to be Heard. Eric discussed the flood repair and control work currently being designed for Yoder Road at the Montana Creek bridge crossing. He emphasized the importance of protecting the bridge abutments, ensuring that the road is lower than the bridge such that in a high flood event the road would wash out before the bridge abutments are damaged. This design principle has previously been discussed with Borough Road Superintendent Mike Lachelt, who indicated that it was an industry standard and would be incorporated into the engineering design for this project.
- IV. The Board then discussed the road work that is occurring along the section line between Walsted and the railroad tracks. This work is over steep topography, with grades estimated at 30%, and involves over 800 feet of wetlands. The work is apparently unpermitted. Much discussion ensued, with Cari and Bill providing photographs, and Cari providing distance measurements and grade estimates. The Board will write a letter to the Borough asking that the road work be inspected and permits be reviewed, and appropriate enforcement action be taken as needed.
- V. Bill gave a brief update on road maintenance status.
- VI. John gave a brief update on the status of flood repair work at Yoder at the Montana Creek bridge and Kalispell. The design work is complete for Kalispell and 35% complete for Yoder. FEMA funding amounts are still being negotiated between FEMA and the Borough.

The meeting was adjourned at 8:25 pm.

Respectfully submitted,

  
John Strassenburgh  
RSA 29 Primary



MATANUSKA-SUSITNA BOROUGH  
LOCAL EMERGENCY PLANNING COMMITTEE MINUTES

December 17, 2014

RECEIVED  
FEB 20 2015  
CLERKS OFFICE

The regular meeting of the Local Emergency Planning Committee (LEPC) was called to order by Chairman Munson at 7:00 p.m. in the Central Mat-Su Public Safety Building.

LEPC members in attendance, establishing a quorum:

Bea Adler,	Ray Hollenbeck,
Michelle Torres,	Bryen Bartgis,
Sandra Garley,	Micah Weinstein,
Amy Kearns,	Ken Slauson,
Casey Cook,	Bill Morrow,
Linda Russell,	Don Warble, and
Kevin Munson.	

Also present was Dave Snider, National Weather Service.

A quorum was present, and due notice had been published.

APPROVAL OF AGENDA: By general consent, the agenda was approved as presented.

APPROVAL OF MINUTES: By general consent, the minutes of October 15, 2014 were approved as presented.

PERSONS TO BE HEARD

REPORTS

MSB Emergency Management

Mr. Cook stated that:

- 1) The Borough EOP update/revision is complete and needs to be reviewed by the LEPC. Mr. Cook agreed to put the EOP on thumb drives for the review committee so they have time to review it and bring comments or suggestions back to the February meeting.
- 2) They are planning for a full scale exercise with Public Health.
- 3) There are ICS classes planned for the spring.
- 4) The portable communications tower should arrive the middle of January.
- 5) They are waiting for the formal paperwork from AST to acquire the small unit support vehicle. They are putting a price list together to outfit the unit with communications and lights.
- 6) The EOC Feasibility Study draft was due for completion today. The contractor advised they were slightly behind schedule and should have it ready by tomorrow.
- 7) They are requesting a \$5,000,000 State Legislative Grant through representative Hughes for a permanent EOC facility.

- 8) We are looking to see what position specific courses we will be bringing up next year for EOC/IMT Staff.
- 9) We are working with MTA on IPAWS issues.
- 10) Our RFP for EOC software should go out next week.
- 11) We will begin holding monthly EOC training in the near future.
- 12) The Mat-River property buy-outs are proceeding. Our FEMA Mitigation application to acquire properties was submitted in October. We are waiting to hear back from the State on mitigation. We are working with DOT to do a patchwork mitigation plan.

#### Public Health

No report.

OLD BUSINESS

NEW BUSINESS

INFORMATIONAL ITEMS

#### Expiring Board Seats

Ms. Laughlin stated that: She has made contact with all the representatives who's board seats are expiring. Several have already renewed, and a few are in the process. Lance Wilson, the Houston representative, advised that he will not be renewing his seat.

#### Preparedness Calendars

Ms. Adler stated that: The 2015 Preparedness Calendars are complete and we have them here to disseminate. She asked that each member take some calendars to pass out to the public.

#### Station 5-1

Mr. Slauson stated that: We finally have a station within 1.5 miles of the hospital that can house the ladder truck that was purchased on a grant with the purpose of responding to the hospital. The new station 5-1 is open and if folks would like, they can stop by and take a tour.

NEXT MEETING DATE

Chairman Munson announced that the next meeting would be February 18, 2015 and held at the Central Mat-Su Public Safety Building at 7:00 p.m.

ADJOURNMENT

Chairman Munson adjourned the meeting at 8:30 p.m.

  
Kevin Munson, Chairman

ATTEST:

  
Casey Laughlin, Secretary

APR 03 2015

CLERKS OFFICE

**A RESOLUTION OF THE ROAD SERVICE AREA #27, MEADOW LAKES BOARD OF SUPERVISORS REQUESTING THE TRANSFER OF \$82,000 FROM THE FUND BALANCE TO THE CAPITAL IMPROVEMENTS PROGRAM.**

WHEREAS, the Road Service Area #27, Meadow Lakes Fund Balance has a balance of approximately \$132,456; and

WHEREAS, it is the desire of the Road Service Area #27, Meadow Lakes Board of Supervisors to add funding to the capital projects list; and

WHEREAS, the excess funds from the RSA #27, Meadow Lakes Fund Balance can be used to fund Capital Improvement Projects; and

WHEREAS, the RSA #27, Meadow Lakes Board of Supervisors request \$82,000 be transferred to the Capital Improvement Projects Program;

NOW, THEREFORE, BE IT RESOLVED, that the Road Service Area #27, Meadow Lakes Board of Supervisors requests the Matanuska-Susitna Borough Assembly approve the transfer of \$82,000 from Fund Balance 281.272.000 to Capital Improvements Project 30047.6600

APPROVED by the Road Service Area #27, Meadow Lakes Board of Supervisors:

  
\_\_\_\_\_  
RSA #27 Supervisor

3-27-2015  
Date

  
\_\_\_\_\_  
RSA #27 Supervisor

3-27-2015  
Date

  
\_\_\_\_\_  
RSA #27 Supervisor

3-27-2015  
Date

# MATANUSKA-SUSITNA BOROUGH PARKS, RECREATION, AND TRAILS ADVISORY BOARD

**Chairperson** - James Gustafson – At Large 1  
**Vice Chair** – Ed Strabel – District 6  
Craig Saunders – District 1  
George Brown – District 2

Kenny Barber – At Large 2  
Sonya Walden - District 3  
Lyle Downing – At Large 3  
VACANT – District 4

David Palmer – At Large 4  
VACANT - District 5  
Daniel Harrell– District 7

## MINUTES

### REGULAR MEETING Brett Memorial Ice Arena

December 1, 2014  
5:00 P.M.

- I. CALL TO ORDER  
Meeting called to order by Mr. Gustafson at 5:18 P.M.
- II. ROLL CALL – DETERMINATION OF QUORUM
  - A. Members present: Kenny Barber, Ed Strabel, David Palmer, Gus Gustafson, Sonya Walden, Lyle Downing, Craig Saunders
  - B. Members Absent:  
Members Absent and Excused: George Brown, Daniel Harrell
  - C. Staff Present: Jill Irsik, CD Admin Spec.  
Joe Miner, Brett Memorial Ice Arena Manager
- III. APPROVAL OF AGENDA  
MOTION: Mr. Barber moved, Mr. Palmer 2<sup>nd</sup>. Agenda approved.
- IV. PLEDGE OF ALLEGIANCE  
Mr. Gustafson led the Pledge of Allegiance.
- V. MINUTES OF PRECEDING MEETING
  - A. October 27, 2014  
MOTION: Mr. Strabel moved, Mr. Saunders 2<sup>nd</sup>. Minutes approved
- VI. BOROUGH STAFF REPORTS  
Mr. Leslie provided a written staff report to the board.
- VII. TAB REPORT  
Ms. Walden reported that the Chickaloon Village Traditional Council brought forward a resolution requesting the Matanuska-Susitna Borough add a separated pedestrian path along the Glenn Highway between Palmer and Sutton to the Borough's Long Rang Transportation Plan.
- VIII. PERSONS TO BE HEARD / AUDIENCE PARTICIPATION  
None

IX. UNFINISHED BUSINESS

- A. Trail Use Permit  
Board opted to table discussion until Mr. Leslie could be present
- B. Alaska LNG project  
Maps of proposed LNG line will be provided to board.  
Discussion tabled until Mr. Leslie could be present.

X. PUBLIC NOTICES

MSB006977 - Shooting Range - comments due by Dec 5, 2014  
MSB004449 - Sexton Trail Easement

XI. NEW BUSINESS

- A. 2015 Meeting Schedule  
MOTION: Mr. Strabel moved. Mr. Barber 2nd. 2015 meeting schedule approved by board.

XII. VOLUNTEER NOMINATIONS

- A. Johnie Burton  
MOTION: Mr. Strabel moved. Ms. Walden 2nd. Volunteer nomination approved by board.

XIII. CORRESPONDENCE

None

XIV. MEMBER COMMENTS

Mr. Strabel -

- Mat-Su Ski Club building finished, electrical hookup up but not line not buried yet.
- Will be painting the upper portion of the building in the Spring
- Will be storing grooming equipment in building
- Logged over 28 hours of grooming at Independence Mine
- Packed GPRA trails
- Sledding hill at GPRA is ready to go
- 320 kids signed up for Jr. Nordic program
- enjoyed his time on the PRTAB

Mr. Saunders

- trail usage is growing faster than the population

Mr. Barber

- went out with the land managers of the Palmer Hay Flats Refuge to discuss motorized use on the hay flats. Will need to meet more with them

Mr. Palmer

- inquired if the archery range was still operational at the hay flats. If so, then safety precautions would need to be looked at if a modification of the overlook occurred.
- attended a planning meeting with LNG folks
- LNG folks made statements about trying to preserve trails on public lands

- Mr. Palmer is going to try and GPS all the trails in the area

Mr. Gustafson


- Thanked Mr. Strabel for his service on the board
- Would like to see the board establish a policy statement of "no net loss for any user group". Will discuss more in depth at January meeting.

XV. NEXT MEETING

- A. Next regularly scheduled meeting is Monday, January 26, 2015, Assembly Chambers, DSJ Building, Palmer

XVI. ADJOURNMENT

Mr. Gustafson adjourned the meeting at 5:57 p.m.

  
\_\_\_\_\_  
Gus Gustafson - Chairperson  
*DAVID R. PALMER*

ATTEST:

  
\_\_\_\_\_  
Jill Irsik, Comm. Dev. Admin. Specialist

## I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Transportation Advisory Board was held on Wednesday, January 21, 2015, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 1:32 pm.

## II. ROLL CALL AND DETERMINATION OF A QUOROM

Transportation Advisory Board members present and establishing a quorum were:

Mr. LaMarr Anderson  
Mr. Rick Besse – by telephone  
Mr. Don Carney  
Mr. Dan Elliott  
Ms. Beth Fread  
Mr. David Lundin  
Mr. Kenneth Walch – joined us at 1:41  
Ms. Sonya Walden - joined us at 1:40

Transportation Advisory Board members absent and excused were:

Staff and Agency Representatives in attendance were:

Mr. Brad Sworts, Transportation Manager  
Mr. Mike Weller, Traffic Data Technician  
Ms. Debbie Passmore, Administrative Secretary  
Mr. Mike Brown, Capital Projects Director  
Mr. Terry Dolan, Public Works Director  
Ms. Eileen Probasco, Planning Director

## III. AUDIENCE INTRODUCTION

Eugene Haberman  
Peter Curtis  
Bill Klebesadel, City of Wasilla  
Dick Plesbey  
Peggy Horton, MSB Platting  
Paul Hulbert, MSB Platting  
Allen Kemplen, ADOT&PF  
Gary Stevig, Chickaloon  
Lou Friend, Chickaloon  
Sharon Scott, Mat-Su Health Foundation  
David Levy, Alaska Mobility Coalition  
Jennifer Tew, Valley Mover  
Rosemary Vavrin  
Naomi Nelson, Mat-Su Community Transit  
George Hays, MSB Assistant Manager

IV. APPROVAL OF TODAY'S AGENDA

MOTION: Ms. Beth Fread moved to approve today's agenda; Mr. LaMarr Anderson seconded. Discussion of a couple of amendments.

VOTE: Motion to approve the agenda as amended passed without objection.

V. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Allen Kemplen.

VI. NOMINATIONS AND ELECTIONS

A. Chair

MOTION: Mr. LaMarr Anderson nominated Mr. Don Carney; seconded by Mr. Dan Elliott. No other nominations.

VOTE: no objections and Mr. Don Carney accepted the nomination.

B. Vice Chair

MOTION: Mr. LaMarr Anderson nominated Mr. Rick Besse; seconded by Ms. Sonya Walden. No other nominations.

VOTE: no objections and Mr. Rick Besse accepted the nomination.

VII. APPROVAL OF MINUTES OF PRECEDING MEETINGS

A. December 17, 2014

MOTION: Ms. Beth Fread moved to accept the minutes of December 17, 2014; Mr. Dan Elliott seconded. No discussion requested.

VOTE: Motion to approve the minutes passed without objection.

VIII. AGENCY AND STAFF REPORTS

A. Cities

1. Bill Klebesadel, City of Wasilla

B. State Agencies

1. Allen Kemplen, ADOT&PF

C. MSB Staff

1. Mike Brown, MSB Capital Projects: report on Future Road Bond Projects with map and descriptions. Discussion.

MOTION: Mr. LaMarr Anderson moved that we have a TAB work session before the Assembly's 2/21 work session; seconded by Mr. Dan Elliott. Discussion. Debbie will survey the clerk/other places and board/Mike Brown to schedule this.

VOTE: no objections and we will have a three-hour work session before February 21.

2. Paul Hulbert & Peggy Horton, MSB Platting: report on Title 43 Revision Recommendations. Discussion. Allen Kemplen will create a memo outlining

additional items for our consideration.

3. Lauren Driscoll, Planning Chief: 2015/2016 Transportation Planning: Updates on projects and plans

D. Tribal Organizations

none

E. Transit Services

1. Sharon Scott - Mat-Su Transit Coalition: report on general membership meeting held Wednesday, January 7, 2015. Three points of contact: Sharon

Scott, Mat-Su Health Foundation; Naomi Nelson, MASCOT; or Rachel Greenberg, Mat-Su Senior Services.

IX. PRESENTATIONS

none

X. AUDIENCE PARTICIPATION (*limited to three minutes maximum per meeting*)

Eugene Haberman

Jennifer Tew

XI. UNFINISHED BUSINESS

- A. Discuss TAB Resolution 15-01 (fka 14-09), Regarding the Formation and Funding for an MSB Regional Transportation Planning Organization.

MOTION: Ms. Beth Fread moved that this resolution be accepted and passed; Ms. Sonya Walden seconded. Discussion.

VOTE: no objections (David Lundin abstained due to unfamiliarity) and this resolution is accepted and passed.

- B. Discuss Plans to Form a Mayor's Blue Ribbon Task Force on Off Road Vehicle Policies (select two members from the TAB to be on the Task Force).

Ms. Sonya Walden volunteered to be on this Task Force. Mr. David Lundin volunteered to be on this Task Force. Mr. Don Carney volunteered to be an alternate on this Task Force. Mr. Ken Walch volunteered to be an additional alternate on this Task Force.

- C. Discuss TAB Resolution 15-02 (fka 14-12), recommending the adoption of a policy that the Matanuska-Susitna Borough and the State Department of Transportation and Public Facilities include separated pathways when constructing or reconstructing any collector or arterial roads within the Matanuska-Susitna Borough.

MOTION: Ms. Beth Fread moved that we accept and adopt this resolution. Ms. Sonya Walden seconded. Discussion.

MOTION: Ms. Beth Fread moved that this resolution be amended to remove "Consider" and substitute "Allocate Right-of-Way for"; Mr. Ken Walch seconded. Discussion.

MOTION: Mr. Ken Walch moved to postpone this until next meeting; Mr. David Lundin seconded.

VOTE: Ms. Beth Fread objected. We took a vote: yeah = we postpone; nay = no, we don't postpone.

Ms. Sonya Walden: no

Mr. Dan Elliott: yes

Mr. Ken Walch: yes

Mr. Rick Besse: yes

Mr. LaMarr Anderson: yes

Mr. David Lundin: yes

Ms. Beth Fread: no

Results: Five votes to postpone, two votes to not postpone; this resolution is postponed until the next meeting.

XII. NEW BUSINESS

- A. Discuss TAB Resolution 15-03, in Support of Future Road Bond Projects

MOTION: Mr. Rick Besse moved that we accept and pass this resolution; Ms. Beth Fread seconded. Discussion.

MOTION TO AMEND: Mr. Rick Besse moved that we add "pathways and other transportation infrastructure" in the last sentence of the Now Therefore paragraph on page 2; Mr. Dan Elliott seconded. Discussion.

VOTE ON THE AMENDMENT: yes = add the language; no = don't add the language

Ms. Beth Fread: no  
Mr. David Lundin: yes  
Mr. LaMarr Anderson: yes  
Mr. Ken Walch: no  
Mr. Dan Elliott: no  
Ms. Sonya Walden: no  
Mr. Rick Besse: yes  
Mr. Don Carney: yes

Results: Tied without five; this amendment to add the additional wording fails.

VOTE ON THE ORIGINAL MOTION: no objection and this resolution is passed without an amendment.

XIII. UPCOMING MEETING REMINDER(S)

- A. Our next regular TAB meeting will be on Wednesday, February 25, 2015, 2:00 - 4:30 pm in the Assembly chambers, 350 E. Dahlia Avenue, Palmer, AK 99645

XIV. MISC. INFORMATIONAL HANDOUTS AND COMMUNICATIONS

- A. Next Planning Commission Meeting Information
- B. Final 2016-2021 CIP (Transportation Projects)
- C. State of Alaska, House Bill No. 21 "An Act relating to regional transit authorities."
- D. Board membership update

XV. COMMENTS FROM THE BOARD

Ms. Sonya Walden: Welcome, Dave!

Mr. Dan Elliott: no comment

Mr. Ken Walch: nothing

Ms. Beth Fread: Is there any way to get our Resolution 15-01 to the Planning Commission at their February 2, 2015 meeting? I see that the deadline for the February 2 meeting has ... we've missed that deadline. I would hope that staff could get the RTPO resolution before the Planning Commission prior to February 13 because we've missed the time for the February meeting of the Planning Commission for the RTPO. Today was the deadline for the packet items. The agenda items was two days ago. Would like to put HB21 and a draft resolution on the next TAB meeting's agenda. I don't care if it's in support or against; we can amend it. Other than that, welcome to the board, Dave. And I'm glad to see everybody participating!

Mr. David Lundin: I just wanted to say thank you for having me and that hopefully I can be a useful and positive addition to the Board.

Mr. LaMarr Anderson: I'll just echo the welcome. You're going to bring great expertise and experience to the Board as already evidenced. I would request an update to the TAB on the Glenn Hwy Upgrade from the interchange to Palmer from the ADOT&PF at a future meeting.

Mr. Rick Besse: I just want to reiterate my support of the road bond projects. This community has matured enough to at least contribute part of our transportation infrastructure. I think that's really super important to keep that momentum going. The last one we did was very successful and accepted by the public. And so it's one of those things we need to do as a community is to keep...if nothing else, keep up with it so that

you don't have a major ... the success of the community is really based a lot on transportation. So anyway I just really support that. I was a little confused by that amendment I offered. I didn't intend to confuse anybody by it. I still have that support of the road bond projects and I think it's important that the board keep up with that support, also. Welcome, Dave, we need your expertise so thank you!

Brad: By the next meeting I should have an update for you on all of the construction projects that will be coming up in summer of 2015.


Mr. Don Carney: I would like to take this opportunity to thank Dave for not only being our new member but also actively participating today. That's a good sign for me. We have an active member that's going to be a great addition to our team and, again, welcome aboard. I'd like to thank the entire Board for their efforts on these resolutions that we dealt with. These were not easy ones but they were extremely important and I think they could be very effective if we continue to support them through the process. Anytime we get the opportunity to bring a resolution up to people that we are talking to or associating with and keep the subject ... you know, keep the pan on the fire, so to speak, and that way maybe we can get results. And again I appreciate everybody's help. I appreciate the people out there for attending and putting your time and efforts into our meeting, also. So we actually are looking at the opportunity to adjourn early. Are there any objections?

#### XVI. ADJOURNMENT

With no further business at hand, the meeting was adjourned at 3:58 p.m.

  
Don Carney, Chair

ATTEST:

  
Debbie Passmore, Admin. Support

RECEIVED  
MAR 31 2015  
CLERKS OFFICE

MATANUSKA-SUSITNA BOROUGH  
TRANSPORTATION ADVISORY  
RESOLUTION SERIAL NO. 15-04

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH TRANSPORTATION ADVISORY BOARD IN SUPPORT OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CREATING A BOROUGH ROAD BOND PACKAGE TO GO BEFORE THE VOTERS.

WHEREAS, the Matanuska-Susitna Borough's (Borough) Long Range Transportation Plan (LRTP) identifies \$1.2 Billion of needed road improvements between 2007 and 2025; and

WHEREAS, during this same time period the Borough's population is expected to more than double to 160,000 residents; and

WHEREAS, the transportation improvements identified in the LRTP must be programmed and funded for construction as early as possible in order to prevent congestion and unsafe conditions; and

WHEREAS, the Mayor's Blue Ribbon Task identified a lack of adequate federal and state funding for upgrading, extending and expanding the road network in the Borough; and

WHEREAS, this lack of funding will likely become more prevalent in 2015 as the Federal Highway Trust Fund was projected to be in deficit by \$1.1 Billion by December of 2014; and

WHEREAS, this pronounced deficit in the Federal Highway Trust Fund will cause on average, states to see a 28 percent drop in federal transportation dollars which projects out to an average \$17 Billion annual deficit from 2015-23; and

WHEREAS, the State of Alaska does not have a State Transportation Improvements Fund, but instead relies on the availability of oil funds to annually support projects chosen by the state legislature; and

WHEREAS, it is anticipated that a majority of state funds available for transportation will be needed to take the place of federal funds on the National Highway System, the State Highway System and roads owned by the state within the Community Transportation Program system; and

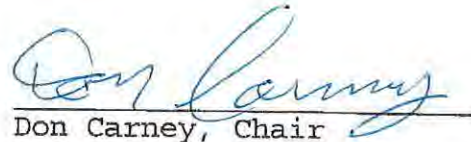
WHEREAS, it is therefore in the best interest of the citizens and property owners in the Borough to supplement the available state funds with the proceeds of Borough road bonds to build key elements of the Borough's transportation system.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Transportation Advisory Board supports the efforts of the Borough Assembly to issue general obligation bonds to finance the construction, additions, improvements, repairs and reconstruction of public roads and facilities as identified on Attachment A, Version 7 dated 3/18/2015, with the following recommended changes:

1. Revise the title of the last entry on the spreadsheet to "Park N Ride Lot (Meadow Lakes area)," and
2. Add "#34" to the spreadsheet at this project's entry, and
3. Add this project to the map's legend (not shown on map).

This is a non-prioritized list of needed projects, all or a portion thereof to be put before the citizens of the Borough for a vote.

ADOPTED by the Matanuska-Susitna Borough Transportation Advisory Board this 25th day of March, 2015.

  
Don Carney, Chair

ATTEST:

  
Debbie Passmore, Administrative Secretary

This list is a compilation of transportation projects for consideration for potential bonding.						
Label	Projects	Description	Assembly District	Cost Estimate	Nominating Source	Length (miles)
1	Smith Road & Smith Road Extension Upgrade and Pathway	The road currently has serious structural damage, no shoulders, and lacks guardrails in one area. Improvements to the road and construction of a pathway would benefit public safety for both drivers and pedestrians, and reduce wear and tear on vehicles. The pathway would also provide a link between the Old Glenn Highway pedestrian path and the Matanuska Peak trailhead, completing a link to the popular recreation area between the Butte and the City of Palmer.	1	\$2,750,000	Borough CIP	1.5
2	N Showers Street to Norman Avenue Connector	This project would construct a connector road for access improvement between N Showers Street and Norman Avenue.	1	\$850,000	RSA CIP	1.2
3	Stayton Avenue and Granite View Drive	This project would upgrade Stayton Avenue and Granite View Drive.	1	\$500,000	RSA CIP	0.8
4	Old Glenn Pathway (Our Road to Knik River) (project is currently at 35% design completed)	This project was part of the 2011 Matanuska-Susitna Borough bond package which is expected to build the pathway from Plumley Road to Our Road as part of Phase 1. The proposed project would complete pathway construction to the Knik River.	1	\$750,000	Previous Road Bond	0.8
5	Katherine Drive Connector (project is currently at 75% design completed)	The Katherine Drive Project is a component of the Trunk Road Connector project. Katherine Drive is the name of the proposed eastern leg of the project, connecting Trunk Road to Midtown Estates at the northern terminus of Manhattan Way. The purpose of this project is to provide secondary access to the subdivision via a local road and relieve pressure on the current Palmer-Wasilla Highway (PWH) intersections. As part of the AKDOT&PF PWH improvements a median will be constructed that will limit access to and from Westside Drive which is the current western Access for the subdivision.	1	\$800,000	Adjacent to a current road bond project	0.2
6	Walling Road Upgrade	This project would improve and pave Walling Road.	1	\$500,000	RSA CIP	0.7
7	Clark-Wolverine Road Erosion and Embankment Stabilization and Upgrade	This project would correct erosion and embankment stabilization issues along Clark-Wolverine Road near Wolverine Creek Canyon.	1	\$2,700,000	DOT Nomination	0.8
8	49th State Street Pathway	This project would construct a connecting pathway along 49th State Street between the Palmer-Wasilla Highway and Colony Schools Drive / Bogard Road, both of which have pathways.	1, 2	\$700,000	Safe Routes to School Program	0.8

<b>This list is a compilation of transportation projects for consideration for potential bonding.</b>						
Label	Projects	Description	Assembly District	Cost Estimate	Nominating Source	Length (miles)
9	Settlement Avenue Extension East	This project would extend Settlement Ave east to Trunk Road providing alternate access for residents that typically travel Enstrom Rd and access Bogard Rd. In addition to providing for a secondary access route, this would help to alleviate congestion which occurs at the intersection of Engstrom and Bogard Roads.	1	\$5,500,000		1.0
Assembly District 1 Total				\$15,050,000		
10	Hemmer Road Extension (Valley Pathways School Access Improvement Project)	This project will improve access to the Valley Pathways School and a large residential subdivision by extending a road to the Palmer-Wasilla Highway/Hemmer Road intersection where there is a protected access via the traffic signal. Current access is by way of France Road which intersects with the Palmer-Wasilla Highway with no turn lanes or a traffic signal. Additionally a connection north to the new segment of Bogard Rd will be constructed to include potential upgrades to the existing segment of Hemmer between the Palmer-Wasilla Hwy and Arctic Ave.	2	\$6,000,000	Borough CIP	1.6
Assembly District 2 Total				\$6,000,000		
11	Nelson Road Extension North	This project would provide major collector road access for three large subdivisions to Fairview Loop. The proposed extension of Nelson Road would extend from the current end of the pavement north to Fairview Loop and would include realignment of Fairview Loop at the new intersection with Nelson Road to accommodate vehicular traffic queuing at the railroad crossing.	3	\$2,600,000	Borough CIP	0.6
12	Fern Street & Edlund Road Upgrades from Knik-Goose Bay Road to Fairview Loop and Pathway	This project would upgrade and add a pathway along Fern Street and Edlund Road from Knik-Goose Bay Road to Fairview Loop.	3, 4	\$4,000,000		1.6
13	N Green Forest Drive	This project will add shoulders and repave Green Forest Drive which provides connectivity between Bogard Road and the Palmer-Wasilla Highway. This project scope does <u>not</u> currently include realigning the intersection of Engstrom and Bogard with Green Forest and Bogard.	3	\$800,000	RSA CIP	1.2
14	Well Site Road Upgrade	This road upgrade would include improvements to address underground springs, wetland crossings, glaciating ice on the road bed, deteriorating pavement, and drainage problems.	3	\$250,000	RSA CIP	0.7
Assembly District 3 Total				\$7,650,000		
15	Hermon Rd Connection to Palmer-Wasilla Highway	This project would provide a connector between the Parks Highway and the Palmer-Wasilla Highway via Hermon Road.	4	\$4,000,000	Borough CIP (2013-2018)	0.4

<b>This list is a compilation of transportation projects for consideration for potential bonding.</b>						
Label	Projects	Description	Assembly District	Cost Estimate	Nominating Source	Length (miles)
16	Foothills Blvd to Paddy Place Upgrade	This project would upgrade Foothills Blvd to collector standards providing a connection between the Parks Highway and Knik-Goose Bay Road. This project also includes a fish passage culvert.	4, 5	\$1,700,000	RSA CIP	1.4
17	Museum Drive (project is at 95% design completed and ADOT&PF will construct the first segment as part of Parks Hwy project)	The Parks Highway from Wasilla to Big Lake is being upgraded to a four-lane highway due to high accident rates and traffic congestion. A frontage road system is required to pull local traffic off the Parks Highway. The Borough owns collector roads that run parallel with the Parks Highway corridor and could be used as frontage roads, but the collector roads are not connected. Museum Drive is one of four identified collector roads that could be used as frontage roads to relieve the Parks Highway of a significant amount of local traffic. The project would extend Museum Drive west from Parks Highway MP 47 to intersect with Vine Road and then link up with Marigold Drive at Sylvan Road.	4, 7	\$4,000,000	Borough CIP	2.0
<b>Assembly District 4 Total</b>				<b>\$9,700,000</b>		

18	Point MacKenzie Road Upgrade	This project would involve adding shoulders and resurfacing the existing road from Knik-Goose Bay Road to the intersection of Ayshire Road.	5	\$13,000,000	Borough CIP	7.5
19	S Big Lake Road and Hollywood Road Intersection Improvements	Two intersections in the downtown Big Lake area were a part of the 2011 Matanuska-Susitna Borough Road Bond package. Previous funding was only adequate to address one intersection. The remaining intersection at Hollywood Road requires improvements.	5	\$2,000,000	Borough CIP / Previous Road Bond	0.2
20	Horseshoe Lake Road, Big Lake, Phase 1	This project will upgrade an existing road around Horseshoe Lake. The first phase of the project consists of design for approximately five miles of road which will be widened and straightened with drainage ditches constructed to address water runoff. Funding for the project to date has been from the State of Alaska at \$700,000 which has funded ROW acquisition, Geo-technical data acquisition, and design. The design is currently at the 35% phase. There are a number of full and part time residences around the lake. Total cost to complete the project is \$5.2M.	5	\$2,000,000	Borough CIP RSA CIP	1.8
21	Johnsons Rd Upgrade (Hollywood to Garten)	This project would upgrade Johnsons Road between Hollywood Road and Garten Road.	5, 7	\$2,000,000	Pavement Preservation	1.8
22	Sylvan Ext (Sylvan Rd to Sylvan Ln)	This project would extend Sylvan Road south to Sylvan Lane to provide a north-south connection between the Parks Highway and Hollywood Road. This project will likely include a fish passage culvert.	5, 7	\$2,500,000	Borough CIP	1.4
<b>Assembly District 5 Total</b>				<b>\$21,500,000</b>		

This list is a compilation of transportation projects for consideration for potential bonding.						
Label	Projects	Description	Assembly District	Cost Estimate	Nominating Source	Length (miles)

23	Seldon Road Upgrade and Pathway from Wasilla-Fishhook to Lucille Street (project could be broken into two phases: Wasilla Fishhook to Snow Goose and Snow Goose to Lucille)	The project calls for the upgrade of Seldon Road from Wasilla-Fishhook to Lucille Street, approximately 1.8 miles. This segment of Seldon currently consists of two 11-ft. travel lanes with no shoulders and minimal ditching. The proposed upgrade will increase the road width to two 12-ft. travel lanes with 8 foot shoulders with a separated paved pathway.	6	\$16,000,000	Borough CIP	1.8
24	Tex-Al Dr. Upgrade and Extension to Palmer Fishhook	Extend and upgrade East Tex Al Drive 1.6 miles to Palmer-Fishhook Road and upgrade the intersection with Wasilla-Fishhook as required to meet design criteria. This project had preliminary engineering with a profile survey, initial right-of-way research and soils testing in the early 1980s. The current (2007) Borough Long Range Transportation Plan lists this connection as an emergency access for residents in areas with only one ingress and egress.	6	\$5,500,000	Borough CIP	3.0
25	Engstrom Road Extension	This project would extend Engstrom Road to the north to connect to Tex-Al Dr. providing a collector road for access for residents on the north end of Engstrom who currently use residential subdivision roads as well as a more complete secondary road network for accessing arterials such as Palmer-Fishhook, Wasilla-Fishhook, and Bogard Roads.	6, 1	\$2,400,000	Borough CIP	1.0
26	Church Rd. Pathway (Spruce to Seldon)	The project will construct a pathway along Church Road. The trail will connect pathways between Spruce Avenue and Seldon Road. The project will provide safe pedestrian/bike access along this heavily-travelled route.	6, 4, 7	\$1,000,000	Borough CIP	1.0
Assembly District 6 Total				\$24,900,000		

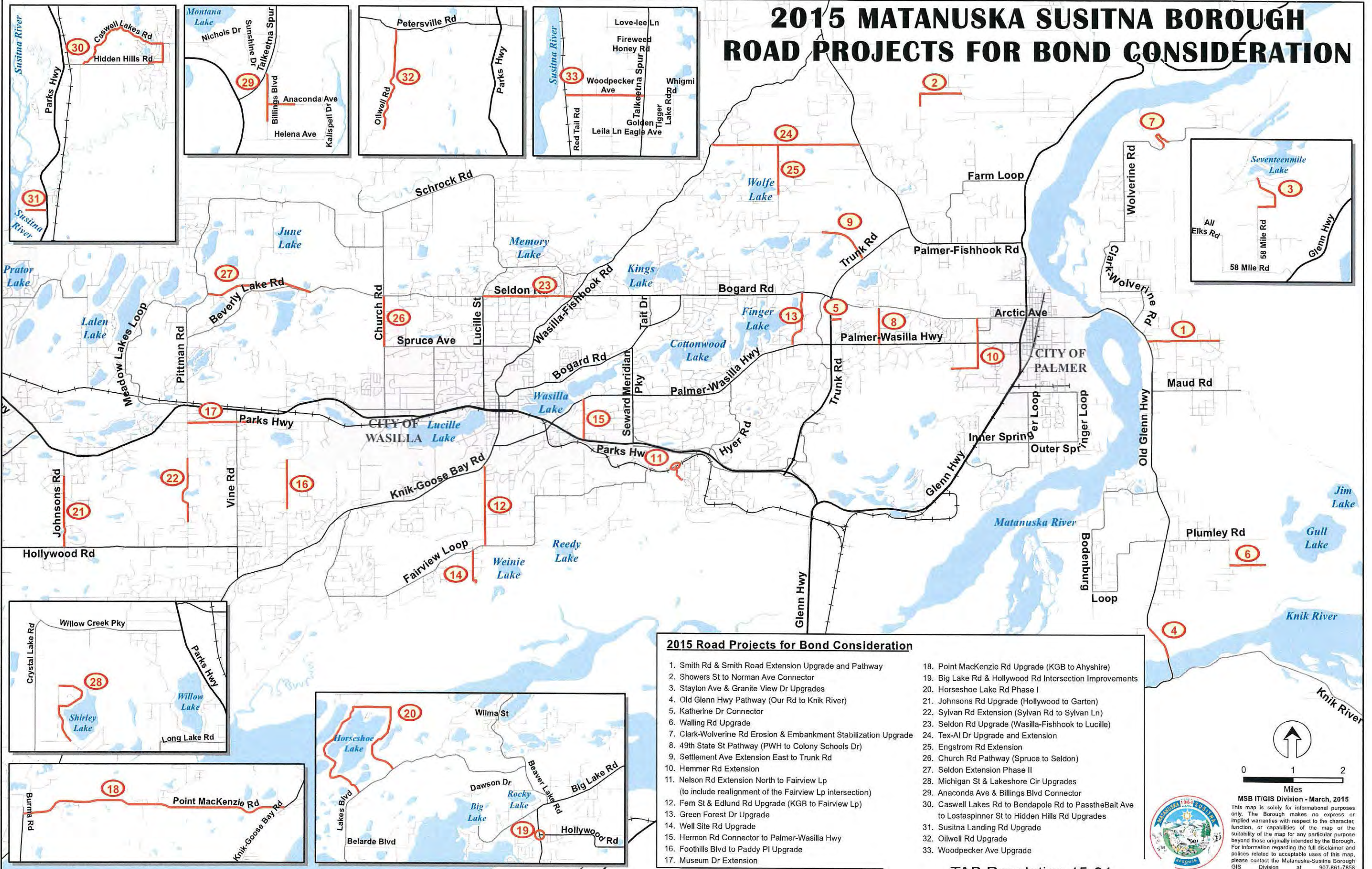
27	Seldon Rd Ext Ph 2 (project is at 35% design completed)	The Seldon Road Extension project will extend Seldon Road past Church Road to a proposed new intersection with Pittman Road. The Seldon Road Extension – Phase 1 is currently under construction from Seldon Road to Beverly Lake Road, with a scheduled completion in summer 2015. Seldon Road Extension – Phase 2 begins at Beverly Lake Road near Windy Bottom Drive and ends at Pittman Road providing access for Pittman Road area residents travelling to Wasilla, as well as providing alternative access from Pittman Road to Church Road.	7	\$8,000,000	Borough CIP	1.8
28	N Michigan Street and Lakeshore Circle Upgrades	This project would upgrade existing roads and construct unbuilt portions	7	\$600,000	RSA CIP	1.3
29	E Anaconda Avenue and S Billings Blvd Connector	This project would upgrade the existing roads and construct a connector to the Talkeetna Spur Road providing for emergency access, secondary egress for residents, and commercial business access.	7	\$600,000	RSA CIP	0.8

**This list is a compilation of transportation projects for consideration for potential bonding.**

Label	Projects	Description	Assembly District	Cost Estimate	Nominating Source	Length (miles)
30	Caswell Lakes Road to South Bendapole Road to E. Passthebait Avenue to Hidden Hills including South Caswell Lake Loop to Lot 15 Upgrades (project has a completed design)	This project is part of the 2011 Road Bond Projects. Due to lack of funding, the paving will not be completed and upgrades beyond Bendapole Road were not accomplished as part of the 2011 road bond. This includes Caswell Lakes Road to South Bendapole Road to E. Passthebait Avenue to Hidden Hills including South Caswell Lake Loop to Lot 15 upgrades.	7	\$3,250,000	Borough CIP / Previous Road Bond	4.0
31	Susitna Landing Upgrades	This project would upgrade and pave Susitna Landing Road which leads to a State campground and boat launch, one of only two public access points for the Susitna River.	7	\$650,000	RSA CIP	0.8
32	Oilwell Road	This project would upgrade this road to Borough collector standards.	7	\$6,000,000	Borough CIP RSA CIP	6.0
33	Woodpecker Avenue, Talkeetna	This project would upgrade and pave this road to provide safer access and dust control for local residents and tourists accessing the Alaska Railroad.	7	\$600,000	RSA CIP	0.8
	Park N Ride Lot (Meadow Lakes near Pittman Road)	This project would construct a park-n-ride parking lot near Pittman Road and the Parks Highway similar to the one located at the Parks Highway and Seward Meridian Parkway to allow for car pooling. This project would help provide for congestion relief on the Parks Highway.	7	\$1,000,000		N/A
<b>Assembly District 7 Total</b>				<b>\$20,700,000</b>		

<b>Total of Cost Estimates</b>
<b>Borough Total</b> <b>\$105,500,000</b>

# 2015 MATANUSKA SUSITNA BOROUGH ROAD PROJECTS FOR BOND CONSIDERATION



## 2015 Road Projects for Bond Consideration

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. Smith Rd &amp; Smith Road Extension Upgrade and Pathway</li> <li>2. Showers St to Norman Ave Connector</li> <li>3. Stayton Ave &amp; Granite View Dr Upgrades</li> <li>4. Old Glenn Hwy Pathway (Our Rd to Knik River)</li> <li>5. Katherine Dr Connector</li> <li>6. Walling Rd Upgrade</li> <li>7. Clark-Wolverine Rd Erosion &amp; Embankment Stabilization Upgrade</li> <li>8. 49th State St Pathway (PWH to Colony Schools Dr)</li> <li>9. Settlement Ave Extension East to Trunk Rd</li> <li>10. Hemmer Rd Extension</li> <li>11. Nelson Rd Extension North to Fairview Lp (to include realignment of the Fairview Lp intersection)</li> <li>12. Fern St &amp; Edlund Rd Upgrade (KGB to Fairview Lp)</li> <li>13. Green Forest Dr Upgrade</li> <li>14. Well Site Rd Upgrade</li> <li>15. Hermon Rd Connector to Palmer-Wasilla Hwy</li> <li>16. Foothills Blvd to Paddy Pl Upgrade</li> <li>17. Museum Dr Extension</li> </ol> | <ol style="list-style-type: none"> <li>18. Point MacKenzie Rd Upgrade (KGB to Ahysire)</li> <li>19. Big Lake Rd &amp; Hollywood Rd Intersection Improvements</li> <li>20. Horseshoe Lake Rd Phase I</li> <li>21. Johnsons Rd Upgrade (Hollywood to Garten)</li> <li>22. Sylvan Rd Extension (Sylvan Rd to Sylvan Ln)</li> <li>23. Seldon Rd Upgrade (Wasilla-Fishhook to Lucille)</li> <li>24. Tex-Al Dr Upgrade and Extension</li> <li>25. Engstrom Rd Extension</li> <li>26. Church Rd Pathway (Spruce to Seldon)</li> <li>27. Seldon Extension Phase II</li> <li>28. Michigan St &amp; Lakeshore Cir Upgrades</li> <li>29. Anaconda Ave &amp; Billings Blvd Connector</li> <li>30. Caswell Lakes Rd to Bendapole Rd to PasstheBait Ave to Lostaspinner St to Hidden Hills Rd Upgrades</li> <li>31. Susitna Landing Rd Upgrade</li> <li>32. Oilwell Rd Upgrade</li> <li>33. Woodpecker Ave Upgrade</li> </ol> |
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Miles

MSB IT/GIS Division - March, 2015

This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907-861-7858

Butte CC

## RESOLUTION

Alaska Academic Standards  
College and Career Readiness Standards  
Common Core State Standards

Adopted February \_\_, 2015

March 11th

RECEIVED

MAR 31 2015

CLERK'S OFFICE

**WHEREAS**, The national standards-based “Common Core State Standards” Initiative is the centerpiece of a long-standing subversive agenda to centralize education decisions at the federal – if not United Nations – level;

**WHEREAS**, The use of national standards necessitates boards of bureaucrats whom the public did not elect and cannot fire or otherwise hold accountable;

**WHEREAS**, National standards remove – whether legally or through color of law – authority from states over what is taught in the classroom and how it is tested, and undercut the principle of federalism on which our nation was founded;

**WHEREAS**, There is no constitutional or statutory authority for national standards, national curricula, or national assessments and in fact the federal government is expressly prohibited from endorsing or dictating state/local decisions about standards, curricula, or assessments; and

**WHEREAS**, Such federal intrusion violates the Tenth Amendment to the U.S. Constitution, federal statutes, and U.S. Supreme Court decisions; and

**WHEREAS**, U.S. Supreme Court decisions prohibit the State of Alaska from agreeing to or ratifying such violations of the Tenth Amendment to the U.S. Constitution; and

**WHEREAS**, Alaska has adopted standards and curricula (known as the Alaska Academic Standards and College, Career Readiness Standards, and “21st-Century Skills”) that are not only plainly and obviously, but also according to the Council of Chief State School Officers, the Alaska Commissioner of Education, and the Mat-Su School Board Superintendent, essentially identical to and aligned with the Common Core State Standards; and

**WHEREAS**, Pursuant to the Alaska Academic Standards and College and Career Readiness Standards, Alaskan schools have adopted mathematics and English curricula and textbooks that are offensive to the values of Alaskans and Americans and subversive of the Alaska Constitution and the U.S. Constitution; and

**WHEREAS**, Pursuant to the Alaska Academic Standards and College and Career Readiness Standards, Alaska has adopted data collection schemes (such as the “P20-W” and Statewide Longitudinal Data System – SLDS) that violate student, parent, and teacher privacy rights guaranteed under the Alaska Constitution and the U.S. Constitution;

**WHEREAS**, Pursuant to the Alaska Academic Standards and College and Career Readiness Standards, Alaskan schools are subjecting students to computerized, adaptive testing;

**RESOLVED**, That the Butte Community Council asks its members to (1) contact their local school board members and Alaska State Board of Education members to request they reject: (i) the Alaska Academic Standards and College and Career Readiness Standards and any other standards similar to the Common Core State Standards, (ii) curricula aligned to the Common Core or similar standards, (iii) curricula that otherwise undermine or incorrectly restate the Alaska Constitution and/or U.S. Constitution, and (iv) related instruction and testing, especially adaptive testing, (2) ask their State Senators and Representatives to (i) follow the Alaska Constitution and U.S. Constitution and refuse to allow the federal government to dictate what standards Alaska adopts, (ii) refuse federal education money when the acceptance of said money requires Alaska to conform to federal mandates regarding standards, curricula, data, and/or testing and/or when the cost of accepting said money (such as the cost of complying with conditions of said money) exceeds the amount of money received, (iii) adopt standards or guidelines that are academically proven, educate children in the Principles of Liberty, and teach the true text and meaning of the Alaska Constitution and U.S. Constitution, (iv) encourage schools to use curricula and textbooks that correctly teach our Organic Documents such as the Alaska Constitution, the U.S. Constitution, and the Declaration of Independence, and teach traditional American values and the historical role of the United States of America as a "shining city on a hill," and (v) prohibit the collection, use, or dissemination of data in violation of the Alaska Constitution or U.S. Constitution, such as the current data systems implemented pursuant to U.S. Department of Education coercion ("P20-W"/SLDS/etc.), require the expungement of any data already collected in violation thereof, and only allow traditional, basic, data collection as has historically been done, and (3) spread the word about the threat of a federal government – or United Nations – takeover of education, the "dumbing down" of our students, and the subversion of traditional American values, the Declaration of Independence, and the Alaska and U.S. Constitutions.

Unanimously adopted by the Butte Community Council, this, the 11 th day of ~~February~~, 2015.  
March

Darryl Disher  
Jeanine Erickson  
Brendon Knopf  
Darwin Schutte  
Carl Baker

MATANUSKA SUSITNA BOROUGH  
NORTHLAKES COMMUNITY COUNCIL

AGENDA

REGULAR MEETING

30 OCTOBER 2014

BOYS AND GIRLS CLUB 7:00 PM

I MEETING CALLED TO ORDER

II ESTABLISHED THAT THERE WAS A FULL QUOREM

III PLEDGE OF ALLEGIENCE

IV APPROVAL OR CHANGES TO AGENDA

V RECOGNIZE VISITORS: JULIE ESTES- NEW DIRECTOR OF PUBLIC RELATIONS FROM MEA CAME BY TO CATCH US UP ON THE NEW SUB STATION UPGRADE ON BOGARD AND SELDON. MEA IS TRYING TO CATCH UP WITH THE GROWTH. LOTS OF UPGRADES ARE BEING DONE. ED JENKINS REPORTED ON SUB STATION. THEY ARE PUTTING BREAKERS ON HIGH VOLTAGE LINES, THEY WOULD LIKE TO SEE LESS PEOPLE WITH POWER OUTAGES INCREASE CAPACITY WITH FEWER OUTAGES. THERE IS A 20 YEAR PLAN FOR SUBSTATION. COMPLETION DATE IS SET FOR APRIL 1 2015

DAN BEARDSLY ALSO CAME. HE IS A CONSULANT THAT WORKS FOR MEA. HE HANDED OUT MAPS ON THE ROUTES THAT ARE BEING CONSIDERED FOR THE NEW LINE. HE WILL BE GOING AROUND AND DOING A PUBLIC OUTREACH TO SEE WHAT PEOPLE THINK ABOUT THE DIFFERENT ROUTES.

V APPROVAL MINUTES WERE READ AND APPROVED FROM MINUTES FROM MAY 29, 2014

VI CORRESPONDENCE: NONE AT THIS TIME

VII REPORTS: TREASURERS REPORT: ED KOVICH REPORTED THAT THE REVENUE SHARING WAS \$5,515.91 FOR 2014 FUNDS PREPAID \$750.00 DOLLARS ON PORTA POTTY.

ROAD REPORT: GARY HESSMER UPDATED US ON CAPITOL LIST PROPOSALS :

4 PROJECTS, 5 PAVINGS, DESIGNS ASHMORE RUN CONTRACT DUE IN JANUARY 2015

ROAD SERVICE PLANS ON DOING BRUSHCUTTING EVERY YEAR,

ROAD SERVICE #25 WILL WORK ON CRACK SEALING ON A BIANUAL SCHEDULE.

BOROUGH REPORT: CHIEF BOOTHBY GAVE FIRE SERVICE AREA REPORT

THEY ARE DOING TESTING FOR 2 MORE PEOPLE FOR FULL TIME HIRES. HE BROUGHT A PACKET WITH REPORTS WITH WHAT WAS GOING ON WITH THE FIRE SERVICES.

MOTION TO HAVE RON FARNSWORTH WRITE A LETTER TO MR. ARVIN TO HELP THE FIRESERVICE GET MORE EMPLOYEES - FOUR CAPTAINS.

MOTION PASSED

NO ASSEMBLY UPDATE


LYNN GATTIS ENOURAGED US TO GO VOTE

ELECTIONS FOR 3 POSITIONS ARE UP: PRESIDENT: RON FARNSWORTHS PRESIDENT ED KOVICH TREASURER MEMBER AT LARGE #1 LOUIS CALDERI. MOTION TO KEEP RON FARNSWORTH AS PRESIDENT , ED KOVICH AS TREASURER AND LOUIS AS MEMBER AT LARGE.

REVENUE SHARING WILL BE MEETING NEXT MONTH.

CORRESPONDENCE: DONATIONS TO BE MOVED TO NEXT MEETING.

MEETING ADJOUNED 8;30

  
Louise Calandri

NORTH LAKES COMMUNITY COUNCIL

MATSU BOYS & GIRLS CLUB

MEETING MINUTES

NOVEMBER 20, 2014

1. Meeting was called to order/ Determination of Quorum

11. Ron Farnsworth not president, Vice President, not present, Member at large, Louis Calderi called meeting to order

111. Pledge of Allegiance-

1V. Motion to approve Agenda

A. Minutes read for ~~November~~ *October the*

B. Approved minutes for ~~November~~ *October the*

Treasury Report:

A. No Report, same as October

Road Service Report: Carol Christiansen came and reported what was going on in the borough

Small Road upgrades from Alex Senta

Where the status is of Roads going up for bid

Numbers of potholes are down, corners on roads are worse. If you need to get a hold of Publics works the number is 745-9826. Please call them if you see anything that might need fixed.

Phase 2 of Seward Meridian might be looking around doing some work in 2017

Fire Service Report

Note from fire chief that the borough approved to get more employees

1 tanker failed- new price is 650,000. For a new one It is out of service. Engine gave up

New station 5-1 open house is in January

Borough Assembly Update

None

V. Unfinished business to report

Revenue sharing to be moved to December- table that and let borough know when it can be held

Member dues are due in January 2015

We set dates for coming up year. Dates were approved.

V1. New Business- None

V11. Adjournment until January 29, 2015

APPROVED  
Ron J. [Signature] 1/29/15

NORTH LAKES COMMUNITY COUNCIL

MATSU BOYS & GIRLS CLUB

MEETING MINUTES

JANUARY 29, 2015

RECEIVED  
APR 09 2015  
CLERKS OFFICE

1. Meeting was called to order/ Determination of Quorum

11. Ron Farnsworth Presiding

111. Pledge of Allegiance-

IV. Motion to approve Agenda

A. Minutes read for ~~January~~ *November*

B. Approved minutes for November

C. Correspondence from Borough

Expand easement in Ashmore Run Subdivision 120X120 turn around. Neighborhood does not want it. After 35 years of having it like that, now they want to change it. Council will draft up a letter for borough and Ed Kovich and Mr. Vachal will get signatures from residents in Ashmore run to oppose this change.

Tansportation committee will meet Thursday February 12<sup>th</sup> at the boys and girls club to address this issue.

Ron Farnsworth got another extention on the Revenue sharing 2011 for another 6 months. We did get correspondence for CIP 6 year program. New fiscal year request to see what we would like to see be done. We can see what has been submitted and we can discuss what council would like to use money for. Ron will get old submission past CIP request.

Treasury Report:

A) Restricted fun has \$ 5114.71 Unrestricted fund 385.29 the two expenditures that we have are the rental can and the websight reimbursement. Louis Calderi will send Ron an alternative web hosting sight. Seems are costs for our website is high.

B.) Road Service Report: no report

c.) Fire Service Report: No report



D.) Borough Assembly Update: No report

V. Unfinished business to report:

Revenue sharing committee meeting will be February 12<sup>th</sup>

V1. New Business- Lake Management plan for Cottonwood Lake. There are a few concerned people that use the lake park area because of the hours that are restricted for the gate being locked. A few families were given the job of locking the gate at the park. They lock the gate at 10:00 in summer and winter hours they close at 4 pm.

Audience views on this were: noise pollution, protection from pollution, borough should be responsible for access no police enforcement.

We will table this item till next time

V11. Adjournment until February 26, 2015

COUNCIL MEETING MINUTES  
Community Park Building  
Milepost 115.2 George Parks Highway, turn left on TC Park Circle  
Regular Meeting      6:30 PM      Thursday, January 15, 2015

- I. Meeting called to order 6:35 pm.
- II. Board Members in Attendance: Miller, Grelson, Glenka and Kolbeck. Members Present: Lon McCullough.
- III. Reading and approval of minutes from November & December 2014
- IV. Assembly Report: None
- V. TCCSA CIP Report: \$32,618.30 Remaining
- VI. RSA 30 Report: None
- VII. Treasurer's Report: Checking \$367.39 & Savings: \$25.23
- VIII. Revenue Sharing Project Updates:
  - A. FY2012
    - 1. Oral History – \$951.84 Remaining
    - 2. TCCC Costs – \$7.30 Remaining
  - B. FY2013
    - 1. TCCSA Operating – \$2,059.27 Remaining
    - 2. TCCSA Conex – \$1,500 Remaining
    - 3. TCCSA Tools - \$852.08 Remaining
    - 4. Dumpster Access Ramp – Finished
- IX. Current mail was read
- X. Public Forum: None
- XI. Unfinished Business:
  - A. No applications were received for the 3 open seats to the Board of Directors. Glenka appoints Levi Miller to fill the vacancy until next general election. Glenka appoints Ralph Kolbeck to fill the vacancy until next general election. Both appointments were accepted.
- XII. New Business:
  - A. Council to take applications for FY2014 Revenue Share projects until April 16 council meeting. Voting to be held April 20 to May 9 at the Trapper Creek Library during regular library hours, with final decision at the May 14, 2015 council meeting.
- XIII. Date of next meeting scheduled for February 19, 2015 at 6:30 pm.
- XIV. Meeting adjourned at 7:45 pm

(Minutes taken by Council Secretary, Levi Miller)

Approved: *Levi Miller* *2-19-15*      *Levi Miller* *2/19/15*  
Chairperson                      Date                      Secretary                      Date


**SUBJECT:** Administrative report relating to the creation of and improvement to N Westfork Dr Road Paving Local Improvement District No. 562; and consideration of said creation.

**AGENDA OF:** March 17, 2015.

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing on April 21, 2015.

**APPROVED BY JOHN M. MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
	Originator/Marcia vonEhr	MVE	2-19-15
1	Finance Director	JEC	2/23/15
2	Borough Attorney (Also reviewed by Bond Counsel)	AS	
3	Borough Clerk	JM	3/9/15 

**ATTACHMENT (S) :** Ordinance Serial No. 15-023 (5 pp)  
 Exhibit A (1 p)  
 Map (1 p)  
 Ballot Tally (1 p) -to be presented at Public Hearing  
 Fiscal Note: Yes \_\_\_\_\_ No  X

**SUMMARY STATEMENT:**

A petition has been filed by the record owner of 66 percent in value of the property and signatures of 51 percent of property owners within the proposed N Westfork Dr Road Paving Local Improvement District. The petition has been certified by the borough clerk. The proposed N Westfork Dr Road Paving Local Improvement District is located in Assembly District #6.

As addressed in Section 7 of the Manager's Administrative Report, (listed below) there are 0 properties that do not conform to MSB 3.28.080(B).

If monies are appropriated in the Fiscal Year 2016 budget for the road program, this LID, if approved, would qualify for up to 50 percent matching funds.

**MANAGER'S ADMINISTRATIVE REPORT**

(MSB 3.28.040)

1. Description of properties to be benefited by the improvement:  
SEE ORDINANCE SERIAL NO. 15-023
  
2. Evaluation of need and benefit of improvement and proposed allocation of special assessments:  
Paving the surface of the road within the N Westfork Dr road paving LID will improve the road conditions and make maintenance of the road easier. Properties, including vacant properties, being benefited by paving the surface of the road have a tendency to sell more rapidly when placed on the market than similar properties. It is believed that the benefits will accrue about equally to each property in the improvement district. Therefore, it is proposed that the entire cost of the improvement to be allocated equally to each property within the district, without regard to the front footage, the size of the property, the value of the property or other measures.
  
3. Estimated total cost of improvement:  
The estimated cost by the public works department for the paving is \$123,700.00, if done during the 2015 construction season. It is estimated that administrative costs will amount to approximately \$5,720.00 and the delinquency reserve will be \$11,280.00. The estimated total cost of the improvement as of this date is \$140,700.00. It is recommended that the project be financed by a special assessment bond or bank loan which will be reimbursed from the special assessments on the properties to be benefited. It is anticipated that interest on the loan will be recovered through the interest that will be paid on special assessment installments.
  
4. Current mill rate: The Fiscal Year 2015 mill rate for the improvement district is 13.082 consisting of 9.662 mills (areawide) plus .520 mills (non-areawide) plus .90 mills (FSA#132) and 2.00 mills (RSA #28).

Taxable Property Values:	Real Property:	<u>\$4,230,500.00</u>
	Personal Property:	
	Total:	<u>\$4,230,500.00</u>

5. Profile of proposed properties in local improvement district:

	Total Number of Lots:	<u>27</u>
Ownership type of properties:	Private:	<u>27</u>
	Bank:	<u>0</u>
	Public:	<u>0</u>
	MSB:	<u>0</u>
"Tax" status of properties:	Number Current:	<u>25</u>
	Number Delinquent:	<u>2</u>
	Number in Foreclosure:	<u>0</u>
	Number in Bankruptcy:	<u>0</u>
	Population Estimate:	<u>50</u>
	Estimated Area (Acres):	<u>34.56</u>

This estimate is based on information collected during the 2010 census and current assessment records.

6. Other special assessments effecting this local improvement district: None

7. Properties not conforming to MSB 3.28.080(B) "...An assessment may not exceed 25 percent of the assessed value for real property taxation of the property assessed..": 0.

8. Method of collecting assessments: Semi-annual due dates will be established, with billings sent to each property owner 30-45 days before each due date. Delinquent accounts will be acted upon in the same manner as delinquent tax accounts, including annual foreclosure action.

**IMPROVEMENT PLAN (MSB 3.28.050B)**

The improvement funding will be obtained by selling a special assessment bond to a bank. Only the proceeds of the special assessments and interest will be pledged as security for payment. The special assessments may be paid by the property owners in semi-annual installments over a ten year period.

The estimated total cost is \$140,700.00. The estimated cost elements are paving \$123,700.00, delinquency reserve of \$11,280.00, and administrative costs of \$5,720.00.

The estimated total cost is to be equally assessed against the properties within the improvement district, including those properties not meeting to MSB 3.28.080(B) criteria.

The estimated special assessment against the 27 lots is \$5,211.11 per lot.

If the entire 50 percent was approved from matching funds the estimated special assessment against the 27 lots with the 50% matching funds would be \$2,721.85.



IM No. 15-047  
 Ordinance Serial No. 15-023

Non-Code Ordinance

Sponsored By:  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-023**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CREATING N WESTFORK DR ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 562, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.

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WHEREAS, a petition has been filed by the owners of at least one-half in value of the property within N Westfork Dr Road Paving Local Improvement District for paving the surface of the roads; and

WHEREAS, the borough clerk has certified the petition; and

WHEREAS, the attached manager's administrative report, including the improvement plan is incorporated in IM No. 15-047; and

WHEREAS, notice of the public hearing was published for two consecutive weeks in a newspaper of general circulation distributed within the borough; and

WHEREAS, notice was mailed CERTIFIED RETURN RECEIPT REQUESTED to each record owner of property within the local improvement district; and

WHEREAS, a public hearing on the creation of the local improvement district and the improvement plan has been held; and

WHEREAS, ballots approving or disapproving the local improvement district were permitted to be filed in writing for 30 calendar days after mailing of notice of the public hearing; and

WHEREAS, ballots marked "yes" from owners of property bearing more than one-half of the estimated cost of the improvements were received; and

WHEREAS, the proposed improvement is a power exercised through a service area, and there is a board of supervisors and the board has recommended the improvement.

BE IT ENACTED:

Section 1. This is a non-code ordinance.

Section 2. The N Westfork Dr Road Paving Local Improvement Plan will increase property values, is necessary, is in the public interest, and the improvement should be made.

Section 3. The petition has sufficient and proper petitioners.

Section 4. Ballots approving the local improvement district were filed timely by the record owners of property within the road paving local improvement district bearing more than one-

half of the estimated cost of the improvement and the assembly can proceed with the improvement.

Section 5. There is hereby created the N Westfork Dr Road Paving Local Improvement District No. 562 as described on the attached legal description marked Exhibit A.

Section 6. The manager is hereby authorized to proceed with the improvement, negotiate for sale of a special assessment bond or similar loan for assembly approval, and such other necessary and proper work as appropriate to accomplish the purpose of the improvement plan upon financing approval by the assembly.

Section 7. Upon completion of the work up to 100 percent of the total cost of the improvement shall be assessed equally against each property within the road paving local improvement district. The amount to be assessed shall be reduced by the amount, if any, of matching funds appropriated for the improvement in the fiscal year 2016 borough budget. The finance director shall prepare a special assessment roll assessing to each property within the road paving local improvement district an amount equal to the actual total improvement cost divided by the number of properties within the local improvement district. The proposed special assessment roll shall be prepared and presented in accordance with the provisions of the Matanuska-

Susitna Borough Code in effect at the time the special assessment roll is prepared.

Section 8. The special assessments against the properties described in Section 5 above are liens upon the property and are prior and paramount to all liens except municipal tax liens and may be enforced as provided for the enforcement of real property tax liens.

Section 9. Special assessments may be paid in 20 semi-annual installments with due dates established by the assembly upon approval of the road paving local improvement district special assessment roll, provided, the assembly may authorize payment terms greater than or less than a ten-year period of time. If no time for payment is established, semi-annual installments are due and payable when property taxes are due and payable. Special assessment installments not paid when due shall have a penalty added equal to the penalty for delinquent second-half real property taxes in effect at the time of the special assessment installment delinquency. Upon full payment of the special assessment, the manager shall issue a release of the lien to the record owner of the property.

Section 10. Notwithstanding the approval of the road paving local improvement district based upon the financing of the cost

through the sale of a special assessment bond or loan, if the assembly determines that the sale of a special assessment bond or loan is not feasible or is not available, the assembly may provide for other means of financing the project cost at its sole discretion.

Section 11. Ordinance Serial Number 15-023 shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

LARRY DEVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

LEGAL DESCRIPTION FOR  
N WESTFORK DR #562

**1241**

Lot Fifteen (15), Block Two (2), TALGACH VW, according to Recorded Plat #1976-87; and

**1417**

Lots Sixteen (16) through Twenty Seven (27), Block Two (2), and Lots One (1) through Fourteen (14), Block Three (3), TALGACH VW ADD #1, according to Recorded Plat #1978-12.

THE ABOVE ARE RECORDED IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.


**SUBJECT:** Administrative report relating to the creation of and improvement to Country Ridge Estates Road Paving Local Improvement District No. 563; and consideration of said creation.

**AGENDA OF:** March 17, 2015.

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing on April 21, 2015.

**APPROVED BY JOHN M. MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
	Originator/Marcia vonEhr	MUE	2-19-15
1	Finance Director	gaw	2/23/15
2	Borough Attorney (Also reviewed by Bond Counsel)	NS	
3	Borough Clerk	JM	3/9/15 

**ATTACHMENT (S) :** Ordinance Serial No. 15-024 (5 pp)  
 Exhibit A (1 p)  
 Map (1 p)  
 Ballot Tally (1 p) -to be presented at Public Hearing  
 Fiscal Note: Yes \_\_\_\_\_ No  X

**SUMMARY STATEMENT:**

A petition has been filed by the record owners of 91 percent in value of the property and signatures of 90 percent of property owners within the proposed Country Ridge Estates Road Paving Local Improvement District. The petition has been certified by the borough clerk. The proposed Country Ridge Estates Road Paving Local Improvement District is located in Assembly District #6.

As addressed in Section 7 of the Manager's Administrative Report, (listed below) there are 0 properties that do not conform to MSB 3.28.080(B).

If monies are appropriated in the Fiscal Year 2016 budget for the road program, this LID, if approved, would qualify for up to 50 percent matching funds.

**MANAGER'S ADMINISTRATIVE REPORT**

(MSB 3.28.040)

1. Description of properties to be benefited by the improvement:  
SEE ORDINANCE SERIAL NO. 15-024

2. Evaluation of need and benefit of improvement and proposed allocation of special assessments:  
Paving the surface of the road within the Country Ridge Estates road paving LID will improve the road conditions and make maintenance of the road easier. Properties, including vacant properties, being benefited by paving the surface of the road have a tendency to sell more rapidly when placed on the market than similar properties. It is believed that the benefits will accrue about equally to each property in the improvement district. Therefore, it is proposed that the entire cost of the improvement to be allocated equally to each property within the district, without regard to the front footage, the size of the property, the value of the property or other measures.

3. Estimated total cost of improvement:  
The estimated cost by the public works department for the paving is \$111,600.00, if done during the 2015 construction season. It is estimated that administrative costs will amount to approximately \$3,160.00 and the delinquency reserve will be \$10,000.00. The estimated total cost of the improvement as of this date is \$124,760.00. It is recommended that the project be financed by a special assessment bond or bank loan which will be reimbursed from the special assessments on the properties to be benefited. It is anticipated that interest on the loan will be recovered through the interest that will be paid on special assessment installments.

4. Current mill rate: The Fiscal Year 2015 mill rate for the improvement district is 13.962 consisting of 9.662 mills (areawide) plus .520 mills (non-areawide) plus 1.78 mills (FSA#136) and 2.00 mills (RSA #28).

Taxable Property Values:	Real Property:	<u>\$2,799,400.00</u>
	Personal Property:	
	Total:	<u>\$2,799,400.00</u>

5. Profile of proposed properties in local improvement district:

	Total Number of Lots:	<u>11</u>
Ownership type of properties:	Private:	<u>11</u>
	Bank:	<u>0</u>
	Public:	<u>0</u>
	MSB:	<u>0</u>
"Tax" status of properties:	Number Current:	<u>11</u>
	Number Delinquent:	<u>0</u>
	Number in Foreclosure:	<u>0</u>
	Number in Bankruptcy:	<u>0</u>
	Population Estimate:	<u>26</u>
	Estimated Area (Acres):	<u>25.73</u>

This estimate is based on information collected during the 2010 census and current assessment records.

6. Other special assessments effecting this local improvement district: None

7. Properties not conforming to MSB 3.28.080(B) "...An assessment may not exceed 25 percent of the assessed value for real property taxation of the property assessed..": 0.

8. Method of collecting assessments: Semi-annual due dates will be established, with billings sent to each property owner 30-45 days before each due date. Delinquent accounts will be acted upon in the same manner as delinquent tax accounts, including annual foreclosure action.

**IMPROVEMENT PLAN (MSB 3.28.050B)**

The improvement funding will be obtained by selling a special assessment bond to a bank. Only the proceeds of the special assessments and interest will be pledged as security for payment. The special assessments may be paid by the property owners in semi-annual installments over a ten year period.

The estimated total cost is \$124,760.00. The estimated cost elements are paving \$111,600.00, delinquency reserve of \$10,000.00, and administrative costs of \$3,160.00.

The estimated total cost is to be equally assessed against the properties within the improvement district, including those properties not meeting to MSB 3.28.080(B) criteria.

The estimated special assessment against the 11 lots is \$11,341.82 per lot.

If the entire 50 percent was approved from matching funds the estimated special assessment against the 11 lots with the 50% matching funds would be \$5,832.73.



IM No. 15-048  
 Ordinance Serial No. 15-024

Non-Code Ordinance

Sponsored By:  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-024**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CREATING COUNTRY RIDGE ESTATES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 563, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.

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WHEREAS, a petition has been filed by the owners of at least one-half in value of the property within Country Ridge Estates Road Paving Local Improvement District for paving the surface of the roads; and

WHEREAS, the borough clerk has certified the petition; and

WHEREAS, the attached manager's administrative report, including the improvement plan is incorporated in IM No. 15-048; and

WHEREAS, notice of the public hearing was published for two consecutive weeks in a newspaper of general circulation distributed within the borough; and

WHEREAS, notice was mailed CERTIFIED RETURN RECEIPT REQUESTED to each record owner of property within the local improvement district; and

WHEREAS, a public hearing on the creation of the local improvement district and the improvement plan has been held; and

WHEREAS, ballots approving or disapproving the local improvement district were permitted to be filed in writing for 30 calendar days after mailing of notice of the public hearing; and

WHEREAS, ballots marked "yes" from owners of property bearing more than one-half of the estimated cost of the improvements were received; and

WHEREAS, the proposed improvement is a power exercised through a service area, and there is a board of supervisors and the board has recommended the improvement.

BE IT ENACTED:

Section 1. This is a non-code ordinance.

Section 2. The Country Ridge Estates Road Paving Local Improvement Plan will increase property values, is necessary, is in the public interest, and the improvement should be made.

Section 3. The petition has sufficient and proper petitioners.

Section 4. Ballots approving the local improvement district were filed timely by the record owners of property within the road paving local improvement district bearing more than one-

half of the estimated cost of the improvement and the assembly can proceed with the improvement.

Section 5. There is hereby created the Country Ridge Estates Road Paving Local Improvement District No. 563 as described on the attached legal description marked Exhibit A.

Section 6. The manager is hereby authorized to proceed with the improvement, negotiate for sale of a special assessment bond or similar loan for assembly approval, and such other necessary and proper work as appropriate to accomplish the purpose of the improvement plan upon financing approval by the assembly.

Section 7. Upon completion of the work up to 100 percent of the total cost of the improvement shall be assessed equally against each property within the road paving local improvement district. The amount to be assessed shall be reduced by the amount, if any, of matching funds appropriated for the improvement in the fiscal year 2016 borough budget. The finance director shall prepare a special assessment roll assessing to each property within the road paving local improvement district an amount equal to the actual total improvement cost divided by the number of properties within the local improvement district. The proposed special assessment roll shall be prepared and presented in accordance with the provisions of the Matanuska-

Susitna Borough Code in effect at the time the special assessment roll is prepared.

Section 8. The special assessments against the properties described in Section 5 above are liens upon the property and are prior and paramount to all liens except municipal tax liens and may be enforced as provided for the enforcement of real property tax liens.

Section 9. Special assessments may be paid in 20 semi-annual installments with due dates established by the assembly upon approval of the road paving local improvement district special assessment roll, provided, the assembly may authorize payment terms greater than or less than a ten-year period of time. If no time for payment is established, semi-annual installments are due and payable when property taxes are due and payable. Special assessment installments not paid when due shall have a penalty added equal to the penalty for delinquent second-half real property taxes in effect at the time of the special assessment installment delinquency. Upon full payment of the special assessment, the manager shall issue a release of the lien to the record owner of the property.

Section 10. Notwithstanding the approval of the road paving local improvement district based upon the financing of the cost

through the sale of a special assessment bond or loan, if the assembly determines that the sale of a special assessment bond or loan is not feasible or is not available, the assembly may provide for other means of financing the project cost at its sole discretion.

Section 11. Ordinance Serial Number 15-024 shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

LARRY DEVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

LEGAL DESCRIPTION FOR  
COUNTRY RIDGE ESTATES #563

**4999**

Lot Five (5), Block Two (2), Lots Two (2) through Four (4), Block Three (3), and Lots Two (2) and Three (3), Block Four (4), COUNTRY RDG EST PH I, according to Recorded Plat #2000-77; and

**5253**

Lots Four (4) and Six (6), Block Two (2), and Lot One (1), Block Three (3), COUNTRY RDG EST PH II, according to Recorded Plat #2002-82; and

**5560**

Lot One-A (1-A) and One-B (1-B), Block Four (4), COUNTRY RDG EST PH III, according to Recorded Plat #2004-101.

THE ABOVE ARE RECORDED IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.


**SUBJECT:** Administrative report relating to the creation of and improvement to E New Field Dr Road Paving Local Improvement District No. 564; and consideration of said creation.

**AGENDA OF:** March 17, 2015.

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing on April 21, 2015.

**APPROVED BY JOHN M. MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
	Originator/Marcia vonEhr	<i>mv</i>	2-19-15
1	Finance Director	<i>gcl</i>	2/23/15
2	Borough Attorney (Also reviewed by Bond Counsel)	<i>ANS</i>	
3	Borough Clerk	<i>JMM</i>	3/9/15 

**ATTACHMENT (S):** Ordinance Serial No. 15-025 (5 pp)  
 Exhibit A (1 p)  
 Map (1 p)  
 Ballot Tally (1 p) -to be presented at Public Hearing  
 Fiscal Note: Yes \_\_\_\_\_ No  X

**SUMMARY STATEMENT:**

A petition has been filed by the record owner of 58 percent in value of the property and signatures of 62 percent of property owners within the proposed E New Field Dr Road Paving Local Improvement District. The petition has been certified by the borough clerk. The proposed E New Field Dr Road Paving Local Improvement District is located in Assembly District #6.

As addressed in Section 7 of the Manager's Administrative Report, (listed below) there are 0 properties that do not conform to MSB 3.28.080(B).

If monies are appropriated in the Fiscal Year 2016 budget for the road program, this LID, if approved, would qualify for up to 50 percent matching funds.

**MANAGER'S ADMINISTRATIVE REPORT**

(MSB 3.28.040)

1. Description of properties to be benefited by the improvement:  
SEE ORDINANCE SERIAL NO. 15-025

2. Evaluation of need and benefit of improvement and proposed allocation of special assessments:

Paving the surface of the road within the E New Field Dr road paving LID will improve the road conditions and make maintenance of the road easier. Properties, including vacant properties, being benefited by paving the surface of the road have a tendency to sell more rapidly when placed on the market than similar properties. It is believed that the benefits will accrue about equally to each property in the improvement district. Therefore, it is proposed that the entire cost of the improvement to be allocated equally to each property within the district, without regard to the front footage, the size of the property, the value of the property or other measures.

3. Estimated total cost of improvement:

The estimated cost by the public works department for the paving is \$56,600.00, if done during the 2015 construction season. It is estimated that administrative costs will amount to approximately \$2,680.00 and the delinquency reserve will be \$5,200.00. The estimated total cost of the improvement as of this date is \$64,480.00. It is recommended that the project be financed by a special assessment bond or bank loan which will be reimbursed from the special assessments on the properties to be benefited. It is anticipated that interest on the loan will be recovered through the interest that will be paid on special assessment installments.

4. Current mill rate: The Fiscal Year 2015 mill rate for the improvement district is 13.962 consisting of 9.662 mills (areawide) plus .520 mills (non-areawide) plus 1.78 mills (FSA#136) and 2.00 mills (RSA #28).

Taxable Property Values:	Real Property:	<u>\$1,753,800.00</u>
	Personal Property:	
	Total:	<u>\$1,753,800.00</u>

5. Profile of proposed properties in local improvement district:

	Total Number of Lots:	<u>8</u>
Ownership type of properties:	Private:	<u>8</u>
	Bank:	<u>0</u>
	Public:	<u>0</u>
	MSB:	<u>0</u>
"Tax" status of properties:	Number Current:	<u>7</u>
	Number Delinquent:	<u>1</u>
	Number in Foreclosure:	<u>0</u>
	Number in Bankruptcy:	<u>0</u>
	Population Estimate:	<u>17</u>
	Estimated Area (Acres):	<u>19.98</u>

This estimate is based on information collected during the 2010 census and current assessment records.

6. Other special assessments effecting this local improvement district: None

7. Properties not conforming to MSB 3.28.080(B) "...An assessment may not exceed 25 percent of the assessed value for real property taxation of the property assessed..": 0.

8. Method of collecting assessments: Semi-annual due dates will be established, with billings sent to each property owner 30-45 days before each due date. Delinquent accounts will be acted upon in the same manner as delinquent tax accounts, including annual foreclosure action.

**IMPROVEMENT PLAN (MSB 3.28.050B)**

The improvement funding will be obtained by selling a special assessment bond to a bank. Only the proceeds of the special assessments and interest will be pledged as security for payment. The special assessments may be paid by the property owners in semi-annual installments over a ten year period.

The estimated total cost is \$64,480.00. The estimated cost elements are paving \$56,600.00, delinquency reserve of \$5,200.00, and administrative costs of \$2,680.00.

The estimated total cost is to be equally assessed against the properties within the improvement district, including those properties not meeting to MSB 3.28.080(B) criteria.

The estimated special assessment against the 8 lots is \$8,060.00 per lot.

If the entire 50 percent was approved from matching funds the estimated special assessment against the 8 lots with the 50% matching funds would be \$4,212.50.



IM No. 15-049  
 Ordinance Serial No. 15-025

Non-Code Ordinance

Sponsored By:  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-025**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CREATING E NEW FIELD DR ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 564, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.

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WHEREAS, a petition has been filed by the owners of at least one-half in value of the property within E New Field Dr Road Paving Local Improvement District for paving the surface of the roads; and

WHEREAS, the borough clerk has certified the petition; and

WHEREAS, the attached manager's administrative report, including the improvement plan is incorporated in IM No. 15-049; and

WHEREAS, notice of the public hearing was published for two consecutive weeks in a newspaper of general circulation distributed within the borough; and

WHEREAS, notice was mailed CERTIFIED RETURN RECEIPT REQUESTED to each record owner of property within the local improvement district; and

WHEREAS, a public hearing on the creation of the local improvement district and the improvement plan has been held; and

WHEREAS, ballots approving or disapproving the local improvement district were permitted to be filed in writing for 30 calendar days after mailing of notice of the public hearing; and

WHEREAS, ballots marked "yes" from owners of property bearing more than one-half of the estimated cost of the improvements were received; and

WHEREAS, the proposed improvement is a power exercised through a service area, and there is a board of supervisors and the board has recommended the improvement.

BE IT ENACTED:

Section 1. This is a non-code ordinance.

Section 2. The E New Field Dr Road Paving Local Improvement Plan will increase property values, is necessary, is in the public interest, and the improvement should be made.

Section 3. The petition has sufficient and proper petitioners.

Section 4. Ballots approving the local improvement district were filed timely by the record owners of property within the road paving local improvement district bearing more than one-

half of the estimated cost of the improvement and the assembly can proceed with the improvement.

Section 5. There is hereby created the E New Field Dr Road Paving Local Improvement District No. 564 as described on the attached legal description marked Exhibit A.

Section 6. The manager is hereby authorized to proceed with the improvement, negotiate for sale of a special assessment bond or similar loan for assembly approval, and such other necessary and proper work as appropriate to accomplish the purpose of the improvement plan upon financing approval by the assembly.

Section 7. Upon completion of the work up to 100 percent of the total cost of the improvement shall be assessed equally against each property within the road paving local improvement district. The amount to be assessed shall be reduced by the amount, if any, of matching funds appropriated for the improvement in the fiscal year 2016 borough budget. The finance director shall prepare a special assessment roll assessing to each property within the road paving local improvement district an amount equal to the actual total improvement cost divided by the number of properties within the local improvement district. The proposed special assessment roll shall be prepared and presented in accordance with the provisions of the Matanuska-

Susitna Borough Code in effect at the time the special assessment roll is prepared.

Section 8. The special assessments against the properties described in Section 5 above are liens upon the property and are prior and paramount to all liens except municipal tax liens and may be enforced as provided for the enforcement of real property tax liens.

Section 9. Special assessments may be paid in 20 semi-annual installments with due dates established by the assembly upon approval of the road paving local improvement district special assessment roll, provided, the assembly may authorize payment terms greater than or less than a ten-year period of time. If no time for payment is established, semi-annual installments are due and payable when property taxes are due and payable. Special assessment installments not paid when due shall have a penalty added equal to the penalty for delinquent second-half real property taxes in effect at the time of the special assessment installment delinquency. Upon full payment of the special assessment, the manager shall issue a release of the lien to the record owner of the property.

Section 10. Notwithstanding the approval of the road paving local improvement district based upon the financing of the cost

through the sale of a special assessment bond or loan, if the assembly determines that the sale of a special assessment bond or loan is not feasible or is not available, the assembly may provide for other means of financing the project cost at its sole discretion.

Section 11. Ordinance Serial Number 15-025 shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

LARRY DEVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

LEGAL DESCRIPTION FOR  
E NEW FIELD DR #564

**5560**

Lots One (1) through Five (5), Block One (1) and Lots One (1) through Three (3), Block Two (2), COUNTRY RDG EST PH III, according to Recorded Plat #2004-101.

THE ABOVE ARE RECORDED IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**SUBJECT:** Administrative report relating to the creation of and improvements to Portion of West Greensward Dr Natural Gas Local Improvement District No. 549; and consideration of said creation.

**AGENDA OF:** March 17, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing on April 21, 2015.

**APPROVED BY JOHN M. MOOSEY, BOROUGH MANAGER:** *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator/Marcia vonEhr	<i>MUE</i>	<i>2-25-15</i>
1	Finance Director	<i>JW</i>	<i>3/2/15</i>
2	Borough Attorney (Also reviewed by Bond Counsel)	<i>[Signature]</i>	<i>3/4/15</i>
3	Borough Clerk	<i>JMM</i>	<i>3/9/15</i>

**ATTACHMENT (S):** Ordinance Serial No. 15-034 (5 pp)  
 Exhibit A (1 p)  
 Map (1 p)  
 Ballot Tally (1 p) -to be presented at Public Hearing  
 Fiscal Note: Yes \_\_\_\_\_ No  X

**SUMMARY STATEMENT:**

A petition has been filed by the record owners of 68 percent in value of the property and signatures of 60 percent of property owners within the proposed Portion of West Greensward Dr Natural Gas Local Improvement District. The petition has been certified by the borough clerk. The proposed Portion of West Greensward Dr Natural Gas Local Improvement District is located in Assembly District #7.

As addressed in Section 8 of the manager's administrative report, (listed below) there are 4 properties that do not conform to MSB 3.28.080 (B).

MANAGER'S ADMINISTRATIVE REPORT

(MSB 3.28.040)

1. Description of properties to be benefited by the improvement:  
SEE ORDINANCE SERIAL NO. 15-034

2. Evaluation of need and benefit of improvement and proposed allocation of special assessments:

The installation of natural gas distribution lines makes available to the property owners within the natural gas improvement district a clean energy source that is substantially lower in cost than any other source available. Properties, including vacant properties, served by natural gas have a tendency to sell more rapidly when placed on the market than similar properties in areas not served by natural gas. It is believed that the benefits will accrue about equally to each property in the improvement district. Therefore, it is proposed that the entire cost of the improvement to be allocated equally to each property within the district, without regard to the front footage, the size of the property, the value of the property or other measures.

3. Estimated total cost of improvement:

The estimated cost of the installation by ENSTAR is \$98,063.00 if done during the 2015 construction season. It is estimated that administrative costs will amount to approximately \$7,014.00 and the delinquency reserve will be \$5,550.00. The estimated total cost of the improvement as of this date is \$110,627.00. It is recommended that the project be financed by a special assessment bond or bank loan, which will be reimbursed from the special assessments on the properties to be benefited. It is anticipated that interest on the loan will be recovered through the interest that will be paid on special assessment installments.

4. Current mill rate: The Fiscal Year 2015 mill rate for the improvement district is 13.962 mills consisting of 9.662 mills (areawide) plus .520 mills (non-areawide) plus 1.78 mills (FSA# 136) plus 2.00 mills (RSA#28).

Taxable Property Values:	Real Property:	<u>\$2,549,700.00</u>
	Personal Property:	<u>0</u>
	Total:	<u>\$2,549,700.00</u>

5. Ownership of distribution lines: Enstar Natural Gas Co. is a division of Semco Energy Inc. It will own and be wholly responsible for the service and maintenance of the natural gas lines.

6. Profile of proposed properties in local improvement district:

	Total Number of Lots:	<u>28</u>
Ownership type of properties:	Private:	<u>27</u>
	Bank:	<u>0</u>
	Public:	<u>1</u>
	MSB:	<u>0</u>
"Tax" status of properties:	Number Current:	<u>24</u>
	Number Delinquent:	<u>4</u>
	Number in Foreclosure:	<u>0</u>
	Number in Bankruptcy:	<u>0</u>
	Population Estimate:	<u>56</u>
	Estimated Area (Acres):	<u>44.41</u>

\* This estimate is based on information collected during the 2010 census and current assessment records.

7. Other special assessments effecting this local improvement district: NONE.

8. Properties not conforming to MSB 3.28.080(B) "...An assessment may not exceed 25 percent of the assessed value for real property taxation of the property assessed": 4

9. Method of collecting assessments: Semi-annual due dates will be established, with billings sent to each property owner 30-45 days before each due date. Delinquent accounts will be acted upon in the same manner as delinquent tax accounts, including annual foreclosure action.

**IMPROVEMENT PLAN (MSB 3.28.050B)**

The improvement is the installation of approximately 4,220 linear feet of natural gas distribution lines by ENSTAR to serve and benefit 28 properties within the Portion of West Greensward Dr Natural Gas Local Improvement District as described in Ordinance Serial No. 15-034. The current ENSTAR tariff sets the cost of gas lines at \$22.56 per foot for a cost of \$95,203.00, and Road Bore of \$2,860.00 for a total cost of \$98,063.00.

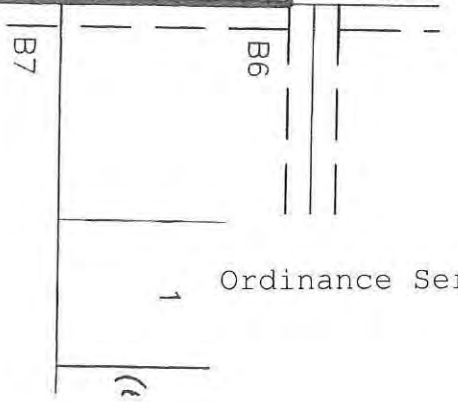
The improvement funding will be obtained by selling a special assessment bond to a bank. Only the proceeds of the special assessments and interest will be pledged as security for payment. The special assessments may be paid by the property owners in semi-annual installments over a ten-year period.

ENSTAR will engineer, own, install, and maintain the line under an agreement with the borough.

The estimated total cost is \$110,627.00. The estimated cost elements are installation costs of \$98,063.00, delinquency reserve of \$5,550.00, and administrative costs of \$7,014.00.

The estimated total cost is to be equally assessed against the properties within the improvement district, including those properties not meeting to MSB 3.28.080(B) criteria.

The estimated special assessment against the 28 lot is \$3,950.96 per lot.



IM No. 15-063  
 Ordinance Serial No. 15-034

Non-Code Ordinance

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-034**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CREATING PORTION OF WEST GREENSWARD DR NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 549, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.

---

WHEREAS, a petition has been filed by the owners of at least one-half in value of the property within Portion of West Greensward Dr Natural Gas Local Improvement District for the installation of natural gas distribution lines; and

WHEREAS, the borough clerk has certified the petition; and

WHEREAS, the manager's administrative report, including the improvement plan is incorporated in IM No. 15-063; and

WHEREAS, notice of the public hearing was published for two consecutive weeks in a newspaper of general circulation distributed within the borough; and

WHEREAS, notice was mailed CERTIFIED RETURN RECEIPT REQUESTED to each record owner of property within the local improvement district; and

WHEREAS, a public hearing on the creation of the local improvement district and the improvement plan has been held; and

WHEREAS, ballots approving or disapproving the local improvement district were permitted to be filed in writing for 30 calendar days after mailing of notice of the public hearing; and

WHEREAS, ballots marked "yes" from owners of property bearing more than one-half of the estimated cost of the improvements were received; and

WHEREAS, the proposed improvement is not a power exercised through a service area and there is not a board of supervisors.

BE IT ENACTED:

Section 1. This is a non-code ordinance.

Section 2. The Portion of West Greensward Dr Natural Gas Local Improvement Plan will increase safety, improve health, increase property values, is necessary, is in the public interest and the improvement should be made.

Section 3. The petition has sufficient and proper petitioners.

Section 4. Ballots approving the local improvement district were filed timely by the record owners of property within the natural gas local improvement district bearing more than one-half of the estimated cost of the improvement and the Assembly can proceed with the improvement.

Section 5. Notwithstanding MSB 3.28.080(B) there are four

properties that do not conform that will be assessed for the improvement.

Section 6. There is hereby created the Portion of West Greensward Dr Natural Gas Local Improvement District No. 549 as described in the attached legal description marked Exhibit A.

Section 7. The manager is hereby authorized to proceed with the improvement, negotiate for sale of a special assessment bond or similar loan for assembly approval, and such other necessary and proper work as appropriate to accomplish the purpose of the improvement plan upon financing approval by the assembly.

Section 8. Upon completion of the work the total cost of the improvement shall be assessed equally against each property within the natural gas local improvement district. The finance director shall prepare a special assessment roll assessing to each property within the natural gas local improvement district an amount equal to the actual total improvement cost divided by the number of properties within the local improvement district. The proposed special assessment roll shall be prepared and presented in accordance with the provisions of the Matanuska-Susitna Borough Code in effect at the time the special assessment roll is prepared.

Section 9. The special assessments against the properties

described in Section 6 above are liens upon the property and are prior and paramount to all liens except municipal tax liens and may be enforced as provided for the enforcement of real property tax liens.

Section 10. Special assessments may be paid in 20 semi-annual installments with due dates established by the assembly upon approval of the natural gas local improvement district special assessment roll, provided, the assembly may authorize payment terms greater than or less than a ten-year period of time. If no time for payment is established, semi-annual installments are due and payable when property taxes are due and payable. Special assessment installments not paid when due shall have a penalty added equal to the penalty for delinquent second-half real property taxes in effect at the time of the special assessment installment delinquency. Upon full payment of the special assessment, the manager shall issue a release of the lien to the record owner of the property.

Section 11. Notwithstanding the approval of the natural gas local improvement district based upon the financing of the cost through the sale of a special assessment bond or loan, if the assembly determines that the sale of a special assessment bond or loan is not feasible or is not available, the assembly may provide

for other means of financing the project cost at its sole discretion.

Section 12. Ordinance Serial Number 15-034 shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

LARRY DEVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

LEGAL DESCRIPTION FOR  
Portion of West Greensward Dr #549

**2042**

Lots Two (2) through Six (6), Block Two (2), Lots Three (3) through Eleven (11), Block Three (3), Lots One (1) and Two (2), Block Four (4), Lots One (1) through Three (3), Block Six (6), Lots One (1) through Nine (9), Block Nine (9), GREENSWARD ASLS 79-154, according to Plat #80-102.

THE ABOVE ARE RECORDED IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**SUBJECT:** Administrative report relating to the creation of and improvements to Portion of Stepan Lake Noncontiguous Natural Gas Local Improvement District No. 554; and consideration of said creation.

**AGENDA OF:** March 17, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing on April 21, 2015.

**APPROVED BY JOHN M. MOOSEY, BOROUGH MANAGER:** *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator/Marcia vonEhr	<i>MUE</i>	2-25-15
1	Finance Director	<i>ju</i>	3/2/15
2	Borough Attorney (Also reviewed by Bond Counsel)	<i>[Signature]</i>	3/4/15
3	Borough Clerk	<i>jam</i>	3/9/15 <i>[Signature]</i>

**ATTACHMENT (S):** Ordinance Serial No. 15-035 (5 pp)  
 Exhibit A (1 p)  
 Map (1 p)  
 Ballot Tally (1 p) -to be presented at Public Hearing  
 Fiscal Note: Yes \_\_\_\_\_ No X

**SUMMARY STATEMENT:**

A petition has been filed by the record owners of 100 percent in value of the property and signatures of 100 percent of property owners within the proposed Portion of Stepan Lake Noncontiguous Natural Gas Local Improvement District. The petition has been certified by the borough clerk. The proposed Portion of Stepan Lake Noncontiguous Natural Gas Local Improvement District is located in Assembly District #5.

As addressed in Section 8 of the manager's administrative report, (listed below) there are 0 properties that do not conform to MSB 3.28.080(B).

**MANAGER'S ADMINISTRATIVE REPORT**

(MSB 3.28.040)

1. Description of properties to be benefited by the improvement:  
SEE ORDINANCE SERIAL NO. 15-035
  
2. Evaluation of need and benefit of improvement and proposed allocation of special assessments:  
The installation of natural gas distribution lines makes available to the property owners within the **Noncontiguous** natural gas improvement district a clean energy source that is substantially lower in cost than any other source available. Properties, including vacant properties, served by natural gas have a tendency to sell more rapidly when placed on the market than similar properties in areas not served by natural gas. It is believed that the benefits will accrue about equally to each property in the improvement district. Therefore, it is proposed that the entire cost of the improvement to be allocated equally to each property within the district, without regard to the front footage, the size of the property, the value of the property or other measures.
  
3. Estimated total cost of improvement:  
The estimated cost of the installation by ENSTAR is \$61,786.00 if done during the 2015 construction season. It is estimated that administrative costs will amount to approximately \$2,410.00 and the delinquency reserve will be \$3,400.00. The estimated total cost of the improvement as of this date is \$67,596.00. It is recommended that the project be financed by a special assessment bond or bank loan, which will be reimbursed from the special assessments on the properties to be benefited. It is anticipated that interest on the loan will be recovered through the interest that will be paid on special assessment installments.
  
4. Current mill rate: The Fiscal Year 2015 mill rate for the improvement district is 14.532 mills consisting of 9.662 mills (areawide) plus .52 mills (non-areawide) plus 1.78 mills (FSA# 136) plus 2.57 mills (RSA#21).

Taxable Property Values:	Real Property:	<u>\$832,600.00</u>
	Personal Property:	0
	Total:	<u>\$832,600.00</u>

5. Ownership of distribution lines: Enstar Natural Gas Co. is a division of Semco Energy Inc. It will own and be wholly responsible for the service and maintenance of the natural gas lines.

6. Profile of proposed properties in local improvement district:

	Total Number of Lots:	<u>3</u>
Ownership type of properties:	Private:	<u>3</u>
	Bank:	<u>0</u>
	Public:	<u>0</u>
	MSB:	<u>0</u>
"Tax" status of properties:	Number Current:	<u>3</u>
	Number Delinquent:	<u>0</u>
	Number in Foreclosure:	<u>0</u>
	Number in Bankruptcy:	<u>0</u>
	Population Estimate:	<u>7</u>
	Estimated Area (Acres):	<u>2.34</u>

\* This estimate is based on information collected during the 2010 census and current assessment records.

7. Other special assessments effecting this local improvement district: NONE.

8. Properties not conforming to MSB 3.28.080(B) "...An assessment may not exceed 25 percent of the assessed value for real property taxation of the property assessed": 0

9. Method of collecting assessments: Semi-annual due dates will be established, with billings sent to each property owner 30-45 days before each due date. Delinquent accounts will be acted upon in the same manner as delinquent tax accounts, including annual foreclosure action.

**IMPROVEMENT PLAN (MSB 3.28.050B)**

The improvement is the installation of approximately 2,690 linear feet of natural gas distribution lines by ENSTAR to serve and benefit 3 properties within the Portion of Stepan Lake **Noncontiguous** Natural Gas Local Improvement District as described in Ordinance Serial No. 15-035. The current ENSTAR tariff sets the cost of gas lines at \$22.56 per foot for a cost of \$60,686.00 and Additional Winter Trench Cost of \$1,100.00 for a total cost of \$61,786.00.

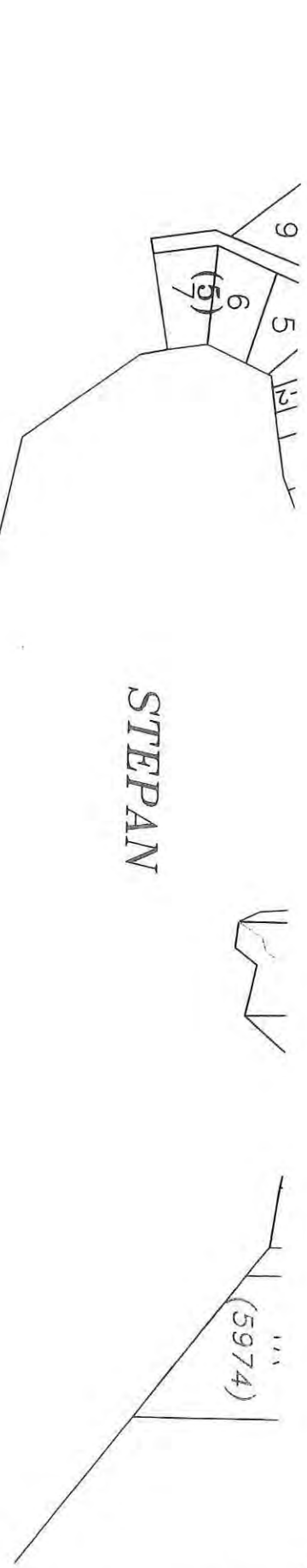
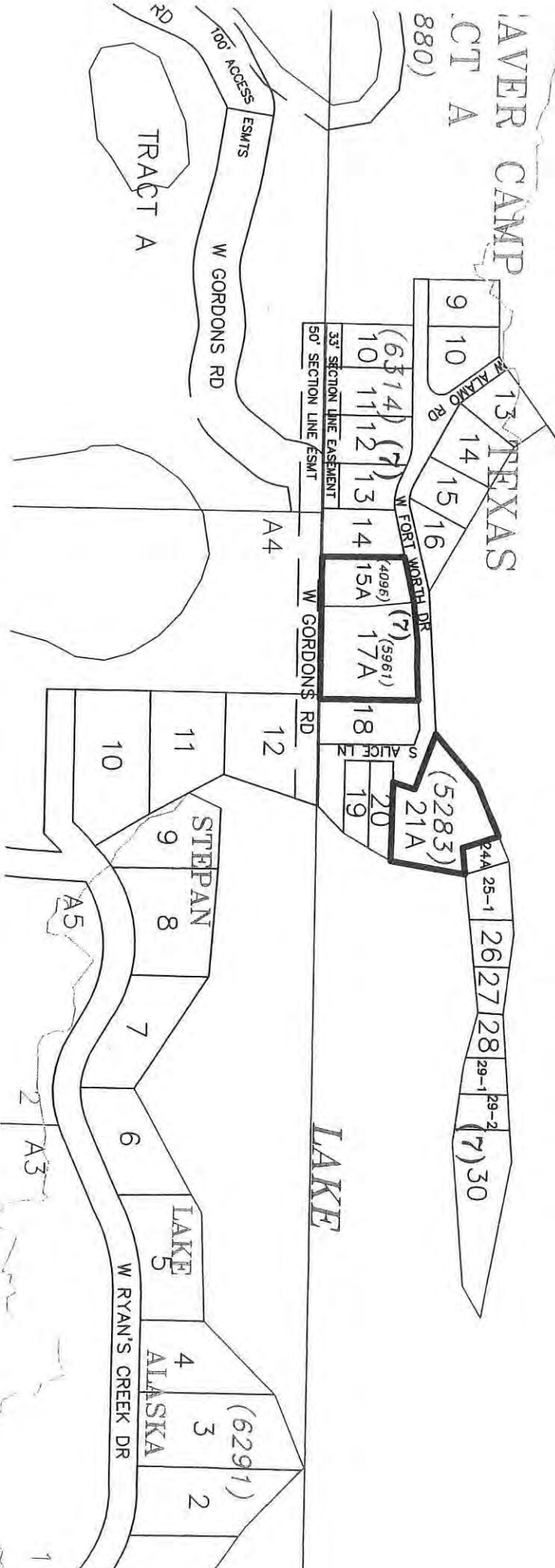
The improvement funding will be obtained by selling a special assessment bond to a bank. Only the proceeds of the special assessments and interest will be pledged as security for payment. The special assessments may be paid by the property owners in semi-annual installments over a ten-year period.

ENSTAR will engineer, own, install, and maintain the line under an agreement with the borough.

The estimated total cost is \$67,596.00. The estimated cost elements are installation costs of \$61,786.00, delinquency reserve of \$3,400.00, and administrative costs of \$2,410.00.

The estimated total cost is to be equally assessed against the properties within the improvement district, including those properties not meeting to MSB 3.28.080(B) criteria.

The estimated special assessment against the 3 lots is \$22,532.00 per lot.



IM No. 15-064  
 Ordinance Serial No. 15-035

Non-Code Ordinance  
Manager

By: Borough

Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-035**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CREATING PORTION OF STEPAN LAKE Non-contiguous NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 554, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.

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WHEREAS, a petition has been filed by the owners of at least one-half in value of the property within Portion of Stepan Lake Non-contiguous Natural Gas Local Improvement District for the installation of natural gas distribution lines; and

WHEREAS, the borough clerk has certified the petition; and

WHEREAS, the manager's administrative report, including the improvement plan is incorporated in IM No. 15-064; and

WHEREAS, notice of the public hearing was published for two consecutive weeks in a newspaper of general circulation distributed within the borough; and

WHEREAS, notice was mailed CERTIFIED RETURN RECEIPT REQUESTED to each record owner of property within the local improvement district; and

WHEREAS, a public hearing on the creation of the local

improvement district and the improvement plan has been held; and

WHEREAS, ballots approving or disapproving the local improvement district were permitted to be filed in writing for 30 calendar days after mailing of notice of the public hearing; and

WHEREAS, ballots marked "yes" from owners of property bearing more than one-half of the estimated cost of the improvements were received; and

WHEREAS, the proposed improvement is not a power exercised through a service area and there is not a board of supervisors.

BE IT ENACTED:

Section 1. This is a non-code ordinance.

Section 2. The Portion of Stepan Lake **Non-contiguous** Natural Gas Local Improvement Plan will increase safety, improve health, increase property values, is necessary, is in the public interest and the improvement should be made.

Section 3. The petition has sufficient and proper petitioners.

Section 4. Ballots approving the local improvement district were filed timely by the record owners of property within the **Non-contiguous** natural gas local improvement district bearing more than one-half of the estimated cost of the improvement and the Assembly can proceed with the improvement.

Section 5. Notwithstanding MSB 3.28.080(B) there are zero properties that do not conform that will be assessed for the improvement.

Section 6. There is hereby created the Portion of Stepan Lake **Non-contiguous** Natural Gas Local Improvement District No. 554 as described in the attached legal description marked Exhibit A.

Section 7. The manager is hereby authorized to proceed with the improvement, negotiate for sale of a special assessment bond or similar loan for assembly approval, and such other necessary and proper work as appropriate to accomplish the purpose of the improvement plan upon financing approval by the assembly.

Section 8. Upon completion of the work the total cost of the improvement shall be assessed equally against each property within the **Non-contiguous** natural gas local improvement district. The finance director shall prepare a special assessment roll assessing to each property within the **Non-contiguous** natural gas local improvement district an amount equal to the actual total improvement cost divided by the number of properties within the **Non-contiguous** local improvement district. The proposed special assessment roll shall be prepared and presented in accordance with the provisions of the Matanuska-Susitna Borough Code in effect at the time the special assessment roll is prepared.

Section 9. The special assessments against the properties described in Section 6 above are liens upon the property and are prior and paramount to all liens except municipal tax liens and may be enforced as provided for the enforcement of real property tax liens.

Section 10. Special assessments may be paid in 20 semi-annual installments with due dates established by the assembly upon approval of the Non-contiguous natural gas local improvement district special assessment roll, provided, the assembly may authorize payment terms greater than or less than a ten-year period of time. If no time for payment is established, semi-annual installments are due and payable when property taxes are due and payable. Special assessment installments not paid when due shall have a penalty added equal to the penalty for delinquent second-half real property taxes in effect at the time of the special assessment installment delinquency. Upon full payment of the special assessment, the manager shall issue a release of the lien to the record owner of the property.

Section 11. Notwithstanding the approval of the Non-contiguous natural gas local improvement district based upon the financing of the cost through the sale of a special assessment bond or loan, if the assembly determines that the sale of a

special assessment bond or loan is not feasible or is not available, the assembly may provide for other means of financing the project cost at its sole discretion.

Section 12. Ordinance Serial Number 15-035 shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

LARRY DEVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

LEGAL DESCRIPTION FOR  
Portion of Stepan Lake #554

**4096**

Lot Fifteen A (15A), Block Seven (7), TEXAS RSB B/7 L/15 & 16,  
according to Plat #93-21; and

**5283**

Lot Twenty-one A (21A), Block Seven (7), TEXAS RSB B/7 L/21-  
24, according to Plat #2002-126; and

**5961**

Lot Seventeen A (17A), Block Seven (7), TEXAS RSB B/7 L/16A &  
17, according to Plat #2006-194.

THE ABOVE ARE RECORDED IN THE PALMER RECORDING DISTRICT, THIRD  
JUDICIAL DISTRICT, STATE OF ALASKA.

**SUBJECT:** Ordinance authorizing issuance and sale of bonds and confirming assessment roll for Field of View Park Subdivision Community Water Local Improvement District No. 476.

**AGENDA OF:** April 7, 2015.

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing on April 21, 2015.

**APPROVED BY JOHN M. MOOSEY, BOROUGH MANAGER:** \_\_\_\_\_

Route To:	Department/Individual	Initials	Remarks
	Originator: Marcia vonEhr	<i>me cf</i>	3-17-15
1	Finance Director	<i>guc</i>	3/23/15
2	Borough Attorney	Reviewed by <i>NS</i>	Bond Counsel
3	Borough Clerk	<i>JR</i>	<i>[Signature]</i>

**ATTACHMENT(S) :** Ordinance Serial No. 15-040 (5 pp),  
 Exhibit "A", (9 pp)  
 Ordinance Serial No. 15-041 (16 pp)  
 Map (1 p)  
 Fiscal Note:  Yes  No

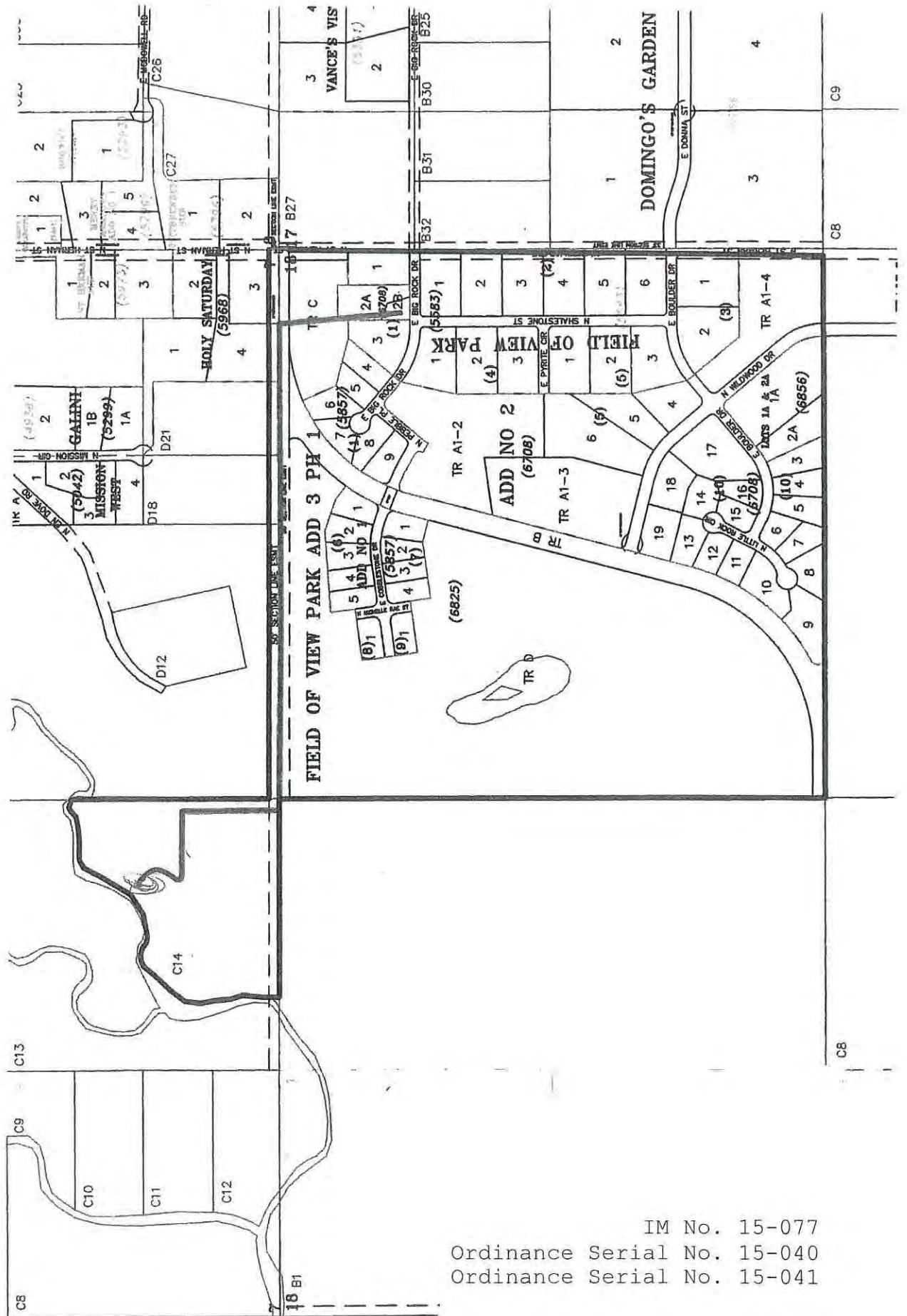
**SUMMARY STATEMENT:**

On July 16, 2013 the Assembly adopted Ordinance Serial No.13-072 creating Field of View Park Subdivision Community Water Local Improvement District. The construction has been completed by the contractor and this ordinance is now before the Assembly to finance the improvements.

Ordinance Serial No. 15-040 confirms the assessment roll and Ordinance Serial No. 15-041 authorizes the issuance and sale of bonds for Field of View Park Subdivision Local Improvement District No. 476 as required by MSB 3.28.080 and MSB 3.28.120. Both ordinances are necessary to complete the process for this local improvement district.

The total cost is to be equally assessed against the properties within the improvement district, including those properties not meeting MSB 3.28.080(B) criteria.

The Field of View Park Subdivision Community Water Local Improvement District is located in Assembly District #6.



Non-Code Ordinance

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-040**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CONFIRMING THE ASSESSMENT ROLL FOR THE FIELD OF VIEW PARK SUBDIVISION COMMUNITY WATER LOCAL IMPROVEMENT DISTRICT NO. 476 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

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WHEREAS, the assembly, by Ordinance Serial No. 13-072 established the Field of View Park Subdivision Community Water Local Improvement District No. 476 (the "LID"); and

WHEREAS, the actual costs of the improvement, including construction cost and the amounts required for administrative costs, bond counsel fees, reserves and related costs are \$5,261.27 per lot; and

WHEREAS, the LID special assessment roll has been prepared and the total costs of the improvement are spread equally among all the properties within the LID as shown on the attached assessment roll marked Exhibit A; and

WHEREAS, the assembly held a hearing on the assessment roll at which time all the written objections to the assessment roll were considered and all persons present who objected in writing were given the opportunity to be heard; and

WHEREAS, notice of the assessment and hearing was mailed to each owner of record more than 15 days before the hearing; and

WHEREAS, the assembly found no errors or inequalities in the assessment roll; and

WHEREAS, the assembly finds that the assessment roll should be confirmed.

NOW, THEREFORE, BE IT ENACTED by the assembly of the Matanuska-Susitna Borough:

\* Section 1. Classification. This ordinance is a non-code ordinance.

\* Section 2. Confirmation of roll. Each property within the Field of View Park Subdivision Community Water Local Improvement District No. 476 as shown on the attached assessment roll marked Exhibit A, is hereby assessed \$5,261.27 and such assessment roll is hereby confirmed. Notwithstanding MSB 3.28.080(B), an assessment levied under this ordinance may exceed 25 percent of the assessed value for real property taxation of the property assessed.

\* Section 3. Notice of assessment. Within 30 days after the date of the adoption of this ordinance, the finance director shall mail to the record owner of each property assessed a statement with the property description, the assessment amount, the method of payment, the rate of interest on the unpaid balance of the

assessment, the time of delinquency, and penalties on delinquent payments. Within five days after the statements are mailed, the finance director shall publish a notice in a newspaper of general circulation of the mailing of the statements.

\* Section 4. Payment of assessment. The entire assessment may be prepaid without interest or penalty within 30 days of the date of mailing of the assessment statement. Thereafter the assessment may be prepaid in whole or in part with interest to the payment date. Interest on the unpaid amount of the assessment shall accrue at a rate per annum equal to the rate of interest on the bonds issued to finance the improvement. Assessments that are not prepaid shall be paid in 20 semiannual installments on March 1, and September 1 of each year, commencing September 1, 2015. Installments shall consist of equal amounts of principal, plus accrued interest. Payments of principal and interest on the assessments confirmed by this ordinance shall be deposited in the sinking fund established pursuant to section (19) of Ordinance Serial No. 15-041 of the borough.

\* Section 5. Delinquencies. Upon the delinquency of an installment there shall be due and payable in addition to the delinquent installment a penalty on the delinquent installment equal to the penalty for second half real property taxes in effect on the date of delinquency. Notice of the delinquency shall be

mailed to the owner of record. The notice shall describe the delinquency and state that the balance of the assessment, plus penalty and accrued interest, will be due and payable if the delinquent installment, plus penalty and accrued interest, is not paid. If any payment has been delinquent for more than 60 days as of January 1, the assessed property will be placed on the borough's foreclosure list. At that time, the entire principal balance of the assessment plus accrued interest and penalty on the principal balance, and applicable foreclosure costs, shall be due and payable.

\* Section 6. Termination of assessments and refund of prorata share of assessment prepayments.

A. Upon the discharge of the bonds, all unpaid, non-delinquent assessment installments are cancelled. The finance director shall refund to the owner of record at the time of discharge of each property whose assessment was prepaid, an amount equal to the difference in the total assessment paid on account of the property and the amount paid on account of properties for which no prepayments were made.

B. For any properties upon which foreclosure proceedings to recover delinquent assessment installments have been commenced prior to the cancellation of remaining assessment installments, the amount due shall be recomputed as provided in subsection (A),

except there will be no refund.

\* Section 7. Effective date. Ordinance Serial No. 15-040 shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

LARRY DEVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

## Matanuska-Susitna Borough

## Real Property Selection List by Account Number

March 12, 2015

LID476 FIELD OF VIEW PARK SUB

<u>Tax Account/Owner Name and Addr</u>	<u>Zone</u>	<u>Map#:</u> / <u>Subdivision</u>	<u>Land</u> <u>Appraisal</u>	<u>Building</u> <u>Appraisal</u>	<u>Total</u> <u>Appraisal</u>	<u>Acre</u>
118N01E07C014 FISCHER LINCOLN W & DEBORAH D PO BOX 873135 WASILLA AK 99687-3135	0016 WA	2	\$65,600.00	\$1,400.00	\$67,000.00	17.48
55583B01L001 SORTORE ARTHUR E & MARY P 4781 E BIG ROCK DR WASILLA, AK 99654	0016 WA	2 FIELD OF VIEW PK	\$30,000.00	\$198,700.00	\$228,700.00	1.17
55583B01L003 WEHRHEIM WILLIAM T & JANE M 4681 E BIG ROCK DR WASILLA, AK 99654	0016 WA	2 FIELD OF VIEW PK	\$30,000.00	\$161,400.00	\$191,400.00	1.24
55583B02L001 BUCHANAN RHETT D & REBECCA 7073 N SHALESTONE ST WASILLA, AK 99654	0016 WA	2 FIELD OF VIEW PK	\$33,500.00	\$174,000.00	\$207,500.00	1.49
55583B02L002 BUCHANAN RHETT D & REBECCA O 7073 N SHALESTONE ST WASILLA AK 99654	0016 WA	2 FIELD OF VIEW PK	\$33,500.00	\$0.00	\$33,500.00	1.49
55583B02L003 LEUTZINGER ANDREA PO BOX 876104 WASILLA AK 99687-6104	0016 WA	2 FIELD OF VIEW PK	\$33,500.00	\$0.00	\$33,500.00	1.49
55583B02L004 RAPSON WILLIAM 6935 N SHALESTONE ST WASILLA AK 99654-9079	0016 WA	2 FIELD OF VIEW PK	\$33,500.00	\$195,400.00	\$228,900.00	1.49
55583B02L005 MACKEY TODD A & SONJA S 6893 N SHALESTONE ST WASILLA, AK 99654	0016 WA	2 FIELD OF VIEW PK	\$33,500.00	\$227,000.00	\$260,500.00	1.49

IM No. 15-077  
Ordinance No. 15-040  
Ordinance No. 15-041

## Matanuska-Susitna Borough

## Real Property Selection List by Account Number

March 12, 2015

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55583B02L006 NEWLAND AARON R & KYLA E 6791 N SHALESTONE ST WASILLA, AK 99654	0016 WA 2 FIELD OF VIEW PK	\$33,500.00	\$298,100.00	\$331,600.00	1.49
55583B03L001 MAYER BRADLEY ANDREW MAYER RACHEL LYNN 4742 E BOULDER DR WASILLA AK 99654-0431	0016 WA 2 FIELD OF VIEW PK	\$40,000.00	\$221,900.00	\$261,900.00	1.72
55583B03L002 BURGESS MICHAEL & LOUISE 22733 WHITE LILY CIR MORENO VALLEY, CA 92557	0016 WA 2 FIELD OF VIEW PK	\$40,000.00	\$0.00	\$40,000.00	1.64
55583B04L001 FISCHER BRANDON S UPDEGRAFF ELLAMARIE G 3800 S KRISUN DR WASILLA, AK 99654	0016 WA 2 FIELD OF VIEW PK	\$33,500.00	\$143,400.00	\$176,900.00	1.43
55583B04L002 MARTINSON LVG TR MARTINSON DAVID ALLEN TRE MARTIN: 23243 CREST VIEW WAY SAN ANTONIO TX 78261-2828	0016 WA 2 FIELD OF VIEW PK	\$33,500.00	\$0.00	\$33,500.00	1.49
55583B04L003 MARTINSON LVG TR MARTINSON DAVID ALLEN TRE MARTIN: 23243 CREST VIEW WAY SAN ANTONIO TX 78261-2828	0016 WA 2 FIELD OF VIEW PK	\$33,500.00	\$0.00	\$33,500.00	1.49
55583B05L001 SELYUTIN MYKOLA PO BOX 875769 WASILLA AK 99687-5769	0016 WA 2 FIELD OF VIEW PK	\$33,500.00	\$213,100.00	\$246,600.00	1.49

IM No. 15-077  
Ordinance No. 15-040  
Ordinance No. 15-041

## Matanuska-Susitna Borough

## Real Property Selection List by Account Number

March 12, 2015

LID476 FIELD OF VIEW PARK SUB

<u>Tax Account/Owner Name and Addr Zone</u>	<u>Map#:</u> / <u>Subdivision</u>	<u>Land</u> <u>Appraisal</u>	<u>Building</u> <u>Appraisal</u>	<u>Total</u> <u>Appraisal</u>	<u>Acre</u>
55583B05L002 CHAN CHOONG KID & MELISSA 300 E KALLI CIR WASILLA, AK 99654	0016 WA 2 FIELD OF VIEW PK	\$33,500.00	\$0.00	\$33,500.00	1.49
55583B05L003 CHAN CHOONG KID & MELISSA 300 E KALLI CIR WASILLA, AK 99654	0016 WA 2 FIELD OF VIEW PK	\$33,500.00	\$352,700.00	\$386,200.00	1.49
55857B01L004 BRICKEY JONATHAN R 4637 E BIG ROCK DR WASILLA AK 99654-0425	0016 WA 2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$176,200.00	\$201,200.00	0.62
55857B01L005 OSBORNE ROBT G & VANESA A 2040B AVIATION LOOP KODIAK AK 99615-6884	0016 WA 2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$0.00	\$25,000.00	0.52
55857B01L006 WALLIS JOHN R PO BOX 872162 WASILLA AK 99687-2162	0016 WA 2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$0.00	\$25,000.00	0.70
55857B01L007 WALLIS JOHN R PO BOX 872162 WASILLA AK 99687-2162	0016 WA 2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$165,600.00	\$190,600.00	0.59
55857B01L008 WALKER ROBERT M & RACHEL K 4582 E BIG ROCK DR WASILLA AK 99654-0425	0016 WA 2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$177,100.00	\$202,100.00	0.61
55857B01L009 CHAPMAN JENNIE E PO BOX 875154 WASILLA AK 99654-5154	0016 WA 2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$178,900.00	\$203,900.00	0.66

IM No. 15-077  
Ordinance No. 15-040  
Ordinance No. 15-041

## Matanuska-Susitna Borough

## Real Property Selection List by Account Number

March 12, 2015

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<u>Tax Account/Owner Name and Addr</u>	<u>Zone</u>	<u>Map#:</u> / <u>Subdivision</u>	<u>Land</u> <u>Appraisa</u>	<u>Building</u> <u>Appraisal</u>	<u>Total</u> <u>Appraisal</u>	<u>Acre</u>
55857B06L001 COOK WARREN & DESIREE # 2-432 3060 N LAZY EIGHT CT WASILLA AK 99654-4331	0016 WA	2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$164,400.00	\$189,400.00	0.57
55857B06L002 SELWAY CORP PO BOX 1987 PALMER, AK 99645-1987	0016 WA	2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$0.00	\$25,000.00	0.58
55857B06L003 THEODORE LARRY L PO BOX 875528 WASILLA AK 99687-5528	0016 WA	2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$180,500.00	\$205,500.00	0.59
55857B06L004 SCOTT PETER E PO BOX 143154 ANCHORAGE AK 99514-3154	0016 WA	2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$262,800.00	\$287,800.00	0.50
55857B06L005 BONADURER PAUL D & JESSICA A 6495 N MICHELLE RAE ST WASILLA AK 99654-7897	0016 WA	2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$164,200.00	\$189,200.00	0.52
55857B07L001 DOBROVA ARBERIM 2909 SUMMER SUN CT ANCHORAGE AK 99507-1877	0016 WA	2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$0.00	\$25,000.00	0.55
55857B07L002 PERDUE KELLY 4414 E COBBLESTONE DR WASILLA AK 99654-7893	0016 WA	2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$164,200.00	\$189,200.00	0.48
55857B07L003 KOTEK COREY E & ROBERTA L 915 KATELYN CIR	0016 WA	2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$180,500.00	\$205,500.00	0.48

IM No. 15-077  
Ordinance No. 15-040  
Ordinance No. 15-041

## Matanuska-Susitna Borough

## Real Property Selection List by Account Number

March 12, 2015

LID476 FIELD OF VIEW PARK SUB

<u>Tax Account/Owner Name and Addr Zone</u>	<u>Map#:</u> / <u>Subdivision</u>	<u>Land</u> <u>Appraisa</u>	<u>Building</u> <u>Appraisal</u>	<u>Total</u> <u>Appraisal</u>	<u>Acre</u>
MONTGOMERY MN 56069-4491					
55857B07L004 KYRISCH JAMES W & HANNAH 4368 E COBBLESTONE DR WASILLA AK 99654-7893	0016 WA 2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$244,300.00	\$269,300.00	0.48
55857B08L001 DOBROVA FATON & LUMTURIJE 262 WILSON AVE STATEN ISLAND, NY 10308-1935	0016 WA 2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$0.00	\$25,000.00	0.50
55857B09L001 VANCE CARL D 4320 E COBBLESTONE DR WASILLA AK 99654-7893	0016 WA 2 FIELD OF VIEW PK ADD 1	\$25,000.00	\$211,900.00	\$236,900.00	0.50
56708000T00A1-2 BOS MICHELLE R 6429 N PEBBLE PL WASILLA AK 99654-1088	0016 WA 2 FIELD OF VIEW PK ADD 2	\$84,800.00	\$206,900.00	\$291,700.00	7.01
56708000T00A1-3 NASS RAY 4621 E PYRITE CIR WASILLA AK 99654	0016 WA 2 FIELD OF VIEW PK ADD 2	\$77,800.00	\$0.00	\$77,800.00	5.56
56708000T00A1-4 BALLESTEROS ANDREW T & SARAH R PO BOX 770441 EAGLE RIVER AK 99577-0441	0016 WA 2 FIELD OF VIEW PK ADD 2	\$55,000.00	\$393,900.00	\$448,900.00	4.58
56708B01L002A TAYLOR CHRISTOPHER M&REBEKAH M 4755 E BIG ROCK DR WASILLA AK 99654-0453	0016 WA 2 FIELD OF VIEW PK ADD 2	\$30,000.00	\$170,100.00	\$200,100.00	1.10
56708B01L002B OASIS WATER LLC PO BOX 233368	0016 WA 2 FIELD OF VIEW PK ADD 2	\$1,500.00	\$0.00	\$1,500.00	0.27

IM No. 15-077  
Ordinance No. 15-040  
Ordinance No. 15-041

## Matanuska-Susitna Borough

## Real Property Selection List by Account Number

March 12, 2015

LID476 FIELD OF VIEW PARK SUB

<u>Tax Account/Owner Name and Addr</u>	<u>Zone</u>	<u>Map#:</u> / <u>Subdivision</u>	<u>Land</u> <u>Appraisal</u>	<u>Building</u> <u>Appraisal</u>	<u>Total</u> <u>Appraisal</u>	<u>Acre</u>
ANCHORAGE AK 99523-3368 56708B05L004 VANCE LYDIA I	0016 WA	2 FIELD OF VIEW PK ADD 2	\$33,500.00	\$0.00	\$33,500.00	1.07
10041 THIMBLE BERRY DR ANCHORAGE AK 99515-2638						
56708B05L005 RIGDON BRADLEY J	0016 WA	2 FIELD OF VIEW PK ADD 2	\$33,500.00	\$192,800.00	\$226,300.00	1.27
6225 N WILDWOOD DR WASILLA, AK 99654						
56708B05L006 VANCE TIMOTHY M	0016 WA	2 FIELD OF VIEW PK ADD 2	\$54,000.00	\$61,000.00	\$115,000.00	2.84
6755 N SAINT HERMANS ST WASILLA AK 99654-9029						
56708B10L003 BETTIS RODNEY E & GEORGIANNA N	0016 WA	2 FIELD OF VIEW PK ADD 2	\$25,000.00	\$162,000.00	\$187,000.00	0.72
9400 N DORO DR PALMER AK 99645-8010						
56708B10L004 SHAPOVAL VADIM & NELYA	0016 WA	2 FIELD OF VIEW PK ADD 2	\$25,000.00	\$210,100.00	\$235,100.00	0.62
4475 E BOULDER DR WASILLA AK 99654						
56708B10L005 MASTEJ REV FAM TR	0016 WA	2 FIELD OF VIEW PK ADD 2	\$25,000.00	\$90,500.00	\$115,500.00	0.64
895 E HEATHER WAY WASILLA AK 99654-9132						
56708B10L006 MCKINNEY KAYLA TRAVAL	0016 WA	2 FIELD OF VIEW PK ADD 2	\$25,000.00	\$214,200.00	\$239,200.00	0.48
4439 E BOULDER DR WASILLA AK 99654						
56708B10L007 SPIVEY MICHAEL L JR	0016 WA	2 FIELD OF VIEW PK ADD 2	\$25,000.00	\$176,900.00	\$201,900.00	0.59
PMB 684						

IM No. 15-077  
Ordinance No. 15-040  
Ordinance No. 15-041

## Matanuska-Susitna Borough

## Real Property Selection List by Account Number

March 12, 2015

LID476 FIELD OF VIEW PARK SUB

<u>Tax Account/Owner Name and Addr Zone</u>	<u>Map#:</u> / <u>Subdivision</u>	<u>Land</u> <u>Appraisa</u>	<u>Building</u> <u>Appraisal</u>	<u>Total</u> <u>Appraisal</u>	<u>Acre</u>
7362 W PARKS HWY WASILLA AK 99623-9300					
56708B10L008 SLOAN JACOB M & LEIGH	0016 WA 2 FIELD OF VIEW PK ADD 2	\$25,000.00	\$213,700.00	\$238,700.00	0.65
# A 129 BURTON ST ANCHORAGE AK 99504-1203					
56708B10L009 SALYER RICHARD A	0016 WA 2 FIELD OF VIEW PK ADD 2	\$30,000.00	\$146,000.00	\$176,000.00	1.10
6005 N LITTLE ROCK CIR WASILLA, AK 99654					
56708B10L010 SANDERS LEVI	0016 WA 2 FIELD OF VIEW PK ADD 2	\$30,000.00	\$194,700.00	\$224,700.00	0.93
6030 N LITTLE ROCK CIR WASILLA AK 99654-0427					
56708B10L011 BRENTOR AMANDA L	0016 WA 2 FIELD OF VIEW PK ADD 2	\$25,000.00	\$185,700.00	\$210,700.00	0.54
6070 E LITTLE ROCK CIR WASILLA AK 99654-0427					
56708B10L012 KLEMENTZ TODD R	0016 WA 2 FIELD OF VIEW PK ADD 2	\$25,000.00	\$125,700.00	\$150,700.00	0.53
PO BOX 873802 WASILLA AK 99687-3802					
56708B10L013 MCMULLEN DOUGLAS G & KIMBERLY A	0016 WA 2 FIELD OF VIEW PK ADD 2	\$25,000.00	\$223,600.00	\$248,600.00	0.67
6120 N LITTLE ROCK CIR WASILLA, AK 99654					
56708B10L014 BLAKELY TRAVIS & ELIZABETHROSE	0016 WA 2 FIELD OF VIEW PK ADD 2	\$25,000.00	\$137,500.00	\$162,500.00	0.62
6125 N LITTLE ROCK CIR WASILLA, AK 99654					

IM No. 15-077  
Ordinance No. 15-040  
Ordinance No. 15-041

## EXHIBIT 'A'

## SPECIAL ASSESSMENT PER LOT \$5,261.27

## Matanuska-Susitna Borough

## Real Property Selection List by Account Number

March 12, 2015

LID476 FIELD OF VIEW PARK SUB

<u>Tax Account/Owner Name and Addr</u>	<u>Zone</u>	<u>Map#:</u> / <u>Subdivision</u>	<u>Land</u> <u>Appraisal</u>	<u>Building</u> <u>Appraisal</u>	<u>Total</u> <u>Appraisal</u>	<u>Acre</u>
56708B10L015 BOYD TRAVIS J & RACHELLE J 6101 N LITTLE ROCK CIR WASILLA AK 99654-0427	0016 WA	2 FIELD OF VIEW PK ADD 2	\$25,000.00	\$227,200.00	\$252,200.00	0.51
56708B10L016 SLOAN DANIEL R PO BOX 298683 WASILLA AK 99629-8683	0016 WA	2 FIELD OF VIEW PK ADD 2	\$25,000.00	\$0.00	\$33,000.00	0.50
56708B10L017 MARTUSHEV MARFA T STE 6 1051 E BOGARD RD WASILLA AK 99654-7174	0016 WA	2 FIELD OF VIEW PK ADD 2	\$40,000.00	\$256,100.00	\$296,100.00	1.90
56708B10L018 DZUGLINI BESNIK DOBROVA LUMTURIJE # 2 3900 MALASPINA CIR ANCHORAGE AK 99517-1535	0016 WA	2 FIELD OF VIEW PK ADD 2	\$30,000.00	\$0.00	\$30,000.00	0.95
56708B10L019 DOBROVA ARBERIM 2909 SUMMER SUN CT ANCHORAGE AK 99507-1877	0016 WA	2 FIELD OF VIEW PK ADD 2	\$30,000.00	\$0.00	\$30,000.00	0.92
56825000T00C VANCE GREGORY A 6568 N SAINT HERMANS ST WASILLA AK 99654-9045	0016 WA	2 FIELD OF VIEW PK ADD 3 PH 1	\$59,700.00	\$192,200.00	\$251,900.00	3.73
56825000T00D GAMUT UNLIMITED LLC 15217 DARBY RD EAGLE RIVER, AK 99577	0016 WA	2 FIELD OF VIEW PK ADD 3 PH 1	\$446,900.00	\$0.00	\$446,900.00	62.07

IM No. 15-077  
Ordinance No. 15-040  
Ordinance No. 15-041

EXHIBIT 'A'

SPECIAL ASSESSMENT PER LOT \$5,261.27

Matanuska-Susitna Borough

Real Property Selection List by Account Number

March 12, 2015

LID476 FIELD OF VIEW PARK SUB

<u>Tax Account/Owner Name and Addr</u>	<u>Zone</u>	<u>Map#:</u> / <u>Subdivision</u>	<u>Land</u> <u>Appraisal</u>	<u>Building</u> <u>Appraisal</u>	<u>Total</u> <u>Appraisal</u>	<u>Acre</u>
56856B10L001A ARRIAGA RAUL  MARTINEZ AMELIA B 3307 BONIFACE PKY ANCHORAGE AK 99504-3701	0016 WA	2 FIELD OF VIEW PK ADD 2 RSB B/10 L/1	\$53,400.00	\$0.00	\$53,400.00	3.14
56856B10L002A ERICKSON RICHARD WAYNE  PO BOX 325 PALMER AK 99645-0325	0016 WA	2 FIELD OF VIEW PK ADD 2 RSB B/10 L/1	\$30,000.00	\$166,000.00	\$196,000.00	1.06
<b>Total Parcels in LID476:</b>	<b>63</b>		<b>\$2,452,700.00</b>	<b>\$8,404,500.00</b>	<b>\$10,865,200.00</b>	<b>157.09</b>

IM No. 15-077  
Ordinance No. 15-040  
Ordinance No. 15-041

Non-Code Ordinance

By: Borough Manager

Introduced:

Public Hearing:

Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-041**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$332,000.00 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE FIELD OF VIEW PARK SUBDIVISION COMMUNITY WATER LOCAL IMPROVEMENT DISTRICT NO. 476, AND FIXING DETAILS OF SAID BONDS.

---

WHEREAS, the Assembly of the Matanuska-Susitna Borough (the "borough") has determined and does hereby determine that it is necessary to proceed to plan, design, develop, construct, equip, acquire property for, or otherwise provide for a community water system in the Field of View Park Subdivision (the "project"); and

WHEREAS, a local improvement district known as the Field of View Park Subdivision Community Water Local Improvement District No. 476 (the "LID") has been formed for the project, special assessments will be levied on properties in the LID that are specially benefited by the project, and said special assessments, with interest thereon, will be sufficient (together with other amounts) and available to pay the principal of and interest on the hereinafter defined bonds; and

WHEREAS, it is deemed necessary and advisable and in the best interests of the borough and its inhabitants that not to exceed \$332,000.00 principal amount of special assessment bonds be issued at this time in a single series, as hereinafter fixed and determined, for the purpose of paying the cost (as hereinafter defined) of the project; and

WHEREAS, the proper officials of the borough have negotiated an agreement (the "agreement") with Wells Fargo Bank, N.A. (the

"purchaser") which provides, inter alia, for the issuance and sale by the borough and the purchase by the purchaser of the hereinafter defined bonds; and

WHEREAS, it is hereby found to be in the best interest of the borough that the agreement be approved and executed and that certain matters relating to such bonds and the use of the proceeds of such sale be established.

NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE MATANUSKA-SUSITNA BOROUGH:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Purpose. The purpose of this ordinance is to authorize the issuance and sale of not to exceed \$332,000.00 of special assessment bonds to be sold in one series to provide funds to pay the capital costs of the project, to pay the costs of issuance of the bonds authorized herein and to fix certain details of said Bonds to be issued.

Section 3. Definitions. The following terms shall have the following meanings in this ordinance:

A. "Agreement" means the Agreement 12-185 dated June 8, 2012, from Wells Fargo Bank, N.A., and accepted by the borough for the sale of the bonds by the borough to the purchaser.

B. "Assembly" means the borough assembly, as the general legislative authority of the borough, as the same shall be duly and regularly constituted from time to time.

C. "Bond" or "Bonds" means any of the Matanuska-Susitna Borough Special Assessment Bonds, Field of View Park Subdivision Community Water Local Improvement District No. 476, 2015, the issuance and sale of which are authorized herein.

D. "Bond register" means the registration books maintained by the borough, which include the names and addresses of the

owners or nominees of the owners of the Bonds.

E. "Cost" or "Costs" means all costs of the project allowable in special assessments under AS 29.46.110.

F. "Ordinance" shall mean this Ordinance Serial No. 15-041 of the borough.

G. "Purchaser" means, Wells Fargo Bank, N.A., the purchaser of the bonds.

H. "LID" means Local Improvement District No. 476.

Section 4. Authority for ordinance. The borough has ascertained and hereby determines that each and every matter and thing as to which provision is made in this ordinance is necessary in order to carry out and effectuate the purposes of the borough in accordance with the Constitution and statutes of the state of Alaska, and the code of ordinances of the borough, and to issue the bonds.

Section 5. Obligation of bonds. The bonds are a special obligation of Field of View Park Subdivision Community Water Local Improvement District No. 476 of the borough and are payable solely from assessments levied against the properties which are specially benefited by the project within the Field of View Park Subdivision Community Water Local Improvement District No. 476 and funds pledged for the payment of the bonds under this ordinance. Said assessments shall constitute a sinking fund for the payment of principal of and interest on the bonds. Neither the faith and credit nor the taxing power of the borough are pledged to the payment of the principal of and interest on the Bonds.

Section 6. Authorization of bonds and purpose of issuance. For the purpose of providing part of the funds required to pay the cost of the project, and to provide for original issue discount, if any, and to pay all costs incidental thereto and to the issuance of the bonds, the borough hereby authorizes and

determines to issue and sell the bonds in one series in the aggregate principal amount of not to exceed \$332,000.00.

Section 7. Maturities, payment dates, designation and form of bonds. The bonds shall be designated Matanuska-Susitna Borough Special Assessment Bonds, Field of View Park Subdivision Community Water Local Improvement District No. 476, 2015, shall be dated the date of their delivery to the purchaser, and shall mature on April 1, 2025.

The bonds shall bear interest from their date at a rate determined in accordance with the Agreement, which shall not exceed 5.37 percent per annum. Installments of principal and interest on the bonds (the "installment payments") shall be payable semiannually on April 1 and October 1 of each year, commencing October 1, 2015. Each installment payment shall consist of an equal amount of principal, plus accrued interest.

The bonds shall be registered as to principal and interest as herein provided. The bonds shall each be of the denomination of one thousand dollars (\$1,000) or any integral multiple of \$1,000 of the same interest rate and maturity, approved by the borough, such approval to be evidenced by the execution of such bonds. The bonds shall be numbered separately in the manner and with such additional designation as the borough deems necessary for purposes of identification. The bonds shall be substantially in the form of such bond hereinafter set forth, with such appropriate variations, omissions, or insertions as are permitted or required by this ordinance, and may have endorsed thereon such legends or text as may be necessary or appropriate to conform to the rules and regulations of any governmental authority, or any usage or requirement of law with respect thereto. Each bond shall bear a number or letter, or a number and letter, distinguishing it from every other bond.

Section 8. Details of bonds. Each of the bonds shall be signed by the manual signature of the mayor and the official seal of the borough (or a facsimile thereof) shall be affixed, imprinted or otherwise reproduced on the bonds, and attested by the manual signature of the borough clerk. In case any officer whose signature shall appear on any bonds shall cease to be such officer before the delivery of such bonds, such signature shall nevertheless be valid and sufficient for all purposes the same as if he or she had remained in office until such delivery.

The principal, redemption price of, and the interest on the bonds shall be payable in any coin or currency of the United States of America, which at the respective dates of payment thereof, is legal tender for the payment of public and private debts.

Payment of the principal and interest on the bonds shall be made by check or draft mailed to the registered owner of record as of the 15th day of the month preceding each installment payment date at the address appearing on the bond register of the borough.

Section 9. Transfer and exchange of bonds and delivery of new bonds. Any bond may be transferred only upon the books kept for the registration and transfer of bonds by the borough, upon surrender thereof at the office of the borough, together with an assignment duly executed by the registered owner or the owner's attorney in such form as shall be satisfactory to the borough. Upon the transfer of any such bond, there shall be executed in the name of the transferee, and the borough shall authenticate and deliver, a new registered bond or bonds of the same maturity in any of the authorized denominations.

In all cases in which bonds may be transferred or exchanged under this ordinance, there shall be executed, and the borough shall authenticate and deliver, bonds in accordance with the

provisions of this ordinance. Any such transfer or exchange shall be without cost to the registered owner, except that the borough may make a charge for every such registration, transfer or exchange of bonds sufficient to reimburse it for any tax, fee, or other governmental charge required to be paid with respect to such registration, exchange or transfer, and such charge or charges shall be paid before any such new bond shall be delivered. The borough shall not be required to make any such registration, transfer or exchange of a bond during the fifteen (15) days next preceding an interest payment date on such bond.

Section 10. Ownership of bonds. As to any bond, the person in whose name the same shall be registered on the bond register shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of such bond and the interest on such bond shall be made only to or upon the order of the registered owner thereof or the owner's legal representative, but such registration may be changed as hereinabove provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such bond, including the interest thereon, to the extent of the sum or sums so paid.

Section 11. Mutilated, destroyed, stolen, or lost bonds. In case any bond shall become mutilated or be destroyed, stolen or lost, the borough may cause to be executed, and shall deliver, a new bond of like interest rate, principal amount and maturity in exchange and substitution for and upon cancellation of such mutilated bond, or in lieu of and in substitution for such bond destroyed, stolen or lost, upon the owner thereof paying the reasonable expenses and charges of the borough in connection therewith and in the case of a bond destroyed, stolen or lost, filing by the owner with the borough evidence satisfactory to the

borough that such bond was destroyed, stolen or lost, and of the owner's ownership thereof, and furnishing the borough with indemnity satisfactory to it. Any new bond so delivered may bear a number differing from the number of the bond it replaces.

Section 12. Redemption of bonds. The bonds are subject to redemption at the option of the borough, in whole or in part, at any time. Any redemption of bonds shall be at a redemption price of the principal amount of the bonds to be redeemed, plus accrued interest.

Section 13. Notice of redemption. When the borough determines to redeem any bonds, it shall give notice of such redemption in the manner then provided by law, which notice shall state the redemption date and identify the bonds to be redeemed by reference to their numbers and further state that on such redemption date there shall become due and payable upon each such bond the principal amount thereof plus the applicable premium, if any (the "redemption price"), together with interest accrued to the redemption date, and that from and after such date interest thereon shall cease to accrue. Such notice shall be given at least 30 days but not more than 45 days prior to the redemption date by first class mail, postage prepaid, to the registered owner of any Bond to be redeemed at the address of the registered owner appearing on the bond register.

Section 14. Payment of redeemed bonds. Notice of redemption having been given in the manner provided in this ordinance, the bonds so called for redemption shall become due and payable on the redemption date stated in said notice at the applicable redemption price on said date plus interest accrued and unpaid to the redemption date upon presentation and surrender thereof at the office of the borough. If, on the redemption date, moneys for the redemption of all the bonds to be redeemed, together with interest

accrued and unpaid to the redemption date, shall be held on behalf of the borough at the office of the borough so as to be available therefore on said date and if notice of redemption shall have been given as aforesaid, then from and after the redemption date the bonds so called for redemption shall cease to bear interest.

Section 15. Form of bond. Each bond shall be in substantially the following form, with such variations, omissions and insertions as may be required or permitted by this ordinance:

UNITED STATES OF AMERICA  
STATE OF ALASKA  
MATANUSKA-SUSITNA BOROUGH  
Special Assessment Bond  
Field of View Park Subdivision Community Water  
Local Improvement District No. 476  
2015

NO.	§
INTEREST RATE	
Registered Owner	
Principal Amount	DOLLARS

The Matanuska-Susitna Borough (the "borough"), a municipal corporation of the state of Alaska, for value received, acknowledges itself indebted and hereby promises to pay (but only out of the sources hereinafter mentioned) to the registered owner identified above, or registered assigns, the principal amount shown above, and to pay (but only out of the sources hereinafter mentioned) interest on the unpaid principal sum from the date hereof at the interest rate per annum shown above. Installments of principal and interest (the "installment payments") shall be payable semiannually on April 1 and October 1 of each year commencing October 1, 2015, until

April 1, 2025, when the entire remaining principal balance hereof plus accrued interest shall be paid in full. Each installment payment shall consist of an equal amount of principal, plus accrued interest. The principal, interest and redemption price of this bond shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

Payment of principal and interest shall be made by check or draft mailed to the registered owner of record as of the 15th day of the month preceding each installment payment date at the address appearing on the bond register of the borough.

This bond is one of the 2015 special assessment bonds, Field of View Park Subdivision Community Water Local Improvement District No. 476, of The Matanuska-Susitna Borough, Alaska, of like tenor and effect except as to serial numbers, aggregating not to exceed \$332,000.00 in principal amount, and constituting bonds authorized for the purpose of raising funds to pay the cost of natural gas improvements in the Field of View Park Subdivision Community Water Local Improvement District No. 476 of the borough, and is issued under Ordinance Serial No. 15-041 of the borough entitled:

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$332,000.00 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE FIELD OF VIEW PARK SUBDIVISION COMMUNITY WATER LOCAL IMPROVEMENT DISTRICT NO. 476, AND FIXING DETAILS OF SAID BONDS.

(herein called the "ordinance") adopted on -, 2015.

The bonds are subject to redemption by or on behalf

of the borough prior to maturity and upon notice as set forth in the ordinance in whole or in part on any date at a redemption price of the principal amounts thereof, together with interest thereon to the redemption date.

This bond is transferable as provided in the ordinance (i) only upon the bond register of the borough kept for that purpose at the office of the borough, and (ii) upon surrender of this bond together with a written instrument of transfer duly executed by the registered owner or the attorney of the registered owner duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount and maturity shall be issued to the transferee in exchange therefore as provided in the ordinance and upon the payment of charges, if any, as therein prescribed. The borough may treat and consider the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price, if any, hereof and interest due hereon and for all other purposes whatsoever.

This bond is payable solely from assessments levied against properties specially benefited within the borough local improvement district known as Field of View Park Subdivision Community Water Local Improvement District No. 476 and is a special obligation of said local improvement district. Said assessments constitute a sinking fund for the payment of principal of and interest on the bond and the properties specially benefited are pledged to secure the bond.

The registered owner of this bond shall not have

any claim thereunder against the borough except for payment from special assessments made for the improvements for which the bond was issued and except for payment from the funds pledged for that purpose under the ordinance. The remedy of the registered owner of this bond shall be confined to the enforcement of such assessments and to such funds. The borough shall not be liable to the registered owner of this bond for any loss to such funds occurring in the lawful operation thereof.

THIS BOND IS NOT A GENERAL OBLIGATION OF THE BOROUGH AND NEITHER THE FAITH AND CREDIT NOR THE TAXING POWER OF THE BOROUGH IS PLEDGED TO ITS PAYMENT.

IT IS HEREBY CERTIFIED AND RECITED that all conditions, acts, or things required by the constitution or statutes of the state of Alaska and the code of ordinances of the borough to exist, to have happened or have been performed precedent to or in the issuance of this bond, exist, have happened and have been performed, and that the series of bonds of which this is one, together with all other indebtedness of the borough, is within every debt and other limit prescribed by said constitution, statutes or code of ordinances.

IN WITNESS WHEREOF, THE MATANUSKA-SUSITNA BOROUGH, ALASKA, has caused this bond to be signed in its name and on its behalf by the signature of its mayor and its corporate seal to be hereunto affixed, imprinted or otherwise reproduced, and attested by the signature of its clerk, all as of the - day of -, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Section 16. Establishment of guaranty fund. There is established the Field of View Park Subdivision Community Water Local Improvement District No. 476 special assessment bond guaranty fund (The "guaranty fund") to which the assembly shall annually appropriate a sum the assembly determines to be adequate, with other available funds, to cover a deficiency in meeting payments of principal and interest on the bonds if the reason for the deficiency is nonpayment of assessments when due. Money received from actions taken against property for nonpayment of assessments confirmed by Ordinance Serial No. 15-040 of the borough shall be credited to the guaranty fund. Amounts in the guaranty fund shall be used to pay principal and interest on the bonds when other funds are not available for that purpose.

Section 17. Disbursement of bond proceeds for project costs. That part of the bond proceeds required for costs of the project shall be deposited in the Field of View Park Subdivision Community Water Local Improvement District No. 476 construction account, which is hereby established within the Field of View Park Subdivision Community Water Line fund 840. There shall be paid from this account all amounts required for costs of the project.

Section 18. Establishment of reserve and refund account.

A. There is established the Field of View Park Subdivision Community Water Local Improvement District No. 476 reserve and refund account (the "reserve and refund account") within the Field of View Park Subdivision Community Water Line fund 840.

B. There shall be paid into the reserve and refund account:

1. That part of the bond proceeds not expended or required for the initial LID expenses such as construction of the community water system, bond counsel fees, and similar expenses, and all anticipated administrative costs; and

2. Any sinking fund and guaranty fund balances after discharge of the bond.

C. Until the bonds have been discharged, the funds within the reserve and refund account may be used only to pay the difference between the amount of principal and interest due on the bonds and the amount of special assessment payments including interest, received and available to pay that amount; provided, if the finance director determines that the amount of funds available in the reserve and refund account substantially exceeds that which is reasonably expected to be needed to meet assessment delinquencies, the finance director may, to the extent of such excess, make a prepayment on the bonds.

D. At such time as the finance director determines that the sum of the amounts in the reserve and refund account, the guaranty fund and the sinking fund equals or exceeds the amount required to (i) discharge the bonds, (ii) pay all refunds of assessments required upon discharge of the bonds, and (iii) pay any other amounts that may be owing on the bonds, the finance director shall cause such payment to be made and the bonds to be discharged.

Section 19. Establishment of sinking fund. There is established the Field of View Park Subdivision Community Water Local Improvement District No. 476 sinking fund (the "sinking fund"). Payments of principal and interest on assessments confirmed by Ordinance Serial No. 15-040 of the borough shall be deposited in the sinking fund. Amounts in the sinking fund shall be used to pay principal and interest on the bonds, and are hereby pledged for that purpose.

Section 20. Distribution of reserve and refund account funds.

A. Upon the discharge of the bonds, and the payment of all refunds of assessments required upon the discharge of the bonds, the funds remaining in the reserve and refund account shall be distributed as provided under this section.

B. When the balance of such fund divided by the number of parcels within the LID equals \$200 or more, the finance director shall refund to the owner of record as shown on the records of the borough assessor an amount equal to the fund balance divided by the number of lots within the LID. If any lot or tract within the LID is divided into two or more lots, the refund for such resubdivided lots shall be computed by counting the resubdivided lots as a single lot for purposes of determining the initial refund entitlement. The initial refund entitlement shall then be divided equally among the resubdivided lots.

Section 21. Bond sale and agreement. The sale to the purchaser of not to exceed \$332,000.00 principal amount of the bonds as provided in the agreement, is hereby authorized and approved.

Section 22. Delivery of the bonds. The proper officials of the borough are authorized and directed to execute all documents and to do everything necessary for the preparation and delivery of a transcript of proceedings pertaining to the bonds and the printing, authentication and delivery of the bonds in definitive form to the purchaser.

Section 23. Ratification. All actions taken by the mayor, manager and the finance director relative to the sale of the bonds are hereby in all respects ratified and confirmed. The appropriate officers of the borough are hereby authorized and directed to do all things necessary for the prompt execution, issuance and delivery of the bonds and for the proper application

and use of the bond proceeds.

Section 24. Authority of officers. The mayor, the acting mayor from time to time, the borough manager, the acting borough manager from time to time, the finance director, the acting finance director from time to time, the borough clerk and the acting borough clerk from time to time, are, and each of them hereby is, authorized and directed to do and perform all things and determine all matters not determined by this ordinance, to the end that the borough may carry out its obligations under the bonds and this ordinance.

Section 25. Pledge of funds. All assessments levied in the LID, interest thereon and foreclosure proceeds thereof, are hereby irrevocably pledged to the payment of the principal of and interest on the bonds. The pledge under this section remains in effect until all of the bonds have been discharged.

Section 26. Miscellaneous. No recourse shall be had for the payment of the principal of or the interest on the bonds or for any claim based thereon or on this ordinance against any member of the assembly or officer of the borough or any person executing the bonds. The bonds are not and shall not be in any way a debt or liability of the state of Alaska or of any political subdivision thereof and shall not create or constitute an indebtedness or obligation, either legal, moral or otherwise, of said state or of any political subdivision thereof.

Section 27. Severability. If any one or more of the covenants and agreements provided in this ordinance to be performed on the part of the borough shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements shall be null and void and shall be deemed separable from the remaining covenants and agreements in this ordinance and shall in no way affect the

validity of the other provisions of this ordinance or of the bonds.

Section 28. Appropriation. There is appropriated for the purposes set out in this ordinance, all assessments and interest thereon from the assessments levied in the LID and assessment foreclosure proceeds. The appropriation under this section does not lapse until the final refund required under Section 20.B of this ordinance has been made.

Section 29. Effective date. Ordinance Serial No. 15-041 shall take effect upon adoption by the borough assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** Ordinance authorizing issuance and sale of bonds and confirming assessment roll for South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District No. 508.

**AGENDA OF:** April 7, 2015.

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing on April 21, 2015.

**APPROVED BY JOHN M. MOOSEY, BOROUGH MANAGER:** \_\_\_\_\_

Route To:	Department/Individual	Initials	Remarks
	Originator: Marcia vonEhr	<i>mve</i>	3-17-15
1	Finance Director	<i>gll</i>	3/23/15
2	Borough Attorney	Reviewed by <i>BS</i>	Bond Counsel
3	Borough Clerk	<i>JW</i>	<i>[Signature]</i>

**ATTACHMENT (S) :** Ordinance Serial No. 15-042 (5 pp),  
 Exhibit "A", (24 pp)  
 Ordinance Serial No. 15-043 (17 pp)  
 Map (1 p)  
 Fiscal Note:  Yes  No

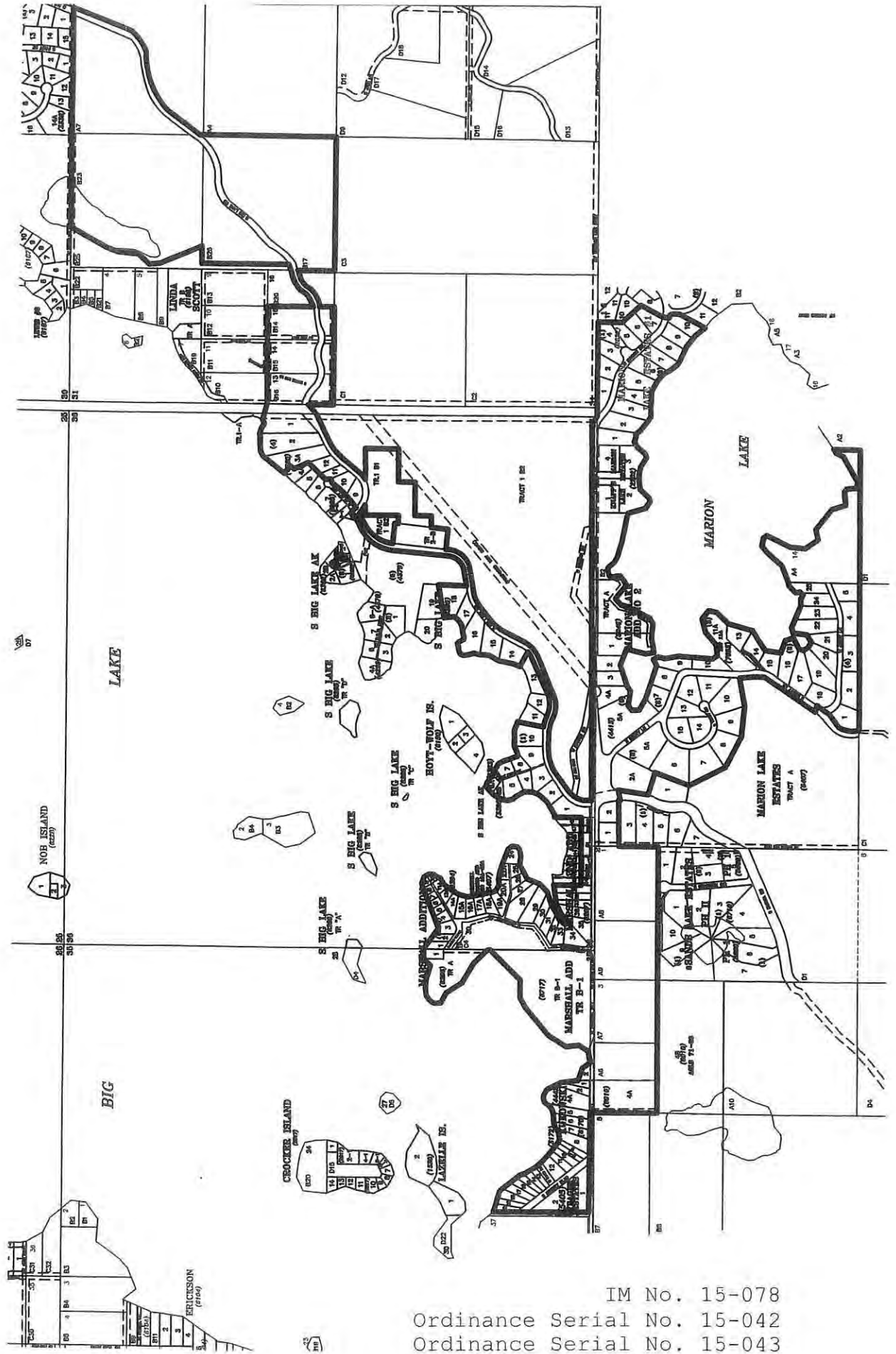
**SUMMARY STATEMENT:**

On August 5, 2014 the Assembly adopted Ordinance Serial No. 14-095 creating South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District. The construction has been completed by Enstar Natural Gas and this ordinance is now before the Assembly to finance the improvements.

Ordinance Serial No. 15-042 confirms the assessment roll and Ordinance Serial No. 15-043 authorizes the issuance and sale of bonds for South Big Lake Road & West Susitna Pky Local Improvement District No. 508 as required by MSB 3.28.080 and MSB 3.28.120. Both ordinances are necessary to complete the process for this local improvement district.

The total cost is to be equally assessed against the properties within the improvement district, including those properties not meeting MSB 3.28.080(B) criteria.

The South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District is located in Assembly District #5.



IM No. 15-078  
 Ordinance Serial No. 15-042  
 Ordinance Serial No. 15-043

Non-Code Ordinance

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-042**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CONFIRMING THE ASSESSMENT ROLL FOR THE SOUTH BIG LAKE ROAD & WEST SUSITNA PKY NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 508 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

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WHEREAS, the assembly, by Ordinance Serial No. 14-095 established the South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District No. 508 (the "LID"); and

WHEREAS, the actual costs of the improvement, including construction cost and the amounts required for administrative costs, bond counsel fees, reserves and related costs are \$4,893.90 per lot; and

WHEREAS, the LID special assessment roll has been prepared and the total costs of the improvement are spread equally among all the properties within the LID as shown on the attached assessment roll marked Exhibit A; and

WHEREAS, the assembly held a hearing on the assessment roll at which time all the written objections to the assessment roll were considered and all persons present who objected in writing were given the opportunity to be heard; and

WHEREAS, notice of the assessment and hearing was mailed to each owner of record more than 15 days before the hearing; and

WHEREAS, the assembly found no errors or inequalities in the assessment roll; and

WHEREAS, the assembly finds that the assessment roll should be confirmed.

NOW, THEREFORE, BE IT ENACTED by the assembly of the Matanuska-Susitna Borough:

\* Section 1. Classification. This ordinance is a non-code ordinance.

\* Section 2. Confirmation of roll. Each property within the South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District No. 508 as shown on the attached assessment roll marked Exhibit A, is hereby assessed \$4,893.90 and such assessment roll is hereby confirmed. Notwithstanding MSB 3.28.080(B), an assessment levied under this ordinance may exceed 25 percent of the assessed value for real property taxation of the property assessed.

\* Section 3. Notice of assessment. Within 30 days after the date of the adoption of this ordinance, the finance director shall mail to the record owner of each property assessed a statement with the property description, the assessment amount, the method of payment, the rate of interest on the unpaid balance of the

assessment, the time of delinquency, and penalties on delinquent payments. Within five days after the statements are mailed, the finance director shall publish a notice in a newspaper of general circulation of the mailing of the statements.

\* Section 4. Payment of assessment. The entire assessment may be prepaid without interest or penalty within 30 days of the date of mailing of the assessment statement. Thereafter the assessment may be prepaid in whole or in part with interest to the payment date. Interest on the unpaid amount of the assessment shall accrue at a rate per annum equal to the rate of interest on the bonds issued to finance the improvement. Assessments that are not prepaid shall be paid in 20 semiannual installments on March 1, and September 1 of each year, commencing September 1, 2015. Installments shall consist of equal amounts of principal, plus accrued interest. Payments of principal and interest on the assessments confirmed by this ordinance shall be deposited in the sinking fund established pursuant to section (19) of Ordinance Serial No. 15-043 of the borough.

\* Section 5. Delinquencies. Upon the delinquency of an installment there shall be due and payable in addition to the delinquent installment a penalty on the delinquent installment equal to the penalty for second half real property taxes in effect on the date of delinquency. Notice of the delinquency shall be

mailed to the owner of record. The notice shall describe the delinquency and state that the balance of the assessment, plus penalty and accrued interest, will be due and payable if the delinquent installment, plus penalty and accrued interest, is not paid. If any payment has been delinquent for more than 60 days as of January 1, the assessed property will be placed on the borough's foreclosure list. At that time, the entire principal balance of the assessment plus accrued interest and penalty on the principal balance, and applicable foreclosure costs, shall be due and payable.

\* Section 6. Termination of assessments and refund of prorata share of assessment prepayments.

A. Upon the discharge of the bonds, all unpaid, non-delinquent assessment installments are cancelled. The finance director shall refund to the owner of record at the time of discharge of each property whose assessment was prepaid, an amount equal to the difference in the total assessment paid on account of the property and the amount paid on account of properties for which no prepayments were made.

B. For any properties upon which foreclosure proceedings to recover delinquent assessment installments have been commenced prior to the cancellation of remaining assessment installments, the amount due shall be recomputed as provided in subsection (A),

except there will be no refund.

\* Section 7. Effective date. Ordinance Serial No. 15-042 shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

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216N04W01A004 HUTCHISON ROBT T PO BOX 520623 BIG LAKE, AK 99652-0623	0032 GB 3	\$91,900.00	\$0.00	\$91,900.00	12.03
216N04W01B002 MATANUSKA-SUSITNA BOROUGH 350 E DAHLIA AVE PALMER AK 99645-6488	0032 GB 3	\$81,600.00	\$0.00	\$81,600.00	3.51
216N04W02A006 HENDRICKS MICHAEL PO BOX 870068 WASILLA AK 99687-0068	0034 GB 3	\$28,300.00	\$10,500.00	\$38,800.00	4.72
216N04W02A007 PRYS DANIEL & BRANDI PO BOX 520307 BIG LAKE AK 99652-0307	0034 GB 3	\$43,300.00	\$13,100.00	\$56,400.00	7.87
216N04W02A008 DENNEY REVOCABLE TRUST PO BOX 672133 CHUGIAK, AK 99567-2133	0034 GB 3	\$42,500.00	\$0.00	\$42,500.00	9.44
216N04W02A009 HARTMAN DANIEL A & DONNA L 4630 N DOUBLOON DR WASILLA AK 99623	0034 GB 3	\$40,400.00	\$100,100.00	\$140,500.00	7.35
217N03W31A007 KETCHUM MT FAMILY TRUST KETCHUM MATTHEW P & TAMMERA L TR: 590 S STAMPER DR WASILLA, AK 99654	0032 HO 13	\$111,500.00	\$0.00	\$111,500.00	37.16
217N03W31B014 GEIERLAND LLC PO BOX 520070	0032 HO 13	\$32,500.00	\$0.00	\$32,500.00	4.48

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BIG LAKE AK 99652-0070					
217N03W31B015 WILSON LON G	0032 HO 13	\$25,300.00	\$0.00	\$25,300.00	4.52
4240 TAHOE DR ANCHORAGE, AK 99515					
217N03W31B016 WILSON LON G	0032 HO 13	\$31,700.00	\$0.00	\$31,700.00	4.53
4240 TAHOE DR ANCHORAGE, AK 99502					
217N03W31B017 BILLINGS A B & K H REV LIV TR	0032 HO 13	\$88,600.00	\$0.00	\$88,600.00	25.30
BILLINGS A B & BILLINGS K H TRES PO BOX 521427 BIG LAKE AK 99652-1427					
217N03W31B023 PHILLIPS D W SR LVG TR	0032 HO 13	\$100,500.00	\$108,900.00	\$209,400.00	34.80
PO BOX 520587 BIG LAKE, AK 99652-0587					
217N03W31B026 LLOYD JONAH E & LACIE A	0032 HO 13	\$58,800.00	\$0.00	\$58,800.00	11.76
PO BOX 521812 BIG LAKE AK 99652-1812					
217N04W36C004 KLOEP DAVID	0032 LS 16	\$40,800.00	\$0.00	\$40,800.00	4.53
KINCAID MICHELLE PO BOX 520687 BIG LAKE, AK 99652-0687					
52252000L001 STEER ANJANETTE KNAPP	0032 GB 3	\$15,500.00	\$0.00	\$15,500.00	1.36
5233 E BIDEFORD BLVD PALMER AK 99645-5913	KNAPP'S MARION LK EST				

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52252000L002 KNAPP LYNNDEEN PO BOX 520530 BIG LAKE, AK 99652-0530	0032 GB	3 KNAPP'S MARION LK EST	\$83,500.00	\$288,800.00	\$372,300.00	2.25
52252000L003 HUTCHISON JOHN N JR & MARIA C APT 300 5220 KELLOGG CREEK TRL OOLTEWAH TN 37363-4380	0032 GB	3 KNAPP'S MARION LK EST	\$79,000.00	\$240,200.00	\$319,200.00	2.03
52252000L004 KNAPP LORENA ANNE 4723 MILLS DR ANCHORAGE AK 99508-4732	0032 GB	3 KNAPP'S MARION LK EST	\$15,500.00	\$0.00	\$15,500.00	1.36
52394000L011A CLARK WILLIAM R & CHARLOTTE M 2120 SONDESTROM DR ANCHORAGE AK 99517	0032 LS	16 MARSHALL ADD RSB L/11-14	\$66,300.00	\$191,900.00	\$258,200.00	0.27
52394000L013A COWELL FULLER A TRE COWELL CHRISTMAS A TRE COWELL F ; 927 1ST AVE FAIRBANKS AK 99701-4350	0032 LS	16 MARSHALL ADD RSB L/11-14	\$67,900.00	\$26,900.00	\$94,800.00	0.29
52394000L014A CARMEN DENNIS & E P PO BOX 520477 BIG LAKE, AK 99652-0477	0032 LS	16 MARSHALL ADD RSB L/11-14	\$77,600.00	\$0.00	\$86,100.00	0.41
52622B01L001 HERSCHBACH CLARENCE A PO BOX 521084 BIG LAKE, AK 99652-0108	0032 GB	3 MARION LK EST ADD #1	\$11,000.00	\$0.00	\$11,000.00	0.92
52622B01L002 MEYER CRAIG & JENNIFER	0032 GB	3 MARION LK EST ADD #1	\$11,000.00	\$20,400.00	\$31,400.00	0.92

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MEYER ROBYN PO BOX 243644 ANCHORAGE, AK 99524-3644						
52622B01L003 HENSLEY PATRICIA ANNE	0032 GB	3 MARION LK EST ADD #1	\$11,000.00	\$0.00	\$11,000.00	0.93
# D 1442 W 25TH AVE ANCHORAGE, AK 99503						
52622B01L004 HENSLEY PATRICIA A	0032 GB	3 MARION LK EST ADD #1	\$11,000.00	\$0.00	\$11,000.00	0.92
# D 1442 W 25TH AVE ANCHORAGE, AK 99503						
52622B01L005 HERSCHBACH CLARENCE A	0032 GB	3 MARION LK EST ADD #1	\$11,000.00	\$0.00	\$11,000.00	0.92
PO BOX 521084 BIG LAKE, AK 99652-1084						
52622B01L006 HERSCHBACH CLARENCE A	0032 GB	3 MARION LK EST ADD #1	\$11,000.00	\$0.00	\$11,000.00	0.93
PO BOX 521084 BIG LAKE, AK 99652-1084						
52622B01L007 HERSCHBACH CLARENCE A	0032 GB	3 MARION LK EST ADD #1	\$11,000.00	\$0.00	\$11,000.00	0.92
PO BOX 521084 BIG LAKE, AK 99652-1084						
52622B03L001 KNIGHT RICHARD W	0032 GB	3 MARION LK EST ADD #1	\$35,600.00	\$146,300.00	\$181,900.00	1.31
PO BOX 521682 BIG LAKE AK 99652-1682						
52622B03L002 SUELLENTROP GERALD A & TINA M	0032 GB	3 MARION LK EST ADD #1	\$41,000.00	\$315,900.00	\$356,900.00	1.30
8505 SKYHILLS DR ANCHORAGE, AK 99502						

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52622B03L003 HERSCHBACH CLARENCE A PO BOX 521084 BIG LAKE, AK 99652-1084	0032 GB	3 MARION LK EST ADD #1	\$41,000.00	\$217,100.00	\$258,100.00	1.28
52622B03L004 HERSCHBACH CLARENCE A PO BOX 521084 BIG LAKE, AK 99652-1084	0032 GB	3 MARION LK EST ADD #1	\$39,000.00	\$0.00	\$39,000.00	1.04
52622B03L005 BROWN KRYSTAL F VENHAUS DEBORAH LEE PO BOX 520832 BIG LAKE AK 99652-0832	0032 GB	3 MARION LK EST ADD #1	\$41,000.00	\$160,700.00	\$201,700.00	1.32
52622B03L006 P & P PROPERTIES LLC SIMPSON CRISTALYN M 4200 SHOSHONI AVE ANCHORAGE, AK 99516	0032 GB	3 MARION LK EST ADD #1	\$39,000.00	\$39,900.00	\$78,900.00	1.18
52622B03L007 HALL WM O & LINDA D 8320 E 20TH AVE ANCHORAGE, AK 99504	0032 GB	3 MARION LK EST ADD #1	\$39,000.00	\$163,000.00	\$202,000.00	1.04
52622B03L008 ARMSTRONG THOS L 8319 CABRILLO LANDING CT KATY TX 77494	0032 GB	3 MARION LK EST ADD #1	\$39,000.00	\$0.00	\$39,000.00	0.96
52622B03L009 COZAD CHAS E& ELIZABETH A PO BOX 521142 BIG LAKE, AK 99652-1142	0032 GB	3 MARION LK EST ADD #1	\$39,000.00	\$0.00	\$39,000.00	0.94
52622B03L010 COZAD CHAS E& ELIZABETH A	0032 GB	3 MARION LK EST ADD #1	\$40,900.00	\$401,500.00	\$442,400.00	0.99

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PO BOX 521142 BIG LAKE, AK 99652-1142 53172000L009 SEIDLER MARJORIE J TRE	0032 LS 16 KUKOWSKI RSB L/9	\$73,800.00	\$0.00	\$73,800.00	0.37
SEIDLER RICHARD H 1991 TR 8791 CAMERON ST ANCHORAGE, AK 99507					
53390B01L006B MATANUSKA-SUSITNA BOROUGH	0032 LS 16 SOUTH BG LK AK RSB B/1 L/6	\$35,500.00	\$87,800.00	\$123,300.00	0.25
350 E DAHLIA AVE PALMER AK 99645-6488					
54360B04L003A MAY JAMES R	0032 LS 16 SOUTH BG LK AK RSB B/4 L/3 & 4	\$140,300.00	\$10,300.00	\$150,600.00	2.10
MAY CAROLINE E DEC TR 9810 HOMESTEAD TRL ANCHORAGE, AK 99507					
54413B02L002A LOUNSBURY LOREN H	0032 GB 3 MARION LK EST RSB B/2 & B/3	\$16,600.00	\$0.00	\$16,600.00	2.77
# 305 1032 W 11TH AVE ANCHORAGE, AK 99501					
54413B02L005A FRITTS WILLIAM KIRK JR	0032 GB 3 MARION LK EST RSB B/2 & B/3	\$16,000.00	\$0.00	\$16,000.00	2.67
FRITTS MICHELLE ANNETTE PO BOX 520441 BIG LAKE AK 99652-0441					
54413B03L004A BIDASOLO RICHARD& REBECCA	0032 GB 3 MARION LK EST RSB B/2 & B/3	\$24,900.00	\$0.00	\$24,900.00	1.13
PO BOX 520929 BIG LAKE, AK 99652-0929					
54413B03L005A BIDASOLO RICHARD& REBECCA	0032 GB 3 MARION LK EST RSB B/2 & B/3	\$64,200.00	\$196,700.00	\$260,900.00	4.34
PO BOX 520929					

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BIG LAKE, AK 99652-0929					
54442000L004A SEIDLER MATTHEW JOHN	0032 LS 16 KUKOWSKI RSB L/3 & 4	\$105,400.00	\$187,900.00	\$293,300.00	1.66
SEIDLER TAMMY LEE 2909 W 100TH AVE ANCHORAGE AK 99515-2219					
55045000L001 HUTTON REVOCABLE TRUST	0032 GB 3 MARION LK EST ADD #2	\$75,400.00	\$357,600.00	\$433,000.00	2.57
HUTTON JAMES H & CHARLENE D TRES PO BOX 520022 BIG LAKE AK 99652-0022					
55045000T00A MATANUSKA-SUSITNA BOROUGH	0032 GB 3 MARION LK EST ADD #2	\$125,600.00	\$0.00	\$125,600.00	4.42
350 E DAHLIA AVE PALMER AK 99645-6488					
55407000L015A BURGER DOC	0032 LS 16 MARSHALL 2ND ADD RSB L/15-23	\$81,300.00	\$168,700.00	\$250,000.00	0.49
PO BOX 520797 BIG LAKE, AK 99652-0797					
55407000L016A SEAHOLM ARTHUR L & BONNIE	0032 LS 16 MARSHALL 2ND ADD RSB L/15-23	\$77,700.00	\$0.00	\$77,700.00	0.42
PO BOX 520491 BIG LAKE, AK 99652-0491					
55407000L017A SEAHOLM ARTHUR L & BONNIE	0032 LS 16 MARSHALL 2ND ADD RSB L/15-23	\$77,800.00	\$181,600.00	\$259,400.00	0.42
PO BOX 520491 BIG LAKE, AK 99652-0491					
55407000L018A DEEGAN GARY J	0032 LS 16 MARSHALL 2ND ADD RSB L/15-23	\$86,200.00	\$115,100.00	\$201,300.00	0.56
1321 W 72ND CIR ANCHORAGE AK 99518-2017					

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55407000L019A RATCHYE VICTORIA R TRE  RATCHYE DAVID LEE TR % JENNIFER RATCHYE RINALDI PO BOX 521197 BIG LAKE AK 99652-1197	0032 LS	16 MARSHALL 2ND ADD RSB L/15-23	\$79,100.00	\$252,400.00	\$331,500.00	0.44
55407000L020A HARRIS DOROTHY I  2363 E INDIAN TOWN WAY ORO VALLEY AZ 85755-4730	0032 LS	16 MARSHALL 2ND ADD RSB L/15-23	\$83,100.00	\$199,900.00	\$283,000.00	0.51
55407000L022A LEVINE LARRY A  3301 PRINCETON WAY ANCHORAGE, AK 99508	0032 LS	16 MARSHALL 2ND ADD RSB L/15-23	\$72,100.00	\$249,300.00	\$321,400.00	0.36
56010000L004-A MEAD MALCOLM M  PO BOX 874672 WASILLA, AK 99687-4672	0034 GB	3 ASLS 71-036	\$21,000.00	\$72,500.00	\$93,500.00	5.00
56170000L001 JULIEN KATIE C  MCKEAN JOHN S JR 10393 STATE HWY 78 N BLUE RIDGE TX 75424-4302	0032 LS	16 KUKOWSKI	\$62,100.00	\$322,800.00	\$384,900.00	0.23
56170000L002 JULIEN KATIE C  MCKEAN JOHN S JR 10393 STATE HWY 78 N BLUE RIDGE TX 75424-4302	0032 LS	16 KUKOWSKI	\$83,100.00	\$10,500.00	\$93,600.00	0.50
56170000L005 SEIDLER MATT & TAMMY  2330 E 88TH AVE ANCHORAGE, AK 99507	0032 LS	16 KUKOWSKI	\$101,100.00	\$162,400.00	\$263,500.00	0.85

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56170000L006 MCINTIRE JACQUELINE A  MARSHALL JAMES B & STACY L 1968 CASEY CUSACK LOOP ANCHORAGE AK 99515-2813	0032 LS	16 KUKOWSKI	\$95,000.00	\$100,700.00	\$195,700.00	0.73
56170000L007 UNGERECHT MARVIN & KATHY  1309 HILLCREST DR ANCHORAGE AK 99503-1746	0032 LS	16 KUKOWSKI	\$92,900.00	\$32,900.00	\$125,800.00	0.70
56170000L008 UNGERECHT MARVIN G& KATHY  UNGERECHT JACQUELINE J 1309 HILLCREST DR ANCHORAGE, AK 99503-1746	0032 LS	16 KUKOWSKI	\$99,400.00	\$66,700.00	\$166,100.00	0.82
56170000L009-1 SEIDLER MARJORIE J TRE  SEIDLER RICHARD H TR 8791 CAMERON ST ANCHORAGE, AK 99507	0032 LS	16 KUKOWSKI	\$79,300.00	\$73,900.00	\$153,200.00	0.44
56170000L010 SEIDLER MARJORIE J 2002 TR TRE  SEIDLER DON H 2228 E 86TH CT ANCHORAGE AK 99507-3502	0032 LS	16 KUKOWSKI	\$76,800.00	\$70,400.00	\$147,200.00	0.40
56170000L011 SEIDLER MARJORIE J 2002 TR  SEIDLER MARJORIE J TRE 8791 CAMERON ST ANCHORAGE AK 99507-3534	0032 LS	16 KUKOWSKI	\$73,700.00	\$12,600.00	\$86,300.00	0.37
56170000L012 ANDERSON CHARLES & GEORGIA LVG TR TRE  1841 E 24TH AVE ANCHORAGE, AK 99508-4008	0032 LS	16 KUKOWSKI	\$80,500.00	\$177,700.00	\$258,200.00	0.67

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56170000L013 WESTOVER SCOTT PO BOX 112191 ANCHORAGE AK 99511-2191	0032 LS	16 KUKOWSKI	\$68,700.00	\$139,900.00	\$208,600.00	0.31
56170000L014 WESTOVER SCOTT PO BOX 112191 ANCHORAGE AK 99511-2191	0032 LS	16 KUKOWSKI	\$71,000.00	\$8,300.00	\$79,300.00	0.33
56170000L015 BLAND GREGORY PO BOX 190282 ANCHORAGE AK 99519-0282	0032 LS	16 KUKOWSKI	\$73,300.00	\$55,700.00	\$129,000.00	0.36
56170000L016 INGERSOLL JAS CHAS 5440 W PLACIDE CIR WASILLA AK 99623-0982	0032 LS	16 KUKOWSKI	\$77,300.00	\$14,500.00	\$91,800.00	0.41
56170000L017 PHILLIPS ERIC G & SHARON M PO BOX 232115 ANCHORAGE AK 99523-2115	0032 LS	16 KUKOWSKI	\$84,300.00	\$205,400.00	\$289,700.00	0.53
56170000L018 FESLER CURTIS W & A S 6645 MCGILL WAY ANCHORAGE, AK 99502-1954	0032 LS	16 KUKOWSKI	\$84,200.00	\$114,300.00	\$198,500.00	0.53
56170000L019 KANE ELLEN L LVG TR KANE ELLEN L TRE 2180 S YUKON CIR WASILLA AK 99654-0586	0032 LS	16 KUKOWSKI	\$74,400.00	\$0.00	\$74,400.00	0.37
56170000L020 KANE ELLEN L LVG TR KANE ELLEN L TRE	0032 LS	16 KUKOWSKI	\$79,200.00	\$12,400.00	\$91,600.00	0.44

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2180 S YUKON CIR WASILLA AK 99654-0586					
56205000L001 HESS TODD C	0032 LS 16 MARSHALL	\$77,500.00	\$236,400.00	\$313,900.00	0.42
PO BOX 210810 ANCHORAGE AK 99521-0810					
56205000L002 BASS N WAYNE & CHRISTINE C	0032 LS 16 MARSHALL	\$80,400.00	\$162,500.00	\$242,900.00	0.45
PO BOX 35204 SARASOTA, FL 34242-5204					
56205000T00A KINCAID MICHELLE	0032 LS 16 MARSHALL	\$174,800.00	\$406,100.00	\$580,900.00	3.89
KLOEP DAVID PO BOX 520687 BIG LAKE, AK 99652-0687					
56206000L001 JONES MARGARET	0032 LS 16 MARSHALL ADD	\$77,500.00	\$15,800.00	\$93,300.00	0.42
11801 MARY AVE ANCHORAGE, AK 99515-3332					
56206000L002 GALEKOVICH ROBERT JOHN	0032 LS 16 MARSHALL ADD	\$77,500.00	\$35,700.00	\$113,200.00	0.42
# B 8201 LITTLE DIPPER ANCHORAGE AK 99504					
56206000L003 HERMES KURT B & MELISSA R	0032 LS 16 MARSHALL ADD	\$74,300.00	\$0.00	\$74,300.00	0.60
2641 PUFFIN POINT CIR ANCHORAGE AK 99507-4902					
56206000L004 HERMES KURT B & MELISSA R	0032 LS 16 MARSHALL ADD	\$72,400.00	\$52,300.00	\$124,700.00	0.36
2641 PUFFIN POINT CIR ANCHORAGE AK 99507-4902					

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Matanuska-Susitna Borough  
 Real Property Selection List by Account Number  
 LID508 South Big Lake Road & West Susitna Pky

March 12, 2015

<u>Tax Account/Owner Name and Addr Zone</u>	<u>Map#:</u> / <u>Subdivision</u>	<u>Land</u> <u>Appraisa</u>	<u>Building</u> <u>Appraisal</u>	<u>Total</u> <u>Appraisal</u>	<u>Acre</u>
56206000L005 MAXWELL DAN  #A 1100 W INTL AIRPORT RD ANCHORAGE, AK 99518-1007	0032 LS 16 MARSHALL ADD	\$64,400.00	\$179,900.00	\$244,300.00	0.25
56206000L006 MAXWELL TAL  MAXWELL DAK 4801 SHELIKOF ST ANCHORAGE, AK 99507	0032 LS 16 MARSHALL ADD	\$59,000.00	\$11,600.00	\$70,600.00	0.20
56206000L007 JEFFERIES DONNA  PO BOX 871952 WASILLA, AK 99687-1952	0032 LS 16 MARSHALL ADD	\$57,400.00	\$203,600.00	\$261,000.00	0.18
56206000L008 SMITH TROY W  1514 W 14TH AVE ANCHORAGE, AK 99501	0032 LS 16 MARSHALL ADD	\$54,200.00	\$106,100.00	\$160,300.00	0.16
56206000L009 ORR ROBT JAS & LUCY M  PO BOX 520484 BIG LAKE, AK 99652-0484	0032 LS 16 MARSHALL ADD	\$56,400.00	\$0.00	\$60,400.00	0.17
56206000L010 ORR ROBT JAS & LUCY M  PO BOX 520484 BIG LAKE, AK 99652-0484	0032 LS 16 MARSHALL ADD	\$56,400.00	\$227,600.00	\$284,000.00	0.17
56207000L024 LEVINE LARRY A  3301 PRINCETON WAY ANCHORAGE, AK 99508	0032 LS 16 MARSHALL 2ND ADD	\$78,400.00	\$173,600.00	\$252,000.00	0.43
56207000L025 RETZLAFF DENNIS W	0032 LS 16 MARSHALL 2ND ADD	\$70,400.00	\$9,300.00	\$79,700.00	0.33

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3916 CHECKMATE DR ANCHORAGE, AK 99508					
56207000L026 STERGIOU ELIZABETH M	0032 LS 16 MARSHALL 2ND ADD	\$75,700.00	\$0.00	\$75,700.00	0.39
# 201 817 W SIXTH AVE ANCHORAGE, AK 99501					
56207000L027 DAM JEFFREY N & PATRICIA	0032 LS 16 MARSHALL 2ND ADD	\$5,500.00	\$0.00	\$5,500.00	0.52
PO BOX 201327 ANCHORAGE, AK 99520-1327					
56207000L028 DAM JEFFREY N & PATRICIA	0032 LS 16 MARSHALL 2ND ADD	\$8,400.00	\$0.00	\$8,400.00	1.39
PO BOX 201327 ANCHORAGE, AK 99520-1327					
56207000L029 DAM PATRICIA	0032 LS 16 MARSHALL 2ND ADD	\$7,800.00	\$0.00	\$7,800.00	1.02
PO BOX 201327 ANCHORAGE AK 99520-1327					
56207000L030 DAM PATRICIA	0032 LS 16 MARSHALL 2ND ADD	\$6,000.00	\$0.00	\$6,000.00	0.63
PO BOX 201327 ANCHORAGE AK 99520-1327					
56207000L031 DAM PATRICIA	0032 LS 16 MARSHALL 2ND ADD	\$6,000.00	\$0.00	\$6,000.00	0.67
PO BOX 201327 ANCHORAGE AK 99520-1327					
56207000L032 DAM PATRICIA	0032 LS 16 MARSHALL 2ND ADD	\$5,000.00	\$0.00	\$5,000.00	0.52
PO BOX 201327 ANCHORAGE AK 99520-1327					

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56207000L033 DAM PATRICIA PO BOX 201327 ANCHORAGE AK 99520-1327	0032 LS	16 MARSHALL 2ND ADD	\$6,000.00	\$0.00	\$6,000.00	0.54
56207000L034 DAM PATRICIA PO BOX 201327 ANCHORAGE AK 99520-1327	0032 LS	16 MARSHALL 2ND ADD	\$7,200.00	\$0.00	\$7,200.00	0.86
56207000L035 DAM PATRICIA PO BOX 201327 ANCHORAGE AK 99520-1327	0032 LS	16 MARSHALL 2ND ADD	\$7,200.00	\$0.00	\$7,200.00	0.84
56207000L036 DAM PATRICIA PO BOX 201327 ANCHORAGE AK 99520-1327	0032 LS	16 MARSHALL 2ND ADD	\$7,200.00	\$0.00	\$7,200.00	0.74
56207000L037 DAM PATRICIA PO BOX 201327 ANCHORAGE AK 99520-1327	0032 LS	16 MARSHALL 2ND ADD	\$6,000.00	\$0.00	\$6,000.00	0.48
56207000L038 DAM PATRICIA PO BOX 201327 ANCHORAGE AK 99520-1327	0032 LS	16 MARSHALL 2ND ADD	\$5,700.00	\$0.00	\$5,700.00	0.40
56207000L039 DAM PATRICIA PO BOX 201327 ANCHORAGE AK 99520-1327	0032 LS	16 MARSHALL 2ND ADD	\$5,700.00	\$0.00	\$5,700.00	0.42
56207000L049 MATANUSKA-SUSITNA BOROUGH 350 E DAHLIA AVE PALMER AK 99645-6488	0032 LS	16 MARSHALL 2ND ADD	\$3,500.00	\$0.00	\$3,500.00	0.17

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56207000L050 BLISS JAS B & NANETTE L 13300 COVE CIR ANCHORAGE, AK 99515	0032 LS 16 MARSHALL 2ND ADD	\$3,500.00	\$0.00	\$3,500.00	0.15
56207000L051 LOY JEANELLE E 3921 TRURO DR ANCHORAGE, AK 99507	0032 LS 16 MARSHALL 2ND ADD	\$4,800.00	\$0.00	\$4,800.00	0.43
56207000L052 THORSNESS JAS R & JULIA M 1161 W 77TH AVE ANCHORAGE, AK 99518-2406	0032 LS 16 MARSHALL 2ND ADD	\$4,300.00	\$0.00	\$4,300.00	0.29
56207000L053 MARSHALL EILEEN V ESTATE % PAM MARSHALL 87932 KELSIE WAY FLORENCE OR 97439-9182	0032 LS 16 MARSHALL 2ND ADD	\$3,500.00	\$0.00	\$3,500.00	0.17
56207000L054 DAM PATRICIA PO BOX 201327 ANCHORAGE AK 99520-1327	0032 LS 16 MARSHALL 2ND ADD	\$2,300.00	\$0.00	\$2,300.00	0.17
56285000T001-B1 ALASKA STATE OF DEPT OF NATURAL RESOURCES DIV OF STE 1050A 550 W 7TH AVE ANCHORAGE AK 99501-3579	0032 LS 16 SOUTH BG LK AK	\$90,900.00	\$0.00	\$90,900.00	7.00
56285000T002B ALASKA STATE OF DEPT OF NATURAL RESOURCES DIVISI STE 1050A 550 W 7TH AVE ANCHORAGE, AK 99501	0032 LS 16 SOUTH BG LK AK	\$17,200.00	\$32,100.00	\$49,300.00	2.45

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56285B01L001 BIRCH CHRISTOPHER J & PAMALA G 10005 MAIN TREE DR ANCHORAGE, AK 99507	0032 LS 16 SOUTH BG LK AK	\$118,500.00	\$78,500.00	\$197,000.00	1.35
56285B01L002 MILLER LOUIS III & B A 11050 HIDEAWAY LAKE CIR ANCHORAGE AK 99507-6157	0032 LS 16 SOUTH BG LK AK	\$96,400.00	\$0.00	\$96,400.00	0.80
56285B01L003 WOLGEMUTH TIM 1611 E CRESTWOOD DR PEORIA IL 61614-7825	0032 LS 16 SOUTH BG LK AK	\$101,400.00	\$0.00	\$111,900.00	0.89
56285B01L004 BURFORD DENNIS A & EVA D 4000 E 142ND AVE ANCHORAGE AK 99516-4005	0032 LS 16 SOUTH BG LK AK	\$81,500.00	\$78,400.00	\$159,900.00	0.49
56285B01L005 VARNELL WM R JR& PATRICIA 4803 SPENARD RD ANCHORAGE, AK 99517	0032 LS 16 SOUTH BG LK AK	\$92,000.00	\$0.00	\$92,000.00	0.67
56285B01L007 MATANUSKA-SUSITNA BOROUGH 350 E DAHLIA AVE PALMER AK 99645-6488	0032 LS 16 SOUTH BG LK AK	\$57,300.00	\$37,400.00	\$94,700.00	0.52
56285B01L008 REUTER CHAS E & PAMELA G LVG TR REUTER CHAS EDWIN & PAMELA GAE T 3900 MARCY CT ANCHORAGE AK 99502-2837	0032 LS 16 SOUTH BG LK AK	\$79,300.00	\$111,100.00	\$190,400.00	0.44
56285B01L009 SUMNER DANIEL R REV TR SUMNER PAULA D REV TR	0032 LS 16 SOUTH BG LK AK	\$109,200.00	\$233,600.00	\$342,800.00	1.07

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PO BOX 521164 BIG LAKE AK 99652-1164					
56285B01L010 CAMPBELL WM E	0032 LS 16 SOUTH BG LK AK	\$118,600.00	\$380,100.00	\$498,700.00	1.35
MOE MARY A PO BOX 520066 BIG LAKE, AK 99652-0066					
56285B01L014 DONATELLO JEAN M	0032 LS 16 SOUTH BG LK AK	\$107,300.00	\$0.00	\$107,300.00	1.04
701 W 11TH AVE E ANCHORAGE, AK 99501					
56285B01L015 DONATELLO JEAN M	0032 LS 16 SOUTH BG LK AK	\$111,600.00	\$40,600.00	\$152,200.00	1.18
701 W 11TH AVE ANCHORAGE AK 99501-4332					
56285B01L016 SHERMAN MARY J	0032 LS 16 SOUTH BG LK AK	\$117,400.00	\$19,500.00	\$136,900.00	1.26
59-409 ALAPIO RD HALEIWA HI 96712-8658					
56285B01L017 HAGGITH DAVID C	0032 LS 16 SOUTH BG LK AK	\$97,000.00	\$0.00	\$97,000.00	0.80
PO BOX 241251 ANCHORAGE, AK 99524-1251					
56285B01L018 JAMES LYNDA RAE	0032 LS 16 SOUTH BG LK AK	\$76,100.00	\$150,300.00	\$226,400.00	1.50
1634 W 13TH AVE ANCHORAGE, AK 99501					
56285B04L001 TRAILER DAVID EDW & KAY E	0032 LS 16 SOUTH BG LK AK	\$135,400.00	\$117,800.00	\$253,200.00	1.91
3800 ROBIN ST ANCHORAGE, AK 99504					

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56285B04L002 DIETZ MICHAEL D& MICHELLE PO BOX 521184 BIG LAKE, AK 99652-1184	0032 LS	16 SOUTH BG LK AK	\$140,100.00	\$501,200.00	\$641,300.00	2.19
56285B04L007 FOURNIER WALTER K # 4 4211 FLORINA ST ANCHORAGE, AK 99508	0032 LS	16 SOUTH BG LK AK	\$89,200.00	\$4,000.00	\$93,200.00	0.77
56285B04L008-1 LAWENDOWSKI JOSEPH RONALD HOTRUM TONJA LYNN 24343 THUNDERBRID DR CHUGIAK AK 99567-5127	0032 LS	16 SOUTH BG LK AK	\$72,300.00	\$236,900.00	\$309,200.00	0.35
56285B04L008-2 JOHNSON JOSH WILLIAM TR JOHNSON CHARLES NOEL TR 1345 K ST ANCHORAGE AK 99501	0032 LS	16 SOUTH BG LK AK	\$72,300.00	\$44,200.00	\$116,500.00	0.35
56285B04L009 SNELL AMELIA E TR TRE % LAW OFFICE STUART E BROWN 12535 15TH AVE NE SEATTLE WA 98125-3978	0032 LS	16 SOUTH BG LK AK	\$12,000.00	\$0.00	\$12,000.00	0.74
56285B04L010 BALCHEN MADELEINE L STE B PMB 311 2521 E MOUNTAIN VILLAGE DR WASILLA AK 99654-7336	0032 LS	16 SOUTH BG LK AK	\$10,000.00	\$94,800.00	\$104,800.00	0.66
56285B04L011 BALCHEN MADELEINE L STE B PMB 311 2521 E MOUNTAIN VILLAGE DR	0032 LS	16 SOUTH BG LK AK	\$10,000.00	\$0.00	\$10,000.00	0.49

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WASILLA AK 99654-7336						
56285B04L012 BALCHEN MADELEINE L	0032 LS	16 SOUTH BG LK AK	\$3,600.00	\$0.00	\$3,600.00	0.74
STE B PMB 311 2521 E MOUNTAIN VILLAGE DR WASILLA AK 99654-7336						
56363B01L006A-1 TAYLOR GRETCHEN L	0032 LS	16 SOUTH BG LK AK B/1 L/6A	\$68,100.00	\$19,300.00	\$87,400.00	0.29
ROBERTSON DAVID E 6609 CHEVIGNY DR ANCHORAGE, AK 99502						
56363B01L006A-2 LALONDE BRUCE A & TINA N	0032 LS	16 SOUTH BG LK AK B/1 L/6A	\$55,800.00	\$9,500.00	\$65,300.00	0.17
2215 ARBOR CIR ANCHORAGE AK 99517-1342						
56407B01L001 MORENO RONNIE	0032 GB	3 MARION LK EST	\$14,000.00	\$0.00	\$14,000.00	1.10
PO BOX 873445 WASILLA AK 99687-3445						
56407B01L002 MORENO RONNIE	0032 GB	3 MARION LK EST	\$14,000.00	\$0.00	\$14,000.00	0.92
21145 W BLARNEY STONE DR WASILLA AK 99623-4701						
56407B02L006 FRITTS WM K JR & MICHELLE	0032 GB	3 MARION LK EST	\$13,800.00	\$253,300.00	\$267,100.00	2.55
PO BOX 520441 BIG LAKE, AK 99652-0441						
56407B02L007 REED THOS L	0032 GB	3 MARION LK EST	\$20,000.00	\$0.00	\$20,000.00	2.07
PO BOX 520354 BIG LAKE, AK 99652-0354						

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56407B02L008 SCOUGAL ROMA L PO BOX 520561 BIG LAKE, AK 99652-0561	0032 GB	3 MARION LK EST	\$18,000.00	\$0.00	\$18,000.00	1.45
56407B02L009 SCOUGAL ROMA L PO BOX 520561 BIG LAKE, AK 99652-0561	0032 GB	3 MARION LK EST	\$15,500.00	\$0.00	\$15,500.00	1.35
56407B02L010 SCOUGAL ROMA L PO BOX 520561 BIG LAKE, AK 99652-0561	0032 GB	3 MARION LK EST	\$20,000.00	\$0.00	\$20,000.00	1.88
56407B02L011 MCCONE MALCOLM F&KATHLEEN 3500 N SAM'S DR WASILLA, AK 99654	0032 GB	3 MARION LK EST	\$15,500.00	\$0.00	\$15,500.00	1.28
56407B02L012 SEIBOLD BRYAN S & RONNIE PO BOX 521037 BIG LAKE, AK 99652-1037	0032 GB	3 MARION LK EST	\$14,000.00	\$111,200.00	\$125,200.00	1.20
56407B02L013 REED THOMAS L PO BOX 520354 BIG LAKE AK 99652-0354	0032 GB	3 MARION LK EST	\$14,000.00	\$0.00	\$14,000.00	1.11
56407B02L014 REED THOMAS L PO BOX 520354 BIG LAKE AK 99652-0354	0032 GB	3 MARION LK EST	\$14,000.00	\$0.00	\$14,000.00	1.11
56407B02L015 REED THOMAS L PO BOX 520354 BIG LAKE AK 99652-0354	0032 GB	3 MARION LK EST	\$14,000.00	\$0.00	\$14,000.00	1.16

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56407B03L002 OSWALD JOHN L 12001 AUDUBON DR ANCHORAGE, AK 99516-2421	0032 GB	3 MARION LK EST	\$37,400.00	\$1,500.00	\$38,900.00	0.92
56407B03L003 OSWALD JOHN & MADGE 12001 AUDUBON DR ANCHORAGE, AK 99516	0032 GB	3 MARION LK EST	\$39,800.00	\$0.00	\$39,800.00	0.92
56407B03L007 BIDASOLO RICHARD R & R L PO BOX 520929 BIG LAKE, AK 99652-0929	0032 GB	3 MARION LK EST	\$3,500.00	\$0.00	\$3,500.00	0.93
56407B03L008 SEIBOLD BRYAN S & RONNIE PO BOX 521037 BIG LAKE, AK 99652-1037	0032 GB	3 MARION LK EST	\$4,200.00	\$0.00	\$4,200.00	0.93
56407B03L009 BIDASOLO RICHARD R & R L PO BOX 520929 BIG LAKE, AK 99652-0929	0032 GB	3 MARION LK EST	\$3,500.00	\$0.00	\$3,500.00	0.98
56407B03L010 MCCONE MALCOLM F&KATHLEEN 3500 N SAM'S DR WASILLA, AK 99654	0032 GB	3 MARION LK EST	\$2,700.00	\$0.00	\$2,700.00	0.93
56407B03L013 CHANDLER CARROL H & EVA-MARIE H 17 PARKER RD AVON CT 06001-3190	0032 GB	3 MARION LK EST	\$53,400.00	\$226,800.00	\$280,200.00	0.92
56407B03L014 BLASINGAME JAMES B SCHLANSKER WM C & M A PO BOX 241926	0032 GB	3 MARION LK EST	\$42,900.00	\$4,500.00	\$47,400.00	0.99

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ANCHORAGE AK 99524-1926						
56407B03L015 BLASINGAME JAS B	0032 GB	3 MARION LK EST	\$58,000.00	\$0.00	\$58,000.00	0.96
SCHLANSKER WM C&MADELYN A PO BOX 241926 ANCHORAGE AK 99524-1926						
56407B03L016 REED THOS L	0032 GB	3 MARION LK EST	\$61,500.00	\$289,500.00	\$351,000.00	1.30
PO BOX 520354 BIG LAKE, AK 99652-0354						
56407B03L017 REED THOS L	0032 GB	3 MARION LK EST	\$15,300.00	\$0.00	\$15,300.00	1.52
PO BOX 520354 BIG LAKE, AK 99652-0354						
56407B03L018 ARDIZZONE CHAS D & DENISE	0032 GB	3 MARION LK EST	\$11,900.00	\$202,600.00	\$214,500.00	1.18
19623 HIGHLAND RIDGE DR EAGLE RIVER, AK 99577						
56407B03L019 COOPERMAN GREGORY D	0032 GB	3 MARION LK EST	\$15,300.00	\$0.00	\$15,300.00	1.56
PO BOX 1044 TALKEETNA, AK 99676-1044						
56407B03L020 COOPERMAN GREGORY D	0032 GB	3 MARION LK EST	\$11,900.00	\$0.00	\$11,900.00	1.04
PO BOX 1044 TALKEETNA, AK 99676-1044						
56407B03L021 COOPERMAN GREGORY D	0032 GB	3 MARION LK EST	\$11,900.00	\$0.00	\$16,900.00	0.93
PO BOX 1044 TALKEETNA, AK 99676-1044						
56407B03L022 CHANDLER CARROL H & EVA-MARIE H	0032 GB	3 MARION LK EST	\$49,400.00	\$0.00	\$49,400.00	1.39

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17 PARKER RD AVON CT 06001-3190					
56407B03L023 GILMER DEBORAH EST	0032 GB 3 MARION LK EST	\$50,700.00	\$0.00	\$50,700.00	1.16
C/O EVAN BENNION PER REP 107 HOUSTON CT FORT LEONARD WOOD MO 65473-1324					
56407B03L024 BOOTS LYNN & MICHAEL	0032 GB 3 MARION LK EST	\$54,200.00	\$0.00	\$57,700.00	0.92
2120 BELMONT DR ANCHORAGE AK 99517-1374					
56407B03L025 BOOTS LYNN & MICHAEL	0032 GB 3 MARION LK EST	\$61,200.00	\$96,500.00	\$157,700.00	0.92
2120 BELMONT DR ANCHORAGE AK 99517-1374					
56407B04L001 FLOYD JAS & TAMI	0032 GB 3 MARION LK EST	\$14,000.00	\$15,200.00	\$29,200.00	1.04
PO BOX 520818 BIG LAKE, AK 99652-0818					
56407B04L002 HANSON BETSY ANN	0032 GB 3 MARION LK EST	\$14,000.00	\$0.00	\$14,000.00	1.02
127 E POTTER DR ANCHORAGE, AK 99518					
56407B04L003 HUTCHISON ROBERT	0032 GB 3 MARION LK EST	\$14,000.00	\$0.00	\$14,000.00	0.93
PO BOX 520623 BIG LAKE AK 99652-0623					
56407B04L004 HUTCHINSON ROBT	0032 GB 3 MARION LK EST	\$6,000.00	\$0.00	\$6,000.00	0.97
PO BOX 520623 BIG LAKE, AK 99652-0623					

IM No. 15-078  
Ordinance No. 15-042  
Ordinance No. 15-043

## Matanuska-Susitna Borough

## Real Property Selection List by Account Number

March 12, 2015

LID508 South Big Lake Road &amp; West Susitna Pky

<u>Tax Account/Owner Name and Addr</u>	<u>Zone</u>	<u>Map#:</u> / <u>Subdivision</u>	<u>Land</u> <u>Appraisa</u>	<u>Building</u> <u>Appraisal</u>	<u>Total</u> <u>Appraisal</u>	<u>Acre</u>
56407B04L005 HUTCHINSON ROBT PO BOX 520623 BIG LAKE, AK 99652-0623	0032 GB	3 MARION LK EST	\$6,000.00	\$0.00	\$6,000.00	0.92
56717000T00B-1 KLOEP DAVID KINCAID MICHELLE PO BOX 520687 BIG LAKE, AK 99652-0687	0032 LS	16 MARSHALL ADD RSB T/B	\$491,900.00	\$0.00	\$491,900.00	13.99
57053B03L011A GAMBLE PATRICK K & SYLVIA 431 GOLD DUST DR FAIRBANKS AK 99709	0032 GB	3 MARION LK EST RSB B/3 L/11&12	\$119,300.00	\$200,600.00	\$319,900.00	2.84
57257000L001A PROSSER ROBERT & CAROL TR/TRES 12031 GINAMI ST ANCHORAGE AK 99516-2550	0032 LS	16 YEAGER EST ADD #1	\$14,000.00	\$0.00	\$14,000.00	1.38
57257000L002A MARMAN DAN'L J & MARGARET PO BOX 520078 BIG LAKE AK 99652-0078	0032 LS	16 YEAGER EST ADD #1	\$13,000.00	\$157,400.00	\$170,400.00	1.04
57257000L003A MARMAN DAN'L J & MARGARET PO BOX 520078 BIG LAKE AK 99652-0078	0032 LS	16 YEAGER EST ADD #1	\$13,000.00	\$11,600.00	\$24,600.00	0.92
<b>Total Parcels in LID508:</b>	<b>177</b>		<b>\$9,340,300.00</b>	<b>\$11,686,600.00</b>	<b>\$21,058,400.00</b>	<b>350.61</b>

IM No. 15-078  
Ordinance No. 15-042  
Ordinance No. 15-043

Non-Code Ordinance

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-043**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$867,000.00 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE SOUTH BIG LAKE ROAD & WEST SUSITNA PKY NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 508, AND FIXING DETAILS OF SAID BONDS.

---

WHEREAS, the Assembly of the Matanuska-Susitna Borough (the "borough") has determined and does hereby determine that it is necessary to proceed to plan, design, develop, construct, equip, acquire property for, or otherwise provide for a natural gas pipeline in the South Big Lake Road & West Susitna Pky (the "project"); and

WHEREAS, a local improvement district known as the South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District No. 508 (the "LID") has been formed for the project, special assessments will be levied on properties in the LID that are specially benefited by the project, and said special assessments, with interest thereon, will be sufficient (together with other amounts) and available to pay the principal of and interest on the hereinafter defined bonds; and

WHEREAS, it is deemed necessary and advisable and in the best interests of the borough and its inhabitants that not to exceed \$867,000.00 principal amount of special assessment bonds be issued at this time in a single series, as hereinafter fixed and determined, for the purpose of paying the cost (as hereinafter defined) of the project; and

WHEREAS, the proper officials of the borough have negotiated

an agreement (the "agreement") with Wells Fargo Bank, N.A. (the "purchaser") which provides, inter alia, for the issuance and sale by the borough and the purchase by the purchaser of the hereinafter defined bonds; and

WHEREAS, it is hereby found to be in the best interest of the borough that the agreement be approved and executed and that certain matters relating to such bonds and the use of the proceeds of such sale be established.

NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE MATANUSKA-SUSITNA BOROUGH:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Purpose. The purpose of this ordinance is to authorize the issuance and sale of not to exceed \$867,000.00 of special assessment bonds to be sold in one series to provide funds to pay the capital costs of the project, to pay the costs of issuance of the bonds authorized herein and to fix certain details of said Bonds to be issued.

Section 3. Definitions. The following terms shall have the following meanings in this ordinance:

A. "Agreement" means the Agreement 12-185 dated June 8, 2012, from Wells Fargo Bank, N.A., and accepted by the borough for the sale of the bonds by the borough to the purchaser.

B. "Assembly" means the borough assembly, as the general legislative authority of the borough, as the same shall be duly and regularly constituted from time to time.

C. "Bond" or "Bonds" means any of the Matanuska-Susitna Borough Special Assessment Bonds, South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District No. 508, 2015, the issuance and sale of which are authorized herein.

D. "Bond register" means the registration books maintained

by the borough, which include the names and addresses of the owners or nominees of the owners of the Bonds.

E. "Cost" or "Costs" means all costs of the project allowable in special assessments under AS 29.46.110.

F. "Ordinance" shall mean this Ordinance Serial No. 15-043 of the borough.

G. "Purchaser" means, Wells Fargo Bank, N.A., the purchaser of the bonds.

H. "LID" means Local Improvement District No. 508.

Section 4. Authority for ordinance. The borough has ascertained and hereby determines that each and every matter and thing as to which provision is made in this ordinance is necessary in order to carry out and effectuate the purposes of the borough in accordance with the Constitution and statutes of the state of Alaska, and the code of ordinances of the borough, and to issue the bonds.

Section 5. Obligation of bonds. The bonds are a special obligation of South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District No. 508 of the borough and are payable solely from assessments levied against the properties which are specially benefited by the project within the South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District No. 508 and funds pledged for the payment of the bonds under this ordinance. Said assessments shall constitute a sinking fund for the payment of principal of and interest on the bonds. Neither the faith and credit nor the taxing power of the borough are pledged to the payment of the principal of and interest on the Bonds.

Section 6. Authorization of bonds and purpose of issuance. For the purpose of providing part of the funds required to pay the cost of the project, and to provide for original issue discount,

if any, and to pay all costs incidental thereto and to the issuance of the bonds, the borough hereby authorizes and determines to issue and sell the bonds in one series in the aggregate principal amount of not to exceed \$867,000.00.

Section 7. Maturities, payment dates, designation and form of bonds. The bonds shall be designated Matanuska-Susitna Borough Special Assessment Bonds, South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District No. 508, 2015, shall be dated the date of their delivery to the purchaser, and shall mature on April 1, 2025.

The bonds shall bear interest from their date at a rate determined in accordance with the Agreement, which shall not exceed 5.37 percent per annum. Installments of principal and interest on the bonds (the "installment payments") shall be payable semiannually on April 1 and October 1 of each year, commencing October 1, 2015. Each installment payment shall consist of an equal amount of principal, plus accrued interest.

The bonds shall be registered as to principal and interest as herein provided. The bonds shall each be of the denomination of one thousand dollars (\$1,000) or any integral multiple of \$1,000 of the same interest rate and maturity, approved by the borough, such approval to be evidenced by the execution of such bonds. The bonds shall be numbered separately in the manner and with such additional designation as the borough deems necessary for purposes of identification. The bonds shall be substantially in the form of such bond hereinafter set forth, with such appropriate variations, omissions, or insertions as are permitted or required by this ordinance, and may have endorsed thereon such legends or text as may be necessary or appropriate to conform to the rules and regulations of any governmental authority, or any usage or requirement of law with respect thereto. Each bond shall bear a

number or letter, or a number and letter, distinguishing it from every other bond.

Section 8. Details of bonds. Each of the bonds shall be signed by the manual signature of the mayor and the official seal of the borough (or a facsimile thereof) shall be affixed, imprinted or otherwise reproduced on the bonds, and attested by the manual signature of the borough clerk. In case any officer whose signature shall appear on any bonds shall cease to be such officer before the delivery of such bonds, such signature shall nevertheless be valid and sufficient for all purposes the same as if he or she had remained in office until such delivery.

The principal, redemption price of, and the interest on the bonds shall be payable in any coin or currency of the United States of America, which at the respective dates of payment thereof, is legal tender for the payment of public and private debts.

Payment of the principal and interest on the bonds shall be made by check or draft mailed to the registered owner of record as of the 15th day of the month preceding each installment payment date at the address appearing on the bond register of the borough.

Section 9. Transfer and exchange of bonds and delivery of new bonds. Any bond may be transferred only upon the books kept for the registration and transfer of bonds by the borough, upon surrender thereof at the office of the borough, together with an assignment duly executed by the registered owner or the owner's attorney in such form as shall be satisfactory to the borough. Upon the transfer of any such bond, there shall be executed in the name of the transferee, and the borough shall authenticate and deliver, a new registered bond or bonds of the same maturity in any of the authorized denominations.

In all cases in which bonds may be transferred or exchanged

under this ordinance, there shall be executed, and the borough shall authenticate and deliver, bonds in accordance with the provisions of this ordinance. Any such transfer or exchange shall be without cost to the registered owner, except that the borough may make a charge for every such registration, transfer or exchange of bonds sufficient to reimburse it for any tax, fee, or other governmental charge required to be paid with respect to such registration, exchange or transfer, and such charge or charges shall be paid before any such new bond shall be delivered. The borough shall not be required to make any such registration, transfer or exchange of a bond during the fifteen (15) days next preceding an interest payment date on such bond.

Section 10. Ownership of bonds. As to any bond, the person in whose name the same shall be registered on the bond register shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of such bond and the interest on such bond shall be made only to or upon the order of the registered owner thereof or the owner's legal representative, but such registration may be changed as hereinabove provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such bond, including the interest thereon, to the extent of the sum or sums so paid.

Section 11. Mutilated, destroyed, stolen, or lost bonds. In case any bond shall become mutilated or be destroyed, stolen or lost, the borough may cause to be executed, and shall deliver, a new bond of like interest rate, principal amount and maturity in exchange and substitution for and upon cancellation of such mutilated bond, or in lieu of and in substitution for such bond destroyed, stolen or lost, upon the owner thereof paying the reasonable expenses and charges of the borough in connection

therewith and in the case of a bond destroyed, stolen or lost, filing by the owner with the borough evidence satisfactory to the borough that such bond was destroyed, stolen or lost, and of the owner's ownership thereof, and furnishing the borough with indemnity satisfactory to it. Any new bond so delivered may bear a number differing from the number of the bond it replaces.

Section 12. Redemption of bonds. The bonds are subject to redemption at the option of the borough, in whole or in part, at any time. Any redemption of bonds shall be at a redemption price of the principal amount of the bonds to be redeemed, plus accrued interest.

Section 13. Notice of redemption. When the borough determines to redeem any bonds, it shall give notice of such redemption in the manner then provided by law, which notice shall state the redemption date and identify the bonds to be redeemed by reference to their numbers and further state that on such redemption date there shall become due and payable upon each such bond the principal amount thereof plus the applicable premium, if any (the "redemption price"), together with interest accrued to the redemption date, and that from and after such date interest thereon shall cease to accrue. Such notice shall be given at least 30 days but not more than 45 days prior to the redemption date by first class mail, postage prepaid, to the registered owner of any Bond to be redeemed at the address of the registered owner appearing on the bond register.

Section 14. Payment of redeemed bonds. Notice of redemption having been given in the manner provided in this ordinance, the bonds so called for redemption shall become due and payable on the redemption date stated in said notice at the applicable redemption price on said date plus interest accrued and unpaid to the redemption date upon presentation and surrender thereof at the

office of the borough. If, on the redemption date, moneys for the redemption of all the bonds to be redeemed, together with interest accrued and unpaid to the redemption date, shall be held on behalf of the borough at the office of the borough so as to be available therefore on said date and if notice of redemption shall have been given as aforesaid, then from and after the redemption date the bonds so called for redemption shall cease to bear interest.

Section 15. Form of bond. Each bond shall be in substantially the following form, with such variations, omissions and insertions as may be required or permitted by this ordinance:

UNITED STATES OF AMERICA

STATE OF ALASKA

MATANUSKA-SUSITNA BOROUGH

Special Assessment Bond

South Big Lake Road & West Susitna Pky

Natural Gas Local Improvement District No. 508

2015

NO. \$

INTEREST RATE

Registered Owner

Principal Amount DOLLARS

The Matanuska-Susitna Borough (the "borough"), a municipal corporation of the state of Alaska, for value received, acknowledges itself indebted and hereby promises to pay (but only out of the sources hereinafter mentioned) to the registered owner identified above, or registered assigns, the principal amount shown above, and to pay (but only out of the sources hereinafter mentioned) interest on the unpaid principal sum from the date hereof at the interest rate per annum shown above. Installments of principal and interest (the "installment

payments") shall be payable semiannually on April 1 and October 1 of each year commencing October 1, 2015, until April 1, 2025, when the entire remaining principal balance hereof plus accrued interest shall be paid in full. Each installment payment shall consist of an equal amount of principal, plus accrued interest. The principal, interest and redemption price of this bond shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

Payment of principal and interest shall be made by check or draft mailed to the registered owner of record as of the 15th day of the month preceding each installment payment date at the address appearing on the bond register of the borough.

This bond is one of the 2015 special assessment bonds, South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District No. 508, of The Matanuska-Susitna Borough, Alaska, of like tenor and effect except as to serial numbers, aggregating not to exceed \$867,000.00 in principal amount, and constituting bonds authorized for the purpose of raising funds to pay the cost of natural gas improvements in the South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District No. 508 of the borough, and is issued under Ordinance Serial No. 15-043 of the borough entitled:

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$867,000.00 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE SOUTH BIG LAKE ROAD & WEST SUSITNA PKY NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 508, AND FIXING DETAILS OF SAID BONDS.

(herein called the "ordinance") adopted on -, 2015.

The bonds are subject to redemption by or on behalf of the borough prior to maturity and upon notice as set forth in the ordinance in whole or in part on any date at a redemption price of the principal amounts thereof, together with interest thereon to the redemption date.

This bond is transferable as provided in the ordinance (i) only upon the bond register of the borough kept for that purpose at the office of the borough, and (ii) upon surrender of this bond together with a written instrument of transfer duly executed by the registered owner or the attorney of the registered owner duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount and maturity shall be issued to the transferee in exchange therefore as provided in the ordinance and upon the payment of charges, if any, as therein prescribed. The borough may treat and consider the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price, if any, hereof and interest due hereon and for all other purposes whatsoever.

This bond is payable solely from assessments levied against properties specially benefited within the borough local improvement district known as South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District No. 508 and is a special obligation of said local improvement district. Said assessments constitute a sinking fund for the payment of principal

of and interest on the bond and the properties specially benefited are pledged to secure the bond.

The registered owner of this bond shall not have any claim thereunder against the borough except for payment from special assessments made for the improvements for which the bond was issued and except for payment from the funds pledged for that purpose under the ordinance. The remedy of the registered owner of this bond shall be confined to the enforcement of such assessments and to such funds. The borough shall not be liable to the registered owner of this bond for any loss to such funds occurring in the lawful operation thereof.

THIS BOND IS NOT A GENERAL OBLIGATION OF THE BOROUGH AND NEITHER THE FAITH AND CREDIT NOR THE TAXING POWER OF THE BOROUGH IS PLEDGED TO ITS PAYMENT.

IT IS HEREBY CERTIFIED AND RECITED that all conditions, acts, or things required by the constitution or statutes of the state of Alaska and the code of ordinances of the borough to exist, to have happened or have been performed precedent to or in the issuance of this bond, exist, have happened and have been performed, and that the series of bonds of which this is one, together with all other indebtedness of the borough, is within every debt and other limit prescribed by said constitution, statutes or code of ordinances.

IN WITNESS WHEREOF, THE MATANUSKA-SUSITNA BOROUGH, ALASKA, has caused this bond to be signed in its name and on its behalf by the signature of its mayor and its corporate seal to be hereunto affixed, imprinted or otherwise reproduced, and attested by the signature of

its clerk, all as of the - day of -, 2015.

LARRY DEVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Section 16. Establishment of guaranty fund. There is established the South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District No. 508 special assessment bond guaranty fund (The "guaranty fund") to which the assembly shall annually appropriate a sum the assembly determines to be adequate, with other available funds, to cover a deficiency in meeting payments of principal and interest on the bonds if the reason for the deficiency is nonpayment of assessments when due. Money received from actions taken against property for nonpayment of assessments confirmed by Ordinance Serial No. 15-042 of the borough shall be credited to the guaranty fund. Amounts in the guaranty fund shall be used to pay principal and interest on the bonds when other funds are not available for that purpose.

Section 17. Disbursement of bond proceeds for project costs. That part of the bond proceeds required for costs of the project shall be deposited in the South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District No. 508 construction account, which is hereby established within the South Big Lake Road & West Susitna Pky Natural Gas Line fund 825. There shall be paid from this account all amounts required for costs of the project.

Section 18. Establishment of reserve and refund account.

A. There is established the South Big Lake Road & West

Susitna Pky Natural Gas Local Improvement District No. 508 reserve and refund account (the "reserve and refund account") within the South Big Lake Road & West Susitna Pky Natural Gas Line fund 825.

B. There shall be paid into the reserve and refund account:

1. That part of the bond proceeds not expended or required for the initial LID expenses such as construction of the gas line, bond counsel fees, and similar expenses, and all anticipated administrative costs; and

2. All monies received from Enstar Natural Gas Company ("ENSTAR") that are refund entitlements arising out of new customers connecting to the gas line installed within the LID; and

3. The final refund due under the Enstar line extension tariff; and

4. Any sinking fund and guaranty fund balances after discharge of the bond.

C. At the end of each fiscal year, interest on the average reserve and refund account balance during the fiscal year at the rate determined by the finance director to be the average interest earned on borough investments during the fiscal year shall be transferred from the general fund to the reserve and refund account.

D. Until the bonds have been discharged, the funds within the reserve and refund account may be used only to pay the difference between the amount of principal and interest due on the bonds and the amount of special assessment payments including interest, received and available to pay that amount; provided, if the finance director determines that the amount of funds available in the reserve and refund account substantially exceeds that which is reasonably expected to be needed to meet assessment delinquencies, the finance director may, to the extent of such excess, make a prepayment on the bonds.

E. At such time as the finance director determines that the sum of the amounts in the reserve and refund account, the guaranty fund and the sinking fund equals or exceeds the amount required to (i) discharge the bonds, (ii) pay all refunds of assessments required upon discharge of the bonds, and (iii) pay any other amounts that may be owing on the bonds, the finance director shall cause such payment to be made and the bonds to be discharged.

Section 19. Establishment of sinking fund. There is established the South Big Lake Road & West Susitna Pky Natural Gas Local Improvement District No. 508 sinking fund (the "sinking fund"). Payments of principal and interest on assessments confirmed by Ordinance Serial No. 15-042 of the borough shall be deposited in the sinking fund. Amounts in the sinking fund shall be used to pay principal and interest on the bonds, and are hereby pledged for that purpose. At the end of each fiscal year, interest on the average sinking fund balance during the fiscal year at the rate determined by the finance director to be the average interest earned on borough investments during the fiscal year shall be transferred from the general fund to the sinking fund.

Section 20. Distribution of reserve and refund account funds.

A. Upon the discharge of the bonds, and the payment of all refunds of assessments required upon the discharge of the bonds, the funds remaining in the reserve and refund account shall be distributed as provided under this section.

B. When the balance of such fund divided by the number of parcels within the LID equals \$200 or more, the finance director shall refund to the owner of record as shown on the records of the borough assessor an amount equal to the fund balance divided by the number of lots within the LID; provided, after the borough receives the final refund from ENSTAR, the finance director shall

distribute the balance of the reserve and refund account by sending to each owner of record as shown on the most recent records of the borough assessor an amount equal to the fund balance divided by the number of lots within the LID. If any lot or tract within the LID is divided into two or more lots, the refund for such resubdivided lots shall be computed by counting the resubdivided lots as a single lot for purposes of determining the initial refund entitlement. The initial refund entitlement shall then be divided equally among the resubdivided lots.

Section 21. Bond sale and agreement. The sale to the purchaser of not to exceed \$867,000.00 principal amount of the bonds as provided in the agreement, is hereby authorized and approved.

Section 22. Delivery of the bonds. The proper officials of the borough are authorized and directed to execute all documents and to do everything necessary for the preparation and delivery of a transcript of proceedings pertaining to the bonds and the printing, authentication and delivery of the bonds in definitive form to the purchaser.

Section 23. Ratification. All actions taken by the mayor, manager and the finance director relative to the sale of the bonds are hereby in all respects ratified and confirmed. The appropriate officers of the borough are hereby authorized and directed to do all things necessary for the prompt execution, issuance and delivery of the bonds and for the proper application and use of the bond proceeds.

Section 24. Authority of officers. The mayor, the acting mayor from time to time, the borough manager, the acting borough manager from time to time, the finance director, the acting finance director from time to time, the borough clerk and the acting borough clerk from time to time, are, and each of them

hereby is, authorized and directed to do and perform all things and determine all matters not determined by this ordinance, to the end that the borough may carry out its obligations under the bonds and this ordinance.

Section 25. Pledge of funds. All refunds from ENSTAR attributable to the project, and all assessments levied in the LID, interest thereon and foreclosure proceeds thereof, are hereby irrevocably pledged to the payment of the principal of and interest on the bonds. The pledge under this section remains in effect until all of the bonds have been discharged.

Section 26. Miscellaneous. No recourse shall be had for the payment of the principal of or the interest on the bonds or for any claim based thereon or on this ordinance against any member of the assembly or officer of the borough or any person executing the bonds. The bonds are not and shall not be in any way a debt or liability of the state of Alaska or of any political subdivision thereof and shall not create or constitute an indebtedness or obligation, either legal, moral or otherwise, of said state or of any political subdivision thereof.

Section 27. Severability. If any one or more of the covenants and agreements provided in this ordinance to be performed on the part of the borough shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements shall be null and void and shall be deemed separable from the remaining covenants and agreements in this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the bonds.

Section 28. Appropriation. There is appropriated for the purposes set out in this ordinance, all assessments and interest thereon from the assessments levied in the LID and assessment

foreclosure proceeds. The appropriation under this section does not lapse until the final refund required under Section 20.B of this ordinance has been made.

Section 29. Effective date. Ordinance Serial No. 15-043 shall take effect upon adoption by the borough assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

LARRY DEVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)



**SUBJECT:** Ordinance authorizing issuance and sale of bonds and confirming assessment roll for East Carney Road Natural Gas Local Improvement District No. 534.

**AGENDA OF:** April 7, 2015.

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing on April 21, 2015.

**APPROVED BY JOHN M. MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
	Originator: Marcia vonEhr	MVE cy	3-17-15
1	Finance Director	guc	3/23/15
2	Borough Attorney	Reviewed by NS →	Bond Counsel
3	Borough Clerk		

**ATTACHMENT (S) :** Ordinance Serial No. 15-044 (5 pp),  
 Exhibit "A", (2 pp)  
 Ordinance Serial No. 15-045 (17 pp)  
 Map (1 p)  
 Fiscal Note:  Yes  No

**SUMMARY STATEMENT:**

On August 5, 2014 the Assembly adopted Ordinance Serial No. 14-074 creating East Carney Road Natural Gas Local Improvement District. The construction has been completed by Enstar Natural Gas and this ordinance is now before the Assembly to finance the improvements.

Ordinance Serial No. 15-044 confirms the assessment roll and Ordinance Serial No. 15-045 authorizes the issuance and sale of bonds for East Carney Road Local Improvement District No. 534 as required by MSB 3.28.080 and MSB 3.28.120. Both ordinances are necessary to complete the process for this local improvement district.

The total cost is to be equally assessed against the properties within the improvement district, including those properties not meeting MSB 3.28.080(B) criteria.

The East Carney Road Natural Gas Local Improvement District is located in Assembly District #6.



IM No. 15-079

Ordinance Serial No. 15-044

Ordinance Serial No. 15-045

Non-Code Ordinance

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-044**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CONFIRMING THE ASSESSMENT ROLL FOR THE EAST CARNEY ROAD NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 534 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

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WHEREAS, the assembly, by Ordinance Serial No.14-074 established the East Carney Road Natural Gas Local Improvement District No. 534 (the "LID"); and

WHEREAS, the actual costs of the improvement, including construction cost and the amounts required for administrative costs, bond counsel fees, reserves and related costs are \$7,386.28 per lot; and

WHEREAS, the LID special assessment roll has been prepared and the total costs of the improvement are spread equally among all the properties within the LID as shown on the attached assessment roll marked Exhibit A; and

WHEREAS, the assembly held a hearing on the assessment roll at which time all the written objections to the assessment roll were considered and all persons present who objected in writing were given the opportunity to be heard; and

WHEREAS, notice of the assessment and hearing was mailed to

each owner of record more than 15 days before the hearing; and

WHEREAS, the assembly found no errors or inequalities in the assessment roll; and

WHEREAS, the assembly finds that the assessment roll should be confirmed.

NOW, THEREFORE, BE IT ENACTED by the assembly of the Matanuska-Susitna Borough:

\* Section 1. Classification. This ordinance is a non-code ordinance.

\* Section 2. Confirmation of roll. Each property within the East Carney Road Natural Gas Local Improvement District No. 534 as shown on the attached assessment roll marked Exhibit A, is hereby assessed \$7,386.28 and such assessment roll is hereby confirmed. Notwithstanding MSB 3.28.080(B), an assessment levied under this ordinance may exceed 25 percent of the assessed value for real property taxation of the property assessed.

\* Section 3. Notice of assessment. Within 30 days after the date of the adoption of this ordinance, the finance director shall mail to the record owner of each property assessed a statement with the property description, the assessment amount, the method of payment, the rate of interest on the unpaid balance of the assessment, the time of delinquency, and penalties on delinquent payments. Within five days after the statements are mailed, the

finance director shall publish a notice in a newspaper of general circulation of the mailing of the statements.

\* Section 4. Payment of assessment. The entire assessment may be prepaid without interest or penalty within 30 days of the date of mailing of the assessment statement. Thereafter the assessment may be prepaid in whole or in part with interest to the payment date. Interest on the unpaid amount of the assessment shall accrue at a rate per annum equal to the rate of interest on the bonds issued to finance the improvement. Assessments that are not prepaid shall be paid in 20 semiannual installments on March 1, and September 1 of each year, commencing September 1, 2015. Installments shall consist of equal amounts of principal, plus accrued interest. Payments of principal and interest on the assessments confirmed by this ordinance shall be deposited in the sinking fund established pursuant to section (19) of Ordinance Serial No. 15-045 of the borough.

\* Section 5. Delinquencies. Upon the delinquency of an installment there shall be due and payable in addition to the delinquent installment a penalty on the delinquent installment equal to the penalty for second half real property taxes in effect on the date of delinquency. Notice of the delinquency shall be mailed to the owner of record. The notice shall describe the delinquency and state that the balance of the assessment, plus

penalty and accrued interest, will be due and payable if the delinquent installment, plus penalty and accrued interest, is not paid. If any payment has been delinquent for more than 60 days as of January 1, the assessed property will be placed on the borough's foreclosure list. At that time, the entire principal balance of the assessment plus accrued interest and penalty on the principal balance, and applicable foreclosure costs, shall be due and payable.

\* Section 6. Termination of assessments and refund of prorata share of assessment prepayments.

A. Upon the discharge of the bonds, all unpaid, non-delinquent assessment installments are cancelled. The finance director shall refund to the owner of record at the time of discharge of each property whose assessment was prepaid, an amount equal to the difference in the total assessment paid on account of the property and the amount paid on account of properties for which no prepayments were made.

B. For any properties upon which foreclosure proceedings to recover delinquent assessment installments have been commenced prior to the cancellation of remaining assessment installments, the amount due shall be recomputed as provided in subsection (A), except there will be no refund.

\* Section 7. Effective date. Ordinance Serial No. 15-044

shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

LARRY DEVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Matanuska-Susitna Borough  
*Real Property Selection List by Account Number*  
 LID534 EAST CARNEY ROAD

March 12, 2015

<u>Tax Account/Owner Name and Addr</u>	<u>Zone</u>	<u>Map#:</u> / <u>Subdivision</u>	<u>Land</u> <u>Appraisal</u>	<u>Building</u> <u>Appraisal</u>	<u>Total</u> <u>Appraisal</u>	<u>Acre</u>
218N01W14A003 SCHIRACK JOHN & JULIA M 1335 E CARNEY WASILLA, AK 99654	0041 WA	3	\$116,400.00	\$0.00	\$116,400.00	38.79
218N01W14A005 GARDNER BEN C & DENISE M PO BOX 671552 CHUGIAK, AK 99567-7152	0041 WA	3	\$48,100.00	\$60,600.00	\$108,700.00	4.81
218N01W14A006 BROWN ANDREW M 1353 N ST ANCHORAGE, AK 99501-4960	0041 WA	3	\$48,100.00	\$0.00	\$48,100.00	4.81
218N01W14A007 HOCKER DAVID L & SUSAN M PO BOX 874024 WASILLA, AK 99687-4024	0041 WA	3	\$47,200.00	\$247,800.00	\$295,000.00	4.72
218N01W14B003 CASSIDY CALEY C PO BOX 376 PALMER AK 99645-0376	0041 WA	3	\$50,000.00	\$6,300.00	\$56,300.00	5.00
218N01W14B007 MERRILL TOBY E PO BOX 870642 WASILLA, AK 99687-0642	0041 WA	3	\$50,000.00	\$299,000.00	\$349,000.00	5.00
218N01W14B008 MILLER JUDI LYNN BAKER 11940 SUNCREST DR ANCHORAGE, AK 99515	0041 WA	3	\$50,000.00	\$0.00	\$50,000.00	5.00
218N01W14B014 SCHIRACK A JOHN & JULIA M 1335 E CARNEY WASILLA, AK 99654	0041 WA	3	\$150,800.00	\$175,700.00	\$326,500.00	38.94

IM No. 15-079  
 Ordinance No. 15-044  
 Ordinance No. 15-045

Matanuska-Susitna Borough  
 Real Property Selection List by Account Number  
 LID534 EAST CARNEY ROAD

March 12, 2015

<u>Tax Account/Owner Name and Addr</u>	<u>Zone</u>	<u>Map#:</u> / <u>Subdivision</u>	<u>Land</u> <u>Appraisal</u>	<u>Building</u> <u>Appraisal</u>	<u>Total</u> <u>Appraisal</u>	<u>Acre</u>
218N01W14C005 SCHIRACK A JOHN & JULIA M 1335 E CARNEY WASILLA, AK 99654	0041 WA	3	\$200,000.00	\$0.00	\$200,000.00	40.00
218N01W14D002 ST JAMES LORRAINE MAGOON DEBORAH 1852 E CARNEY RD WASILLA, AK 99654	0041 WA	3	\$75,000.00	\$19,400.00	\$94,400.00	10.00
218N01W14D003 MCCOLLOR PATRICK M PO BOX 91718 ANCHORAGE AK 99509-1718	0041 WA	3	\$67,500.00	\$41,100.00	\$108,600.00	10.00
218N01W14D004 BROWN KENNETH W PO BOX 874224 WASILLA, AK 99687-4224	0041 WA	3	\$75,000.00	\$106,300.00	\$181,300.00	10.00
218N01W15D011 SCHIRACK JULIA 1335 E CARNEY WASILLA, AK 99654	0041 WA	3	\$47,600.00	\$0.00	\$47,600.00	4.81
<b>Total Parcels in LID534:</b>	<b>13</b>		<b>\$1,025,700.00</b>	<b>\$956,200.00</b>	<b>\$1,981,900.00</b>	<b>181.88</b>

IM No. 15-079  
 Ordinance No. 15-044  
 Ordinance No. 15-045

Non-Code Ordinance

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-045**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$97,000.00 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE EAST CARNEY ROAD NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 534, AND FIXING DETAILS OF SAID BONDS.

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WHEREAS, the Assembly of the Matanuska-Susitna Borough (the "borough") has determined and does hereby determine that it is necessary to proceed to plan, design, develop, construct, equip, acquire property for, or otherwise provide for a natural gas pipeline in the East Carney Road (the "project"); and

WHEREAS, a local improvement district known as the East Carney Road Natural Gas Local Improvement District No. 534 (the "LID") has been formed for the project, special assessments will be levied on properties in the LID that are specially benefited by the project, and said special assessments, with interest thereon, will be sufficient (together with other amounts) and available to pay the principal of and interest on the hereinafter defined bonds; and

WHEREAS, it is deemed necessary and advisable and in the best interests of the borough and its inhabitants that not to exceed \$97,000.00 principal amount of special assessment bonds be issued at this time in a single series, as hereinafter fixed and determined, for the purpose of paying the cost (as hereinafter defined) of the project; and

WHEREAS, the proper officials of the borough have negotiated an agreement (the "agreement") with Wells Fargo Bank, N.A. (the

"purchaser") which provides, inter alia, for the issuance and sale by the borough and the purchase by the purchaser of the hereinafter defined bonds; and

WHEREAS, it is hereby found to be in the best interest of the borough that the agreement be approved and executed and that certain matters relating to such bonds and the use of the proceeds of such sale be established.

NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE MATANUSKA-SUSITNA BOROUGH:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Purpose. The purpose of this ordinance is to authorize the issuance and sale of not to exceed \$97,000.00 of special assessment bonds to be sold in one series to provide funds to pay the capital costs of the project, to pay the costs of issuance of the bonds authorized herein and to fix certain details of said Bonds to be issued.

Section 3. Definitions. The following terms shall have the following meanings in this ordinance:

A. "Agreement" means the Agreement 12-185 dated June 8, 2012, from Wells Fargo Bank, N.A., and accepted by the borough for the sale of the bonds by the borough to the purchaser.

B. "Assembly" means the borough assembly, as the general legislative authority of the borough, as the same shall be duly and regularly constituted from time to time.

C. "Bond" or "Bonds" means any of the Matanuska-Susitna Borough Special Assessment Bonds, East Carney Road Natural Gas Local Improvement District No. 534, 2015, the issuance and sale of which are authorized herein.

D. "Bond register" means the registration books maintained by the borough, which include the names and addresses of the

owners or nominees of the owners of the Bonds.

E. "Cost" or "Costs" means all costs of the project allowable in special assessments under AS 29.46.110.

F. "Ordinance" shall mean this Ordinance Serial No. 15-045 of the borough.

G. "Purchaser" means, Wells Fargo Bank, N.A., the purchaser of the bonds.

H. "LID" means Local Improvement District No. 534.

Section 4. Authority for ordinance. The borough has ascertained and hereby determines that each and every matter and thing as to which provision is made in this ordinance is necessary in order to carry out and effectuate the purposes of the borough in accordance with the Constitution and statutes of the state of Alaska, and the code of ordinances of the borough, and to issue the bonds.

Section 5. Obligation of bonds. The bonds are a special obligation of East Carney Road Natural Gas Local Improvement District No. 534 of the borough and are payable solely from assessments levied against the properties which are specially benefited by the project within the East Carney Road Natural Gas Local Improvement District No. 534 and funds pledged for the payment of the bonds under this ordinance. Said assessments shall constitute a sinking fund for the payment of principal of and interest on the bonds. Neither the faith and credit nor the taxing power of the borough are pledged to the payment of the principal of and interest on the Bonds.

Section 6. Authorization of bonds and purpose of issuance. For the purpose of providing part of the funds required to pay the cost of the project, and to provide for original issue discount, if any, and to pay all costs incidental thereto and to the issuance of the bonds, the borough hereby authorizes and

determines to issue and sell the bonds in one series in the aggregate principal amount of not to exceed \$97,000.00.

Section 7. Maturities, payment dates, designation and form of bonds. The bonds shall be designated Matanuska-Susitna Borough Special Assessment Bonds, East Carney Road Natural Gas Local Improvement District No. 534, 2015, shall be dated the date of their delivery to the purchaser, and shall mature on April 1, 2025.

The bonds shall bear interest from their date at a rate determined in accordance with the Agreement, which shall not exceed 5.37 percent per annum. Installments of principal and interest on the bonds (the "installment payments") shall be payable semiannually on April 1 and October 1 of each year, commencing October 1, 2015. Each installment payment shall consist of an equal amount of principal, plus accrued interest.

The bonds shall be registered as to principal and interest as herein provided. The bonds shall each be of the denomination of one thousand dollars (\$1,000) or any integral multiple of \$1,000 of the same interest rate and maturity, approved by the borough, such approval to be evidenced by the execution of such bonds. The bonds shall be numbered separately in the manner and with such additional designation as the borough deems necessary for purposes of identification. The bonds shall be substantially in the form of such bond hereinafter set forth, with such appropriate variations, omissions, or insertions as are permitted or required by this ordinance, and may have endorsed thereon such legends or text as may be necessary or appropriate to conform to the rules and regulations of any governmental authority, or any usage or requirement of law with respect thereto. Each bond shall bear a number or letter, or a number and letter, distinguishing it from every other bond.

Section 8. Details of bonds. Each of the bonds shall be signed by the manual signature of the mayor and the official seal of the borough (or a facsimile thereof) shall be affixed, imprinted or otherwise reproduced on the bonds, and attested by the manual signature of the borough clerk. In case any officer whose signature shall appear on any bonds shall cease to be such officer before the delivery of such bonds, such signature shall nevertheless be valid and sufficient for all purposes the same as if he or she had remained in office until such delivery.

The principal, redemption price of, and the interest on the bonds shall be payable in any coin or currency of the United States of America, which at the respective dates of payment thereof, is legal tender for the payment of public and private debts.

Payment of the principal and interest on the bonds shall be made by check or draft mailed to the registered owner of record as of the 15th day of the month preceding each installment payment date at the address appearing on the bond register of the borough.

Section 9. Transfer and exchange of bonds and delivery of new bonds. Any bond may be transferred only upon the books kept for the registration and transfer of bonds by the borough, upon surrender thereof at the office of the borough, together with an assignment duly executed by the registered owner or the owner's attorney in such form as shall be satisfactory to the borough. Upon the transfer of any such bond, there shall be executed in the name of the transferee, and the borough shall authenticate and deliver, a new registered bond or bonds of the same maturity in any of the authorized denominations.

In all cases in which bonds may be transferred or exchanged under this ordinance, there shall be executed, and the borough shall authenticate and deliver, bonds in accordance with the

provisions of this ordinance. Any such transfer or exchange shall be without cost to the registered owner, except that the borough may make a charge for every such registration, transfer or exchange of bonds sufficient to reimburse it for any tax, fee, or other governmental charge required to be paid with respect to such registration, exchange or transfer, and such charge or charges shall be paid before any such new bond shall be delivered. The borough shall not be required to make any such registration, transfer or exchange of a bond during the fifteen (15) days next preceding an interest payment date on such bond.

Section 10. Ownership of bonds. As to any bond, the person in whose name the same shall be registered on the bond register shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of such bond and the interest on such bond shall be made only to or upon the order of the registered owner thereof or the owner's legal representative, but such registration may be changed as hereinabove provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such bond, including the interest thereon, to the extent of the sum or sums so paid.

Section 11. Mutilated, destroyed, stolen, or lost bonds. In case any bond shall become mutilated or be destroyed, stolen or lost, the borough may cause to be executed, and shall deliver, a new bond of like interest rate, principal amount and maturity in exchange and substitution for and upon cancellation of such mutilated bond, or in lieu of and in substitution for such bond destroyed, stolen or lost, upon the owner thereof paying the reasonable expenses and charges of the borough in connection therewith and in the case of a bond destroyed, stolen or lost, filing by the owner with the borough evidence satisfactory to the

borough that such bond was destroyed, stolen or lost, and of the owner's ownership thereof, and furnishing the borough with indemnity satisfactory to it. Any new bond so delivered may bear a number differing from the number of the bond it replaces.

Section 12. Redemption of bonds. The bonds are subject to redemption at the option of the borough, in whole or in part, at any time. Any redemption of bonds shall be at a redemption price of the principal amount of the bonds to be redeemed, plus accrued interest.

Section 13. Notice of redemption. When the borough determines to redeem any bonds, it shall give notice of such redemption in the manner then provided by law, which notice shall state the redemption date and identify the bonds to be redeemed by reference to their numbers and further state that on such redemption date there shall become due and payable upon each such bond the principal amount thereof plus the applicable premium, if any (the "redemption price"), together with interest accrued to the redemption date, and that from and after such date interest thereon shall cease to accrue. Such notice shall be given at least 30 days but not more than 45 days prior to the redemption date by first class mail, postage prepaid, to the registered owner of any Bond to be redeemed at the address of the registered owner appearing on the bond register.

Section 14. Payment of redeemed bonds. Notice of redemption having been given in the manner provided in this ordinance, the bonds so called for redemption shall become due and payable on the redemption date stated in said notice at the applicable redemption price on said date plus interest accrued and unpaid to the redemption date upon presentation and surrender thereof at the office of the borough. If, on the redemption date, moneys for the redemption of all the bonds to be redeemed, together with interest

accrued and unpaid to the redemption date, shall be held on behalf of the borough at the office of the borough so as to be available therefore on said date and if notice of redemption shall have been given as aforesaid, then from and after the redemption date the bonds so called for redemption shall cease to bear interest.

Section 15. Form of bond. Each bond shall be in substantially the following form, with such variations, omissions and insertions as may be required or permitted by this ordinance:

UNITED STATES OF AMERICA  
STATE OF ALASKA  
MATANUSKA-SUSITNA BOROUGH  
Special Assessment Bond  
East Carney Road  
Natural Gas Local Improvement District No. 534  
2015

NO.	\$
INTEREST RATE	
Registered Owner	
Principal Amount	DOLLARS

The Matanuska-Susitna Borough (the "borough"), a municipal corporation of the state of Alaska, for value received, acknowledges itself indebted and hereby promises to pay (but only out of the sources hereinafter mentioned) to the registered owner identified above, or registered assigns, the principal amount shown above, and to pay (but only out of the sources hereinafter mentioned) interest on the unpaid principal sum from the date hereof at the interest rate per annum shown above. Installments of principal and interest (the "installment payments") shall be payable semiannually on April 1 and October 1 of each year commencing October 1, 2015, until

April 1, 2025, when the entire remaining principal balance hereof plus accrued interest shall be paid in full. Each installment payment shall consist of an equal amount of principal, plus accrued interest. The principal, interest and redemption price of this bond shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

Payment of principal and interest shall be made by check or draft mailed to the registered owner of record as of the 15th day of the month preceding each installment payment date at the address appearing on the bond register of the borough.

This bond is one of the 2015 special assessment bonds, East Carney Road Natural Gas Local Improvement District No. 534, of The Matanuska-Susitna Borough, Alaska, of like tenor and effect except as to serial numbers, aggregating not to exceed \$97,000.00 in principal amount, and constituting bonds authorized for the purpose of raising funds to pay the cost of natural gas improvements in the East Carney Road Natural Gas Local Improvement District No. 534 of the borough, and is issued under Ordinance Serial No. 15-045 of the borough entitled:

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$97,000.00 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE EAST CARNEY ROAD NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 534, AND FIXING DETAILS OF SAID BONDS.

(herein called the "ordinance") adopted on -, 2015.

The bonds are subject to redemption by or on behalf of the borough prior to maturity and upon notice as set

forth in the ordinance in whole or in part on any date at a redemption price of the principal amounts thereof, together with interest thereon to the redemption date.

This bond is transferable as provided in the ordinance (i) only upon the bond register of the borough kept for that purpose at the office of the borough, and (ii) upon surrender of this bond together with a written instrument of transfer duly executed by the registered owner or the attorney of the registered owner duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount and maturity shall be issued to the transferee in exchange therefore as provided in the ordinance and upon the payment of charges, if any, as therein prescribed. The borough may treat and consider the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price, if any, hereof and interest due hereon and for all other purposes whatsoever.

This bond is payable solely from assessments levied against properties specially benefited within the borough local improvement district known as East Carney Road Natural Gas Local Improvement District No. 534 and is a special obligation of said local improvement district. Said assessments constitute a sinking fund for the payment of principal of and interest on the bond and the properties specially benefited are pledged to secure the bond.

The registered owner of this bond shall not have any claim thereunder against the borough except for

payment from special assessments made for the improvements for which the bond was issued and except for payment from the funds pledged for that purpose under the ordinance. The remedy of the registered owner of this bond shall be confined to the enforcement of such assessments and to such funds. The borough shall not be liable to the registered owner of this bond for any loss to such funds occurring in the lawful operation thereof.

THIS BOND IS NOT A GENERAL OBLIGATION OF THE BOROUGH AND NEITHER THE FAITH AND CREDIT NOR THE TAXING POWER OF THE BOROUGH IS PLEDGED TO ITS PAYMENT.

IT IS HEREBY CERTIFIED AND RECITED that all conditions, acts, or things required by the constitution or statutes of the state of Alaska and the code of ordinances of the borough to exist, to have happened or have been performed precedent to or in the issuance of this bond, exist, have happened and have been performed, and that the series of bonds of which this is one, together with all other indebtedness of the borough, is within every debt and other limit prescribed by said constitution, statutes or code of ordinances.

IN WITNESS WHEREOF, THE MATANUSKA-SUSITNA BOROUGH, ALASKA, has caused this bond to be signed in its name and on its behalf by the signature of its mayor and its corporate seal to be hereunto affixed, imprinted or otherwise reproduced, and attested by the signature of its clerk, all as of the - day of -, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Section 16. Establishment of guaranty fund. There is established the East Carney Road Natural Gas Local Improvement District No. 534 special assessment bond guaranty fund (The "guaranty fund") to which the assembly shall annually appropriate a sum the assembly determines to be adequate, with other available funds, to cover a deficiency in meeting payments of principal and interest on the bonds if the reason for the deficiency is nonpayment of assessments when due. Money received from actions taken against property for nonpayment of assessments confirmed by Ordinance Serial No. 15-044 of the borough shall be credited to the guaranty fund. Amounts in the guaranty fund shall be used to pay principal and interest on the bonds when other funds are not available for that purpose.

Section 17. Disbursement of bond proceeds for project costs. That part of the bond proceeds required for costs of the project shall be deposited in the East Carney Road Natural Gas Local Improvement District No. 534 construction account, which is hereby established within the East Carney Road Natural Gas Line fund 825. There shall be paid from this account all amounts required for costs of the project.

Section 18. Establishment of reserve and refund account.

A. There is established the East Carney Road Natural Gas Local Improvement District No. 534 reserve and refund account (the "reserve and refund account") within the East Carney Road Natural Gas Line fund 825.

B. There shall be paid into the reserve and refund account:

1. That part of the bond proceeds not expended or required for the initial LID expenses such as construction of the gas line, bond counsel fees, and similar expenses, and all anticipated administrative costs; and

2. All monies received from Enstar Natural Gas Company ("ENSTAR") that are refund entitlements arising out of new customers connecting to the gas line installed within the LID; and

3. The final refund due under the Enstar line extension tariff; and

4. Any sinking fund and guaranty fund balances after discharge of the bond.

C. At the end of each fiscal year, interest on the average reserve and refund account balance during the fiscal year at the rate determined by the finance director to be the average interest earned on borough investments during the fiscal year shall be transferred from the general fund to the reserve and refund account.

D. Until the bonds have been discharged, the funds within the reserve and refund account may be used only to pay the difference between the amount of principal and interest due on the bonds and the amount of special assessment payments including interest, received and available to pay that amount; provided, if the finance director determines that the amount of funds available in the reserve and refund account substantially exceeds that which is reasonably expected to be needed to meet assessment delinquencies, the finance director may, to the extent of such excess, make a prepayment on the bonds.

E. At such time as the finance director determines that the sum of the amounts in the reserve and refund account, the guaranty fund and the sinking fund equals or exceeds the amount required to (i) discharge the bonds, (ii) pay all refunds of assessments

required upon discharge of the bonds, and (iii) pay any other amounts that may be owing on the bonds, the finance director shall cause such payment to be made and the bonds to be discharged.

Section 19. Establishment of sinking fund. There is established the East Carney Road Natural Gas Local Improvement District No. 534 sinking fund (the "sinking fund"). Payments of principal and interest on assessments confirmed by Ordinance Serial No. 15-044 of the borough shall be deposited in the sinking fund. Amounts in the sinking fund shall be used to pay principal and interest on the bonds, and are hereby pledged for that purpose. At the end of each fiscal year, interest on the average sinking fund balance during the fiscal year at the rate determined by the finance director to be the average interest earned on borough investments during the fiscal year shall be transferred from the general fund to the sinking fund.

Section 20. Distribution of reserve and refund account funds.

A. Upon the discharge of the bonds, and the payment of all refunds of assessments required upon the discharge of the bonds, the funds remaining in the reserve and refund account shall be distributed as provided under this section.

B. When the balance of such fund divided by the number of parcels within the LID equals \$200 or more, the finance director shall refund to the owner of record as shown on the records of the borough assessor an amount equal to the fund balance divided by the number of lots within the LID; provided, after the borough receives the final refund from ENSTAR, the finance director shall distribute the balance of the reserve and refund account by sending to each owner of record as shown on the most recent records of the borough assessor an amount equal to the fund balance divided by the number of lots within the LID. If any lot or tract within the LID is divided into two or more lots, the

refund for such resubdivided lots shall be computed by counting the resubdivided lots as a single lot for purposes of determining the initial refund entitlement. The initial refund entitlement shall then be divided equally among the resubdivided lots.

Section 21. Bond sale and agreement. The sale to the purchaser of not to exceed \$97,000.00 principal amount of the bonds as provided in the agreement, is hereby authorized and approved.

Section 22. Delivery of the bonds. The proper officials of the borough are authorized and directed to execute all documents and to do everything necessary for the preparation and delivery of a transcript of proceedings pertaining to the bonds and the printing, authentication and delivery of the bonds in definitive form to the purchaser.

Section 23. Ratification. All actions taken by the mayor, manager and the finance director relative to the sale of the bonds are hereby in all respects ratified and confirmed. The appropriate officers of the borough are hereby authorized and directed to do all things necessary for the prompt execution, issuance and delivery of the bonds and for the proper application and use of the bond proceeds.

Section 24. Authority of officers. The mayor, the acting mayor from time to time, the borough manager, the acting borough manager from time to time, the finance director, the acting finance director from time to time, the borough clerk and the acting borough clerk from time to time, are, and each of them hereby is, authorized and directed to do and perform all things and determine all matters not determined by this ordinance, to the end that the borough may carry out its obligations under the bonds and this ordinance.

Section 25. Pledge of funds. All refunds from ENSTAR

attributable to the project, and all assessments levied in the LID, interest thereon and foreclosure proceeds thereof, are hereby irrevocably pledged to the payment of the principal of and interest on the bonds. The pledge under this section remains in effect until all of the bonds have been discharged.

Section 26. Miscellaneous. No recourse shall be had for the payment of the principal of or the interest on the bonds or for any claim based thereon or on this ordinance against any member of the assembly or officer of the borough or any person executing the bonds. The bonds are not and shall not be in any way a debt or liability of the state of Alaska or of any political subdivision thereof and shall not create or constitute an indebtedness or obligation, either legal, moral or otherwise, of said state or of any political subdivision thereof.

Section 27. Severability. If any one or more of the covenants and agreements provided in this ordinance to be performed on the part of the borough shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements shall be null and void and shall be deemed separable from the remaining covenants and agreements in this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the bonds.

Section 28. Appropriation. There is appropriated for the purposes set out in this ordinance, all assessments and interest thereon from the assessments levied in the LID and assessment foreclosure proceeds. The appropriation under this section does not lapse until the final refund required under Section 20.B of this ordinance has been made.

Section 29. Effective date. Ordinance Serial No. 15-045 shall take effect upon adoption by the borough assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day  
of -, 2015.

LARRY DEVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT: LEASE OF BOROUGH OWNED REAL PROPERTY TO CONSTRUCT, INSTALL, MAINTAIN, REPAIR, OPERATE, AND MANAGE A COMMUNICATION SITE. (MSB007021)**

**AGENDA OF:** April 7, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** \_\_\_\_\_

Route To:	Department/Individual	Initials	Remarks
	Originator	<i>AS</i>	
	Community Development Director	<i>AS</i>	
	Finance Director	<i>AS</i>	3/23/15
	Borough Attorney	<i>AS</i>	
	Borough Clerk	<i>AS</i>	<i>(Signature)</i>

**ATTACHMENT(S):** Fiscal Note: NO \_\_\_ YES X  
 Best Interest Finding and Public Comments (3 pp)  
 Lease and Exhibits (25 pp)  
 Ordinance Serial No. 15-046 (2 pp)

**SUMMARY STATEMENT:**

Application has been submitted pursuant to MSB 23.10.080 for a lease of borough-owned property by the Matanuska Telephone Association (MTA). The purpose of application is to construct, install, maintain, repair, operate, and manage a communication site with a tower ≤ 85 feet in height.

**DISCUSSION:**

Due to demand for additional communication services near Denali Park and the Princess Lodge, MTA applied to the borough to lease approximately 2 acres in a larger Tract D, 66.57 acres, with a driveway to be constructed from Parks Highway to the communication site and a tower, cabinet, and other structures necessary for a communication site to be constructed and a tower

installed that will be managed by Matanuska Telephone Association.

The land is currently classified as public recreation; although a NRCS soil survey was performed and show the soils in Tract D are a mixture of Nancy-Kashwitna complex, 0 to 2 percent slopes. This is a Class 3 soil, farmland of local importance. MTA has indicated, and borough mapping concurs, no access is available at this site at this time. Driveway access to be constructed by MTA would be available, inasmuch as it does not conflict with communication site purposes, for further access of this property.

Public notice was provided in the Frontiersman, by mail to surrounding residents, community council, required boards and assembly members, and was posted on the web site. Following this notice, one public comment was returned requesting no interference with the highway snowmachine trail and stating better cell coverage would be useful in this area.

Authority:

MSB 23.05.030(G) requires that a Best Interest Finding shall be completed when disposing of, exchanging, or otherwise conveying an interest in real property at less than fair market value.

MSB 23.10.030(C) requires Assembly approval by Ordinance of any lease greater than 10 years in length.

MSB 23.10.080 Application. All applications for purchase or use of borough-owned real property shall be filed with the manager according to the procedures adopted by assembly resolution. Each application shall be accompanied by the appropriate fee.

**RECOMMENDATION OF ADMINISTRATION:**

Enter into a less than fair market value lease with MTA for the proposed communication tower site.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: April 7, 2015

SUBJECT: LEASE OF BOROUGH OWNED REAL PROPERTY TO CONSTRUCT, INSTALL, MAINTAIN, REPAIR, OPERATE, AND MANAGE A COMMUNICATION SITE. (MSB007021)

ORIGINATOR:

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <u>(YES)</u> NO
AMOUNT REQUESTED <u>‡</u>	FUNDING SOURCE <u>Lease Revenues</u>
FROM ACCOUNT #	PROJECT #
TO ACCOUNT : <u>203.000.000.3xx.xxx</u>	PROJECT #
VERIFIED BY: <u>Barbara Sueng</u>	CERTIFIED BY:
DATE: <u>3/5/15</u>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
---------	--	--	--	--	--	--

REVENUE		<u>*</u>	<u>—————&gt;</u>			
---------	--	----------	------------------	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		<u>‡</u>	<u>—————&gt;</u>			
TOTAL		<u>‡</u>	<u>—————&gt;</u>			

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) ‡ Amount to be determined

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED BY: [Signature] DATE: 3/23/15

**BEST INTEREST FINDING**  
**For the**  
**Disposition of Borough-owned Land**

**I. Summary of Proposed Action**

Lease agreement with Matanuska Telephone Association for a tower site on borough-owned land.

**II. Property Site Factors**

- A. **Location:** Township 28 North, Range 5 West, Section 5
- B. **Legal Descriptions:** Township 28 North, Range 5 West, Seward Meridian  
Section 5: Tract D  
Containing 66.57 acres, more or less, according to the Alaska State Cadastral Survey 87-313, recorded in the Talkeetna Recording District on January 15, 1993, as Plat 93-6.
- C. **Land Status:** Patent from the State of Alaska, Patent No. 18079, March 20, 2001.
- D. **Restrictions:**
1. Land Classification – Public Recreation.
  2. Land Use Plans – This property is covered by the Matanuska Susitna Borough Core Area Comprehensive Plan. In analyzing this plan, there is nothing that would impact this management agreement.
  3. Title Restrictions –  
*Federal patent* reserves from the lands granted a right-of-way thereon for ditches or canals constructed by the authority of the United States and a right-of-way for the construction of railroads, telegraph, and telephone lines in accordance with the Act of March 12, 1914.  
*State patent* is subject to valid existing trails, roads, and easements, reservation of a 50 foot wide perpetual public access easement along each body of water.  
A public right-of-way easement, 20 feet wide, within Section 5, ADL 216797.  
State patent further reserves all oils, gases, coal, ores, minerals, fissionable materials, and fossils of every name, kind or description, and which may be in or upon said lands and the right to explore the same for such oils, gases, coal, ores, minerals, fissionable materials and fossils, right of entry for the same.
  4. Covenants – None.
  5. Zoning – None.
  6. Easements & Other Reservations – See above, state and federal.
- E. **Current Land Use:** Currently vacant land although near Denali Park and Princess Lodge.

- F. **Surrounding Land Use:** Recreation.
- G. **Existing Infrastructure:** None.
- H. **Soils & Terrain:** Utilizing the NRCS web soil survey and the NRCS prime and important farm land matrix for Mat-Su, the property includes a mixture of Nancy-Kashwitna complex, 0 to 2 percent slopes. This is a Class 3 soil, farmland of local importance.
- I. **Coastal Management:** No longer required.
- J. **Resources:** Parcel is in Natural Resource Management Unit. Removal of timber products will be discussed with Ray Nix, prior to removal, for any special disposal instructions.
- K. **Assessment:** The 2014 assessed value of the subject parcel is \$33,300.

**III. Public and Board and Commission Comments**

Public notice placed in the Frontierman, on the MSB web site, and mailed out based on addresses obtained from the Borough property database, mailed to community council, appropriate boards, and assembly members. Following this notice, one public comment was returned requesting no interference with the highway snowmachine trail and also stating better cell coverage would be useful in this area.

**IV. Analysis & Discussion**

Title to real property is held subject to matters of record, which usually include reservations and exceptions in federal and state patents and easements plus liens and encumbrances, if any. Review of matters of record for this property include federal and state title restrictions and state and borough land use case files for this area.

The area includes ADL 216797, a state issued right-of-way located within Township 28 North, Range 5 West, Seward Meridian, Sections 5, 6, and 7. The right-of-way also traverses Township 28 North, Range 6 West, Sections 2, 3, 4, 11, and 12.

NRCS web soil report was created and this area is Class 3, Nancy-Kashwitna complex, a NRCS designated Farmland of Local Importance. At this time, MTA's proposal includes use of the driveway for access by the Borough. Should an Agricultural Advisory Board be created and the decision made that farms smaller than 40 acres are viable today, this area could be considered for smaller niche farms and access would be available.

Lease of the property and development of access would provide benefit to borough residents through additional communication site coverage and better access to borough-owned property that might be used in the future for recreation, businesses along the scenic corridor, or agriculture

due to Class 3 soils; although the current acreage required for an agricultural parcel would only allow for one farm unit in this area.

MTA is a local co-op owned by residents of the borough. A best interest finding was completed with regard to a less than fair market value lease of the property to a utility cooperative. The best interest finding is included in enclosed with this IM.

**V. Recommendation**

Approval of a less than fair market value, 20-year lease, for a communication site.



## MATANUSKA-SUSITNA BOROUGH

### Community Development Department

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 745-9869 • Fax (907) 745-9635

mail: [lmb@matsugov.us](mailto:lmb@matsugov.us)

### COMMUNICATION SITE LEASE

THIS LEASE (the "Lease") is entered into this 7th day of April 2015, by and between:

MATANUSKA SUSITNA BOROUGH (hereinafter "Lessor"), a municipal corporation formed under the laws of the State of Alaska, whose mailing address is 350 E. Dahlia Avenue, Palmer, Alaska 99645;

and

MTA Communications, LLC, a Limited Liability Company (hereinafter "Lessee"); whose mailing address is ATTN: Alisha Naylor, 1740 S Chugach Street, Palmer, Alaska 99645

The parties recite that:

- A. Lessor desires to lease to Lessee, and Lessee desires to lease from Lessor, a parcel of land more specifically described and depicted on Exhibit A attached to and for all purposes made a part of this Lease.
- B. The parties desire to adopt this Lease as a complete and final statement of all of the promises, covenants, terms and conditions in effect and binding between them.
- C. Lessor is entering into this Lease as land owner, exercising its power to manage its own lands under Alaska Statute 29.35.010(8), and the applicable provisions of the Matanuska-Susitna Borough Code ("MSB Code") Section 1.10.010(A)(9) and Title 23. The Matanuska-Susitna Borough Community Development Department, Land and Resource Management Division is responsible for management of borough-owned real property, timber, and gravel resources

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IM15-070  
DR15-046

including lease origination, management, oversight, and enforcement, pursuant to Sections 23.05.010, 23.05.050, 23.05.070, and 23.10.180 of MSB Code.

In so acting, Lessor is not waiving, and Lessor is explicitly reserving unto itself, all of its governmental authority, sovereignty and power to enact and enforce laws and regulations governing land use and development, or the conduct of any business or activity, anywhere within the Borough. Nothing in this Lease shall waive or otherwise diminish Lessor's governmental authority, sovereignty and power with respect to leased land or Lessee's use or occupancy of it.

- D. The Matanuska-Susitna Borough cannot, and does not, through this Lease, make any representations, warranties or guarantees as to the future results of any land use permits, applications, or proposals which are governed by Matanuska-Susitna Borough Code.

NOW, THEREFORE, in consideration of the promises and covenants set out below, the parties agree as follows:

**Section 1. Premises Leased.**

- 1.1 Leased Premises. Lessor, for and in consideration of the rents, covenants and conditions hereinafter specified to be paid, performed and observed by Lessee, leases to Lessee, and Lessee leases from Lessor, land situated at approximately Mile 132 of the Parks Highway. The leased land is more particularly described and the site depicted on Exhibit A. Within 180 days of lease effective date Lessee will provide the Borough an Amended Exhibit A with reference to the Record of Survey of the leasehold recorded in the Talkeetna Recording District. At that time, the parties will execute an Amendment to incorporate the Amended Exhibit A into this document. The leased land, together with all rights, easements, privileges and appurtenances attaching or belonging to the described land, but subject to the reservation contained in Section 1.2 below, is referred to hereafter as the "Leased Premises."
- 1.2 Reservation of Minerals and Resources. All oil, gas, coal, other hydrocarbons, geothermal resources, rock, sand, gravel, peat, timber, and minerals of whatever nature on, in or under the above-described land are excluded from the Leased Premises and reserved to Lessor. Lessor may, nevertheless, grant Lessee a permit to make use of the timber, rock, sand, or gravel found on the Leased Premises in Lessee's development of the Leased Premises, which may require Lessee to obtain any required permit. Lessor has not promised or obligated itself to providing any such permit to Lessee. If Lessor mines and/or extracts any of the reserved minerals or resources, Lessor agrees that the mining and/or extraction shall not interfere with Lessee's business and activities on the Leased Premises or its access to the Leased Premises.

**Section 2. Term.**

2.1 Lease Term. This Lease shall be and continue in full force and effect for an initial term of twenty (20) years (the "Initial Term") commencing as of April 7, 2015, and expiring at 11:59 p.m. on April 6, 2035, unless earlier terminated as provided in this Lease.

2.2 Option to Renew. Lessee may apply to renew this Lease for up to two (2) additional periods of up to five (5) years each (the "Renewal Term"). To effectively exercise an option to renew, Lessee must not be in default of any of its obligations at the time of the exercise or at the time of the commencement of any Renewal Term. During the Renewal Term(s), all of the provisions of this Lease shall remain in full force and effect, except that the rent Lessee shall pay to Lessor shall be adjusted as is provided for below.

2.2.1 Unless otherwise agreed in writing by lessor and lessee, lessee will apply for lease renewal no more than 180 days prior to lease expiration and no less than 120 days prior to lease expiration. Lease renewal for periods of 5 years may be approved by the Borough Manager.

**Section 3. Use and Occupancy.**

3.1 Permitted Use. The non-exclusive use of Premises shall be to construct, install, maintain, repair, operate, and manage a communication site, including but not limited to the construction and maintenance of a driveway, a tower  $\leq$  85 feet in height, structural tower base, communications equipment, and an equipment cabinet.

3.1.1 Collocated Communication Equipment. Lessee is encouraged to cooperate with other companies interested in equipment collocation. It is to be noted that collocation of equipment and/or additional collocated cabinets is subject to application for and receipt of an appropriate land use lease from MSB Land and Resource Management Division for surface cabinet space at the site and requires Development Plans from any and all collocators.

3.2 Quiet Enjoyment. Upon Lessee's timely payment of all of rents and other sums required to be paid by Lessee under this Lease, and upon Lessee's full and faithful observance and performance of all of its obligations contained in this Lease, and so long as such observance and performance continues, Lessee shall peaceably hold and enjoy the Leased Premises during the Term without hindrance or interruption by Lessor or anyone lawfully claiming by, through, or under Lessor.

3.3 Repair and Maintenance. Lessee shall, at Lessee's expense and without notice from Lessor at all times during the Term, keep the Leased Premises and all Improvements now existing or hereafter built on the Leased Premises (including but not limited to exterior building walls, windows, doors, fences, signs, landscaping and yard areas, refuse disposal equipment and facilities, pavement, curbs, gutters, exterior lighting, and drainage facilities), in good order, condition, maintenance, operability, and repair and of a neat, clean, and pleasing appearance reasonably satisfactory to Lessor.

3.4 Compliance with Laws. Lessee, at all times during the Term, at its own expense, and with all due diligence, shall observe and comply with all laws, ordinances, rules, and regulations that are now in effect or that may later be adopted by any governmental authority (including Lessor), and that may be applicable to the Leased Premises or any Improvement on it or any use of it.

3.5 Authorized Representative. Immediately after the execution of this Lease, Lessee shall provide Lessor with the name and contact information (including cell phone number and e-mail address) for Lessee's principal point of contact for Lessee's operations on the Leased Premises. Lessor shall be entitled to directly communicate with the named individual for all matters under this Lease. Lessee shall promptly notify Lessor of any change in the person acting as Lessee's Authorized Representative for the Leased Premises.

3.6 Supervision. Lessee shall maintain reasonable and adequate on-site supervision of the Leased Premises to insure that the terms and conditions of this Lease and all applicable federal, state and borough laws, rules, and regulations governing operations within the Leased Premises are enforced.

3.7 Signage. Lessee shall not place on the Leased Premises any signage that is unrelated to any business Lessee is operating on the Leased Premises. Lessee's signage for its business shall be limited to one sign visible from the roadway, which must not exceed thirty-six inches (36") in height and seventy-two inches (72") in length. No electioneering or campaign signs of any kind shall be placed upon the Leased Premises.

3.8 Utilities. Lessee shall pay for all utility services consumed or used on the Leased Premises.

3.9 Waste and Wrongful Use. Lessee shall not commit or suffer any strip or waste of the Leased Premises, or engage in any unlawful activity, or engage in any unauthorized activity that is unsafe, results in any public or private nuisance thereon, or adversely affects the value, character, or utility of Lessor's surrounding property.

3.10 Setbacks. Lessee shall observe all setback requirements applicable to the Leased Premises and shall not construct or maintain any building or other structure whatever between any road or other specified rights-of-way boundary of the Leased Premises and any setback along such boundary, except for fences or walls approved by Lessor. Lessor reserves the right to make use of, and to grant utility easements and other rights to third parties in, the setback areas of the Leased Premises.

3.11 Inspection and Repair. Lessee shall repair, maintain and make good all conditions required under the provisions of this Lease, permit requirements and applicable laws within a time frame provided for curing a default under the terms of this Lease. In the event of an emergency, Lessor's notice may be verbally given and followed after-the-fact by written notice. If Lessee refuses or neglects to provide reasonable and necessary repairs or maintenance for the Leased Premises as required under the terms of this Lease to the reasonable satisfaction of Lessor after written demand, then Lessor, without prejudice to any other right or remedy it has under this Lease or otherwise, may perform such reasonable and necessary maintenance work or make such repairs without liability to

Lessee for any loss or damage that may accrue to Lessee's merchandise or other property or Lessee's business by reason thereof. Upon completion of any such repair or maintenance, and no later than thirty (30) days after presentation of an invoice therefore, Lessee shall pay as additional rent Lessor's reasonable costs for making such necessary repairs or performing such maintenance, plus fifteen percent (15%) of the repair cost to cover Lessor's overhead.

3.11.1 Condition of Premises. Lessee has had an opportunity to inspect Premises and enters into this lease solely in reliance on lessee's own examination and not by reason of any representation by the Borough. Lessee accepts the Premises in present condition "AS IS WHERE IS". No reliance shall be placed on any opinion, material, or information provided by or through Borough, and Lessee does so at its own risk, cost, and expense.

**Section 4. Rent.**

Rent for the initial five years of the lease shall be determined by assessed value, pursuant to MSB 23.10.060(B)(2).

4.1 Rent. Rent may be based on a combination of rent for the land ("Land Rent") and rent for air space ("Air Space Rent") of Lessees and any other collocated authorized users (collectively referred to as "Authorized Users"). Prior to collocation of ground or air structures, an Authorized User shall obtain a land use lease through Land and Resource Management Division, for cabinet or other structure location.

4.1.1.1 Land Rent. Based on the site plan and acreage, Lessee shall pay in advance the land rent of \$250.00 a month for the construction phase. The construction phase includes the entire parcel (Tract D) as well as the proposed driveway construction (Tract C). Upon conclusion of construction, Lessee will obtain and record, at Lessee's cost, a Record of Survey for the communication tower site and driveway with a separate acreage shown for the tower site and the driveway. A conformed copy of the Record of Survey will be provided to the Lessor and Lessee shall pay to the Borough \$330 per acre per month for site rent of the communication tower site based on less than fair market value 2015 assessed value.

4.1.1.1.1 Land rent will be increased by 2.5% or CPI, Anchorage, whichever is higher, each July 1.

4.2 Taxes. Lessee shall pay all taxes imposed by MSB on Premises and improvements thereon or any other taxes relating to its operations during the term of the Lease.

4.3 Assessments. Lessee shall pay its pro rata share of assessments charged against Premises. Borough will send a written notice with a detailed explanation of any assessments pertaining to Premises to Lessee. Lessee shall pay assessment within thirty (30) days of receipt of written notice from Borough.

4.4 Failure to Pay. If Borough must pay any tax, assessment, penalty, or interest because of the failure of Lessee to pay such taxes, assessments, penalties, or interest, such obligations shall be considered a debt to Borough.

4.5 Late Charge. In the event Lessee fails to make any payment of rent or any other payments due hereunder upon the date due, Borough shall be entitled to collect from Lessee a late charge equal to six percent (6%) of the amount of the delinquent payment or \$50.00, whichever is greater.

4.6 Interest Charge. Failure to pay rent or any other payments due under the Lease on the date due shall be subject to interest at the rate of twelve percent per annum.

### **Section 5. Special Requirements.**

5.1 Electrical Power. Lessee shall pay for all electric power and other charges or expenses incurred for Premises to supply the electric power.

5.2 Compliance with Laws. Lessee shall conform with all local, state, and federal applicable laws and regulations of public authority affecting Premises and the use thereon and assume, at Lessee's sole expense, any costs of such compliance including any fines or penalties. Lessee shall obtain all federal, state, and local permits and licenses necessary to operate under this lease, including but not limited to compliance with Federal Communication Commission (FCC) requirements, Federal Aviation Administration (FAA) requirements, Title 47 CFR, National Telecommunications and Information Administration (NTIA), ANSI/NFPA 70.

5.3 Minerals and Valuable Materials. Lessee shall not remove or sell valuable materials, held by the Borough, including but not limited to gravel and timber without written consent of Borough.

5.3.1 Lessee will reimburse MSB for any gravel from the Premises utilized in construction of the access road or construction site at FMV. Authorization for same may be obtained by providing an application to Resource Specialist, Land and Resource Management Division, (907) 861-8572.

5.3.2 Lessee will make timber removed for construction that is  $\geq$  4-inch diameter at breast height (DBH) available to the Lessor through notification of the Resource Manager, Land and Resource Management Division, (907) 861-7863.

5.4 Fire. To the extent possible, Lessee shall protect Premises from fire and shall report any fires on Premises to Borough, by phone, as soon as possible, at the phone number shown on the signature page.

5.5 FCC License. Lessee shall operate its equipment and units in compliance with the rules and regulations of the Federal Communications Commission or Lessee's license authority. Within thirty (30) days prior to the beginning of operation and any subsequent collocation, Lessee shall furnish Borough with a copy of its current license and subsequent renewal license to: Matanuska Susitna

Borough, Land and Resource Management Division, MSB007021, 350 East Dahlia Avenue, Palmer, Alaska, 99645.

5.6 Hazardous, Toxic, or Harmful Substances.

5.6.1 Deleterious Material. Lessee shall not make, or suffer to be made, any filling in of Premises or any deposit of rock, earth, ballast, refuse, garbage, waste matter, chemical, biological, or other wastes, hydrocarbons, any other pollutants, or other matter within or upon Premises, except as approved in writing by Borough. If Lessee fails to remove all non-approved fill material, refuse, garbage, wastes, or any other of the above materials from Premises, Lessee agrees that Borough may, but is not obligated to, remove such materials and charge Permittee for the cost of removal and disposal.

5.6.2 Hazardous, Toxic, or Harmful Substances. For the purposes of this Lease, the term "Hazardous Material" means any hazardous or toxic substances, material, or waste, including but not limited to oil, petroleum products and byproducts, gasoline, diesel fuel, stove oil, kerosene, and other hydrocarbons; those substances, materials and wastes listed in U.S. Department of Transportation Hazardous Materials table (49 CFR Part 172.101) or by the U.S. Environmental Protection Agency as hazardous substances (40 CFR Part 302), and amendments thereto; all materials the release of which must be reported under Title 46 of Alaska Statutes; and any such other substance, materials, and wastes that are or become regulated under any applicable local, state, or federal law.

5.6.2.1 Lessee or any authorized users shall not keep on or about Premises, any substances now or hereinafter designated as or containing components now or hereinafter designated as hazardous, toxic, dangerous, or harmful (and/or which are subject to regulation as hazardous, toxic, dangerous, or harmful) by any federal, state, or local law, regulation, statute, or ordinance (hereinafter collectively referred to as "Hazardous Substances") unless such are necessary to carry out Lessee's permitted use under Section 3 and unless Lessee fully complies with all federal, state, and local laws, regulations, statutes, and ordinances now in existence or as subsequently enacted or amended. Any substances designated as hazardous, toxic, dangerous, or harmful that are necessary to carry out Lessee's permitted use will be reported to Lessor, in writing, and copies of required permits will be provided to Lessor.

5.6.2.2 Lessee shall immediately notify Borough of any of the following:

5.6.2.2.1 all spills or re-permits of any Hazardous Substance in, on, or adjacent to Premises,

5.6.2.2.2 all failures to comply with any federal, state, or local law, regulation, or ordinance, as now enacted or as subsequently enacted or amended,

5.6.2.2.3 all inspections of Premises by, or any correspondence, orders, citations, or notifications from any regulatory entity concerning Hazardous Substances affecting Premises,

5.6.2.2.4 all regulatory orders or fines, or all response or interim cleanup actions taken by or proposed to be taken by any government entity or private party concerning Premises.

5.6.2.2.5 on request, Lessee shall provide copies to Borough of any and all correspondence, pleadings, and/or reports received by or required of Lessee or issued or written by Lessee or on Lessee's behalf with respect to the use, presence, transportation, or generation of Hazardous Substances in, on, about, or adjacent to Premises.

5.6.2.3 Lessee shall be fully and completely liable to Borough, and, to the full extent permitted by law, shall indemnify, defend, and hold harmless Lessor and its elected and appointed officials, employees, officers, and agents with respect to any and all damages, costs, fees (including attorney's fees and costs), penalties (civil and criminal), and cleanup costs assessed against or imposed as a result of Lessee or authorized user's use, disposal, transportation, generation, and/or sale of Hazardous Substances or that of Lessee's employees, agents, assigns, contractors, subcontractors, licensees, or invitees.

5.7 Non-Ionizing Electromagnetic Radiation (NIER). Lessee shall comply with standards or requirements in effect for non-ionizing electromagnetic radiation levels as established by the Environmental Protection Agency (EPA) or other governing agencies.

5.8 Weed Control. Weed control shall be approved in writing by Borough prior to beginning such activities. No aerial spraying without prior approval by Borough is allowed.

5.9 Survey. Lessee shall submit a recorded Record of Survey for the Premises within thirty (30) days of completion of the construction phase, stamped by a licensed surveyor or engineer.

## **Section 6. Assignment, Insurance, and Indemnity**

6.1 Assignment. Lessee shall not hypothecate, mortgage, assign, subpermit, transfer, or otherwise alienate this lease ("Assignment"), or any interest therein, without the prior written consent of Borough, which consent shall be at the sole discretion of Borough; however, the Borough will not unduly withhold consent. The consent of Borough to any one assignment shall not constitute a waiver of Borough's right to consent to subsequent assignments, nor shall consent of Borough to any one assignment relieve any party previously liable as Lessee from any obligations under this Lease. The acceptance by Borough of the payment of rent following an assignment shall not constitute consent to any assignment and Borough's consent shall be evidenced only in writing.

Name Change. If during the term of this Agreement Lessee changes its name, Lessee shall provide Borough with documentation legally supporting the name change within 60 days of the effective date of the change. Lessee may contact Matanuska-Susitna Borough, Land and Resource Management Division for a list of acceptable documentation.

## 6.2 Lessee's Assumption of Liability, and Liability and Casualty Insurance

6.2.1 Assumption of Liability. Borough shall have no responsibility with respect to any aspect of Premises or any activity conducted thereon from and after the effective date of the lease. Lessee shall indemnify and save Borough harmless from any and all liability, damage, expense (including attorney fees and costs), cause of action, suits, claims, or judgments by any reason whatsoever caused or arising out of the use, occupation, and control of Premises by Lessee, Collocated Lessees, invitees, agents, employees, licensees, or permittees except as may arise solely out of the willful act or gross negligence of Borough or Borough's officers, agents, or employees.

6.2.2 Evidence of Insurance. Lessee must furnish evidence of insurance in the form of a Certificate of Insurance satisfactory to Borough, executed by a duly authorized representative of each insurer showing compliance with the insurance requirements set forth below. The Certificate of Insurance must reference the Matanuska Susitna Borough as a certificate holder and shall contain the MSB Agreement number. Before implementing this Agreement, Lessee must provide proof of coverage.

6.2.3 Cancellation. The Certificate(s) of Insurance must provide 45 days written notice to Borough before the cancellation, non-renewal, or material change of any insurance coverage included therein. Notices must be sent to Borough via certified mail.

6.2.4 Minimum Coverage Requirements. The Minimum Coverage Requirements set forth the minimum limits of insurance Lessee must purchase to secure a contract with the Borough. These limits may not be sufficient to cover all liability losses and related claim settlement expenses. Purchase of these minimum limits of coverage does not relieve Lessee from liability for losses and settlement expenses greater than these amounts.

During the term of this Agreement, Lessee must purchase and maintain, and shall require all authorized collocated lessees or independent contractors to maintain while performing work on Premises, the minimum insurance coverages and limits in Exhibit xx, which may be increased by Borough at its sole discretion:

The Lessee waives all rights against the Borough for the recovery of damages to the extent they are covered by business auto liability or commercial umbrella liability insurance.

6.3 Self-Insurance. In lieu of the coverages required under Exhibit B Insurance "Minimum Coverage Requirements," Borough at its sole discretion, may accept evidence of self-insurance by Lessee, provided Lessee provides the following:

6.3.1 Lessee shall provide a statement by a CPA or actuary; satisfactory to the Borough that demonstrates Lessee's financial condition is satisfactory to self-insure any of the required insurance coverages.

6.3.2 Borough may require Lessee to provide the above yearly to ensure Lessee's continuing ability to self-insure. If at any time Lessee does not satisfy the self-insurance requirement, Lessee shall immediately purchase insurance as set forth under "Minimum Coverage Requirements".

6.3.4 Aside from any "self-insurance" guaranteed by the Lessee, it is the responsibility of Lessee to ensure that its contractors, agents, employees, guests, invitees, Collocated Authorized Users, or affiliates in, on, under, or above Premises, any adjoining property, or any other property subject to use by Lessee in conjunction with its use of Premises, meet minimum insurance requirements described above.

## **Section 7. Indemnity**

7.1 Lessee assumes all responsibility, risk, and liability for its activities and use of or contact with the Leasehold. The Lessee shall defend, indemnify, save, and hold harmless the Borough, its elected and appointed officials and officers, agents, and employees, from and against any and all demands, causes of action (whether in the nature of an action for damages, indemnity, contribution, government cost recovery, hazardous materials or otherwise), fines, judgments, suits, claims, actions, proceedings, losses, costs (including full reasonable attorney's fees and costs), expenses, charges, forfeitures, liens, liabilities, settlements, penalties, and damages of any kind or nature whatsoever, including, but not limited to those alleging personal injury, wrongful death, nuisance property damage, economic loss, damages, violation of statutes, ordinances, constitutions, or other laws, rules, or regulations, contractual claims, environmental contamination (including any disposal, release, spill or discharge or any threatened disposal, release, spill, or discharge of, or contamination by hazardous materials), and environmental noncompliance (including the Lessee's failure to provide all information, make all submissions, and take all steps required by the authority under the environmental laws or any other law concerning any spill, discharge, or contamination), or any other kind of loss, tangible or intangible, sustained by any person, or property arising out of, in connection with, directly or indirectly from, or otherwise incident to Lessee's, Lessee's officers, agents, employees, partners, attorneys, suppliers, and subcontractors' Leasehold activities or performance related to this lease in any way whatsoever or use of or contact with the Leasehold, except to the extent the sole legal cause of injury or damage is the negligence or willful misconduct of the Lessor or anyone acting on the Lessor's behalf. This defense and indemnification responsibility includes claims alleging acts or omission by the Lessor or its agents which are said to have contributed to the losses, failure, violations, or damage. However, the Lessee shall not be responsible for any damages or claim arising from the sole negligence or willful misconduct of the Lessor, its agents, or employees.

7.1.1 The obligations of the Lessee to indemnify the Lessor under the terms of this lease shall survive transfer, assignment, or other disposition of an interest in this lease as well as the expiration, forfeiture, relinquishment, abandonment, or other termination of this lease.

7.1.2 The Lessee shall name the Lessor as an additional insured on all insurance policies obtained and maintained by the Lessee. Any insurance purchased by the Lessee under this section will not be construed to limit in any way the Lessee's liabilities or responsibilities under this lease.

7.2 If any portion of this clause is voided by law or a court of competent jurisdiction the remainder of the clause shall remain enforceable.

## **Section 8. Default and Termination.**

8.1 Breach by Lessee. In the event of any breach of any provision of this Lease by Lessee, the breach, whether material or not, shall be deemed a default entitling Borough to cancel this Lease and seek any other remedies set forth in this Lease or otherwise available at law or equity, after Borough has delivered to Lessee notice of the breach and a demand that the same be remedied immediately. Lessee shall not be in default if the breach pertains to the payment of money and Lessee cures the breach within twenty (20) days of receipt of the notice, or if the breach pertains to a matter other than the payment of any monies due under this lease, and Lessee promptly commences to cure the breach and cures the breach within forty-five (45) days after receipt of the notice.

8.2 Re-entry. In the event of any default by Lessee, Borough shall have the right, with or without canceling the Lease, to re-enter the Premises and remove all persons and property from Premises and take whatever actions may be necessary or advisable to relet, protect or preserve the Premises. Borough shall not be responsible for any damages or losses suffered by Lessee as a result of such re-entry, removal, storage, or other disposition, and no such action shall be construed as an election to terminate this Lease unless a written notice of termination is given to Lessee.

8.3 Termination of Agreements. Borough may terminate this lease for default by Lessee and subject to any non-disturbance and attornment agreements, if any, Borough shall have a right to terminate any and all subpermits, licenses, concessions, or other arrangement for possession affecting Premises.

8.4 Right to Cure. If Lessee fails to perform any undertaking or promise contained herein, Borough shall have the right but not the obligation to make such performance thirty (30) days after expiration of the notice to cure defaults stated above. Borough's expenditures to correct Lessee's failure to perform shall be reimbursed by Lessee.

8.5 Remedies Cumulative. The specified remedies to which Borough or Lessee may resort under the terms of this permit are cumulative and are not intended to be exclusive of any other remedies or means of redress to which Borough or Lessee may lawfully be entitled in case of any breach or threatened breach by Borough or Lessee of any provision of this permit.

8.6 Insolvency. If a receiver or trustee is appointed to take possession of all or substantially all of the assets of Lessee; or if any action is taken or suffered by Lessee pursuant to an insolvency, bankruptcy or reorganization act; or if Lessee makes a general assignment for the benefit of its creditors; and if such appointment, action or assignment continues for a period of thirty (30) days, it shall, at Borough's option, constitute a material breach by Lessee.

8.7 Termination Upon Notice. Lessor or Lessee may termination this agreement for any reason or for no reason upon 180 days prior written notice.

## **Section 9. Access and Driveway Maintenance.**

9.1 Access. Provisions for access to Premises are as follows:

9.1.1 No Access. Access to this site will be from Parks Highway. The Borough has no legal road access to Premises at this time. Lessee is solely responsible for constructing legal driveway access to Premises. All driveway construction will be in compliance with current Matanuska Susitna Borough road construction standards. Lessee is responsible for obtaining any necessary permits for driveway construction. Such access must contain a provision that entitles Borough to use the access as a licensee to the extent necessary to administer this lease.

9.1.2 Restricting Access. Lessee will, at its sole expense, restrict public access to the Premises and Tower by construction of at least a 6-foot chain link gated fence around the premises Premises.

9.1.3 Lessee's access will not block access to state issued right-of-way for motorized trails in Section 5, ADL 216797.

9.2 Driveway Repair/Maintenance. Lessee shall repair or cause to be repaired at its sole cost and expense that damage to said driveway.

9.3 Improvements. Lessee shall construct no improvements to roads where access has been provided by Borough without the prior written consent of Borough, which shall not be unreasonably withheld. Unless Borough agrees to share in the cost of the improvement in writing, the improvements shall be at the sole cost of the improver.

9.4 Insurance. The provisions under Section 6 – Assignment, Insurance, and Indemnity- shall apply to Lessee's use of roads or driveways authorized herein.

9.5 Time Restrictions. Road or driveway maintenance shall take place after June 15 and prior to October 15 of each year. Lessee shall provide Borough with a driveway or road (for any borough roads involved) maintenance plan to be accepted by Borough prior to June 1 of each year, which shall include a winter snow removal plan to provide access for fire or other emergency vehicles as

might be required.

## **Section 10. Improvements.**

10.1 Site Plan. Lessee has submitted and Borough has accepted a site plan, which is attached as Exhibit C. Lessee shall not construct any improvement unless such improvements are authorized in an approved site plan. The plan shall not be changed without prior written acceptance by Borough.

10.2 Utilities. Prior to excavation, clearing, or construction, Lessee will employ a utility locator service, at no cost to Borough, to check the permit area for buried utilities.

10.3 Unauthorized Improvements. All improvements made on Premises without the written consent of Borough are unauthorized and shall, at the option of Borough, be removed by Lessee, be removed by Borough at the cost to Lessee, or become the property of Borough.

10.4 Maintenance and Repair of Improvements. Lessee shall maintain and repair all improvements owned by Lessee, at its own cost.

10.5 Removal of Improvements. Lessee shall remove all Lessee owned improvements, including fixtures, from Premises within sixty (60) days from the Termination Date unless otherwise provided herein. In the event Borough authorizes Lessee owned improvements to remain past the sixty-day period, Lessee shall pay to Borough the contract rent then in effect from the Termination Date until the improvements are removed. If Lessee fails to remove the improvements at the end of the sixty day period where no extension has been granted or at the end of such other period authorized by Borough, Lessee shall be in trespass, and such improvements shall be deemed unauthorized improvements subject to disposition as set forth in Section 9.3.

10.6 As-Built Drawing. Within 30 days after the completion of construction, Lessee shall provide Borough with an 8-1/2 x 11 inch as-built drawing of the site stamped by a licensed surveyor or engineer. As-built drawing must establish the location and dimensions of all improvements constructed or installed, including tower, tower footings, surface structures (cabinets), fences, and utilities, and must provide bearings and distances to an established survey point in a form consistent with generally accepted professional standards and any special survey instructions issued. This As-Built is in addition to the required Record of Survey for the site.

## **Section 11. Miscellaneous.**

11.1 No Partnership. Borough is not a partner nor a joint venturer with Lessee in connection with the business carried on under this permit and shall have no obligation with respect to Lessee's debts or other liabilities.

11.2 Non-Waiver. Waiver by either party of strict performance or any provisions of this permit shall not be a waiver of nor prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

11.3 Venue and Choice of Law. Any dispute arising out of this Lease shall be governed by the laws of the State of Alaska. Venue for resolving such disputes shall be in State of Alaska, Third Judicial District at Palmer and not elsewhere.

11.4 Interpretation and Numbering. This lease has been submitted to the scrutiny of all parties hereto and their counsel if desired, and shall be given a fair and reasonable interpretation in accordance with the words hereof, without consideration or weight being given to its having been drafted by any party hereto or its counsel. Section numbers or titles are not to be considered in interpreting this permit.

11.5 Notices.

11.5.1 Any notice given under this lease shall be deemed received when delivered by hand or three (3) days after deposit in the United States mail with proper first class postage affixed addressed to the parties authorized representatives.

11.5.2 Changes of address may be given in accordance with this section. Lessee shall notify Borough within seven (7) calendar days of any change of address, business name, contact person's name or other changes that may affect the permit.

11.6 Liens. Lessee shall not suffer nor permit any lien to be filed against Lessee's interest in Premises or any improvement thereon by reason of work, labor, services or materials performed or supplied to Lessee or anyone holding Premises or any part thereof under the lease. If any such lien is filed against Lessee's interest or any improvements thereon, Lessee shall cause the same to be discharged of record within thirty (30) days after the date of filing the same unless other arrangements are authorized in writing by Borough. Lessee shall indemnify Borough for any costs, damages or expenses (including attorneys' fees) incurred as a result of the filing of such liens or in obtaining their discharge whether such costs, damages or expenses were incurred prior or subsequent to permit termination.

11.7 Force Majeure. Borough's or Lessee's failure to perform any of its obligations under this lease shall be excused if due to causes beyond its control and without the fault or negligence of Borough or Lessee, including but not restricted to acts of God, acts of the public enemy, vandalism, fires, lightning, floods, epidemics or labor strikes.

11.8 Preservation of Markers. Any legal land subdivision survey corners, reference points or monuments are to be preserved. If such are destroyed or disturbed by Lessee, Lessee shall re-establish them by a licensed land surveyor in accordance with U. S. General Land Office standards at their own expense. Corners, reference points, or monuments that must necessarily be disturbed or destroyed in the process of carrying out the operations allowed by this lease must be adequately referenced and/or replaced. Such references must be approved by Borough prior to removal of said corners, reference points, or monuments.

11.9 Condemnation. If all of Premises is taken by any public authority under the power of eminent domain, this lease shall terminate as of the date possession was taken by said public authority pursuant to such condemnation. If any part of Premises is so taken and, in the opinion of either Borough or Lessee, it is not economically feasible to continue this lease in effect, either party may terminate this lease. Such termination by either party shall be made by notice to the other given not later than thirty (30) days after possession is so taken, the termination to be effective as of the later of thirty (30) days after said notice or the date possession is taken. If part of Premises is so taken and neither Borough nor Lessee elects to terminate this lease, or until termination is effective, as the case may be, the rental shall be abated in the same proportion as the portion of Premises so taken bears to the whole of Premises. All damages awarded for the taking or damaging of all or any part of Premises, or Borough-owned improvements thereon, shall belong to and become the property of Borough and Lessee hereby assigns to Borough any and all claims to such award. However, Borough shall not claim any interest in or to personal property or authorized improvements belonging to Lessee.

11.10 Discriminatory Acts Prohibited. Lessee in its use or occupancy of the Leased Premises, shall not discriminate against any person or class of persons by reason of sex, race, color, creed, or national origin and shall comply with all federal regulations and laws in regard to discrimination.

11.11 Recordation of Lease. This Lease shall be recorded, along with all Exhibits and attachments therefrom, and which recording expense shall be borne by the Lessee.

11.12 Proprietary Information/Public Disclosure. Materials or information submitted as required in this Agreement shall become public records within the meaning MSB 1.50.030 and A.S. 40.25.110.

Any submitted materials or information that the Lessee claims as exempt from disclosure under the provisions of MSB 1.50.040 and A.S. 40.25.110 must be clearly designated. The page must be identified and the particular exemption from disclosure upon which the Lessee will rely upon in making the claim for exemption must be identified. Making the entire submitted materials or information exempt from disclosure is not acceptable unless warranted.

The Borough will consider a Lessee's request for documents to be exempt from disclosure; however, the Borough will make an independent decision on the applicability of any claimed exemption. If a public records request is made regarding materials that the Lessee has requested be exempt, the affected Lessee will be given notice of the request and allowed to seek a court injunction against the requested disclosure prior to the Borough fulfilling the public records request.

**Section 12. Exhibits.** This Lease is subject to the terms and conditions of exhibits referenced herein, which are attached hereto and by this reference, made a part hereof.

**List of Exhibits**

Exhibit A	Legal Description
Exhibit B	Driveway and Site
Exhibit C	Insurance
Exhibit D	Record of Survey to Amend Exhibit A

Im 15-070  
OR 15-046

IN WITNESS WHEREOF, Lessor and Lessee have duly executed and acknowledged this Lease for Port District Uplands on the dates indicated below.

MATANUSKA-SUSITNA BOROUGH

\_\_\_\_\_  
John Moosey, Borough Manager

STATE OF ALASKA                    )  
  )  
THIRD JUDICIAL DISTRICT        )        ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of April, 2015, by John Moosey, the Manager of MATANUSKA-SUSITNA BOROUGH, on behalf of the municipal corporation.

\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires: \_\_\_\_\_

Im 15-070  
OR 15-046

MTA COMMUNICATIONS, LLC

\_\_\_\_\_  
Alisha Naylor

STATE OF ALASKA                    )  
  )     ss.  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of April, 2015, by Alisha Naylor, the Manager of MATANUSKA-SUSITNA BOROUGH, on behalf of the limited liability company.

\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires: \_\_\_\_\_

Im 15-070  
OR 15-046

EXHIBIT A

The Leased Premises are legally described as follows:

Township 28 North, Range 5 West, Seward Meridian

Section 5: Tract D

Containing 66.57 acres, more or less, according to the Alaska State Cadastral Survey 87-313, recorded in the Talkeetna Recording District on January 15, 1993, as Plat 93-6.

MSB007021



DESIGN SURVEY AND SITE PLAN OF  
**PROPOSED M.T.A. CELL TOWER LEASE SITE**  
 APPROXIMATE MILE POST 131 PARKS HIGHWAY

SITUATED WITHIN  
 SECTIONS 5, T. 29N, R. 5W, S. M.  
 REFERENCE PLAT ASCS 87-313  
 RECORDED IN PLAT NO. 93-5  
 TALSKEENA RECORDING DISTRICT, ALASKA

**MATANUSKA TELEPHONE ASSOCIATION**  
 SURVEY SECTION - OUTSIDE PLANT ENGINEERING  
 1740 S. CHUGACH ST., PALMER AK 99645  
 PHONE 761-2555 FAX 761-2646

MO# 20284 DRAWING: PARKS MP131 WIRELESS  
 FIELD CREW: CHRIS FOSTY & BRODY SHUCK  
 FILE: PARKS MP131 WIRELESS ENGINEER: ROD EWING  
 FIELD BOOK 62 PDS 1-2 SURVEY DATE 9-18-14  
 SCALE: 1"=50' SHEET 1 OF 1 DRAWN BY: CJF



SECTION 32 T. 29N. R. 5W.  
 SECTION 5 T. 28N. R. 5W.

SEVENTH STANDARD PARALLEL NORTH

ASCS 87-313  
 SEC. 5  
 TR. D

ASCS 87-313  
 SEC. 5  
 TR. C

○ PROPOSED M.T.A. TOWER

AREA = 0.92 AC.

UTILITY POLE PC-253-1'

UTILITY POLE PC-254'

UTILITY POLE PC-254'

UTILITY POLE PC-253'

PARKS HWY

EDGE OF PAVEMENT

NOTE: ELEVATION ARE ASSUMED AND NOT RELATIVE TO ANY PARTICULAR VERTICAL DATUM.

IM15-070  
 OR15-040

DRAWING MODIFIED 3-4-15 CF

EXHIBIT C

INSURANCE  
(Lessee/Permittee/Manager)

It is specifically agreed between the parties executing this Agreement that it is not intended by any of the provisions of the Agreement to create in the public or any member thereof a third party benefit hereunder, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement.

It is highly recommended that the Lessee/Permittee/Manager confer with their respective insurance companies or brokers to determine if their insurance program complies with the Lessor's Insurance requirements.

The Lessee/Permittee/Manager shall procure and maintain the following insurance:

A. Minimum Scope of Insurance

Coverage shall be at least as broad as:

1. Insurance Services office form number CG 0001 (Edition 10/01) covering Commercial General Liability.
2. Insurance Services office form number CA 0001 (Edition 10/99) covering Automobile Liability, symbol 1 "any auto."
3. Worker's Compensation insurance as required by the State of Alaska and Employers Liability Insurance.
4. Builders risk for any leasehold development to cover:
  - a. building materials (installed and uninstalled) and supplies on the job site, in storage, and in transit;
  - b. temporary structures, foundations, and excavation sites;
  - c. equipment, scaffolding, and fences;
  - d. theft, flood, sinkholes, fire, earthquakes, and other weather-related damage; and
  - e. design error, faulty workmanship, changes in laws;
5. Protection and Indemnity Insurance if operating a vessel or engaged in any activities creating liability traditionally covered by maritime insurance, if applicable. Insurance shall cover crew and third-party liability and coverage shall not be less than \$1,000,000 per occurrence.
6. Longshoremen's and Harborworkers' Compensation insurance, if engaged in any activities which could result in liability covered by such insurance.
7. Environmental/Pollution Liability insurance to cover any activities arising out of the Lessee's operations.

B. Minimum Limits of Insurance

Lessee/Permittee/Manager shall maintain limits no less than:

1. General Liability:

\$1,000,000 combined single limit per occurrence for bodily injury, property damage, personal injury and advertising injury. The general aggregate limit shall be \$1,000,000 minimum. The general aggregate limits shall apply separately to each project.

General liability insurance shall be maintained in effect throughout the term of the Agreement.

If the general liability insurance is written on a claim made form, the Lessee/Permittee/Manager shall provide insurance for a period of two years after termination or expiration of this Agreement. The policy(s) shall evidence a retroactive date, no later than the beginning of this Agreement.

2. Auto Liability:

\$1,000,000 combined single limit per accident for bodily injury and property damage.

3. Worker's Compensation and Employers Liability:

Worker's Compensation shall be statutory as required by the State of Alaska. Employer's liability shall be endorsed to the following minimum limits:

Bodily injury by Accident -	\$100,000 each accident
Bodily injury by Disease -	\$100,000 each employee
Bodily injury by Disease -	\$500,000 policy limit

4. Builders risk: Minimum would be determined by cost of project. This insurance may be provided by the Lessee or Lessee's contractor.

5. Protection and Indemnity (P&I),  
If applicable, minimum \$1,000,000.

6. Longshoremen's and Harborworkers' Compensation Insurance:  
Longshoremen's and Harborworkers' Compensation insurance shall be statutory as required by the United States Code and associated regulations, If applicable.

7. Environmental/Pollution Liability.  
A policy providing coverage for claims involving transport, remediation, storage, disposal, or other handling of hazardous materials or waste arising out of the Lessee's operations. Such Pollution Liability policy shall provide at least \$1,000,000 per occurrence/aggregate coverage for bodily injury and property damage.

8. Excess Liability:  
In order to meet the required minimum limits of insurance it is permissible for the Lessee/Permittee/Manager to combine an excess liability or umbrella policy with the general liability, auto liability or employer's liability. In the instance

where the Lessee/ Permittee/ Manager purchases an excess liability or umbrella policy the occurrence limit and the aggregate limit may be of the same amount.

C. Deductibles and Self-Insured Retention

Prior to occupancy, any deductible or self-insured retention must be declared and approved by the Lessor. Lessee/Permittee/Manager may be requested to demonstrate how the deductible or self-insured retention will be funded in the event of a claim. At the option of the Lessor, the Lessee/Permittee/Manager shall reduce or eliminate such deductibles or self-insured retention as respects the Lessor, its officers, officials, employees and volunteers; or the Lessee/Permittee/Manager shall procure a bond guaranteeing payment of losses and related investigations, claim administration, and defense expenses.

D. Other Insurance Provisions

The policies are to contain, or be endorsed to contain, the following provisions:

1. General Liability, Automobile Liability

- a. The Lessor, its Administrator, officers, officials, employees, and volunteers shall be covered as additional insured as respects: liability arising out of activities performed by or on behalf of the Lessee/Permittee/Manager; products and completed operations of the Lessee/Permittee/Manager; premises owned, occupied or used by the Lessee/ Permittee/ Manager or automobiles owned, leased, hired or borrowed by the Lessee/Permittee/Manager. The coverage shall contain no special limitation on the scope of protection afforded to the Lessor, its Administrator, officers, officials, employees, and volunteers.
- b. The Lessee/Permittee/Manager's insurance coverage shall be primary insurance as respects the Lessor, its Administrator, officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the Lessor, it's Administrator, officers, officials, employees, and volunteers shall be excess of the Lessee/Permittee/Manager insurance and shall not contribute to it.
- c. The Lessee/Permittee/Manager insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

2. Worker's Compensation and Employer's Liability

The insurer shall agree to waive all rights of subrogation against the Lessor, its Administrator, officers, officials, employees, and volunteers for losses arising from work performed by the Lessee/Permittee/Manager or any subcontractor of the Lessee/Permittee/Manager in relation to this Agreement.

3. All Insurance

Each insurance policy required by this Agreement shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after 30 days prior written notice for nonpayment of premium or fraud on the part of the Lessee/Permittee/Manager or 60 days prior written notice for any other reason by certified mail, return receipt requested, has been given to the Lessor. *Such notice shall be mailed to the attention of the Lessor's Land Management Officer.*

E. Acceptability of Insurers

Insurance is to be placed with insurers with a Best's rating of no less than A-VII.

F. Verification of Coverage

Lessee/Permittee/Manager shall furnish the Lessor with certificates of insurance and with certified copies of all endorsements effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates are to be on forms acceptable to the Lessor. All certificates are to be received and approved by the Lessor before occupancy commences. The Lessor reserves the rights to require complete, certified copies of all required insurance policies, at any time.

G. Subcontractors

Lessee/Permittee/Manager shall include all subcontractors and as insured under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverage for subcontractors shall be subject to all requirements stated herein.

H. Lapse in Insurance Coverage

A lapse in insurance coverage, any change that restricts, reduces insurance provided, or changes name of insured without Lessor approval is a material breach of this agreement, which shall result in immediate termination of the agreement.

EXHIBIT D - RECORD OF SURVEY TO AMEND EXHIBIT A

MSB007021

Im15-070  
OR15-046

NON-CODE ORDINANCE

Sponsored By:  
Introduced:  
Public Hearing:  
Adopted:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-046**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY TO ENTER INTO A LEASE WITH MATANUSKA TELEPHONE ASSOCIATION FOR A COMMUNICATION SITE. (MSB007021).

---

WHEREAS, the Matanuska Telephone Association has applied for a lease of this property from Matanuska-Susitna Borough; and

WHEREAS, the Matanuska Susitna Borough classified lands contained within Township 28 North, Range 05 West, Sections 5 as public recreation lands; and

WHEREAS, MSB 23.10.080 Application. All applications for purchase or use of borough-owned real property shall be filed with the manager according to the procedures adopted by assembly resolution.

WHEREAS, MSB 23.05.030(G) requires that a Best Interest Finding shall be completed when otherwise conveying an interest in real property at less than fair market value; and

WHEREAS, MSB 23.10.030(C) requires Assembly approval by Ordinance of any lease greater than 10 years in length; and

BE IT ENACTED:

Section 1. Classification. This Ordinance is a non-code ordinance.

Section 2. Acceptance and Authorization. Subject to conditions and stipulations outlined in the Lease Agreement between Matanuska Susitna Borough and Matanuska Telephone

Association, the Assembly authorizes the Borough Manager to finalize and enter into the lease agreement for a period not to exceed twenty (20) years with options for two renewals of five years each.

Section 3. Effective Date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** Appropriation of the 2015 Series "B" General Obligation School Bond Proceeds including issuance costs.

**AGENDA OF:** April 7, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:**

Route To:	Department/Individual	Initials	Remarks
1	Originator - Fin. Dir.	<i>[Handwritten initials]</i>	
2	Finance Director	<i>[Handwritten initials]</i>	
3	Attorney	<i>[Handwritten initials]</i>	
4	Borough Clerk	<i>[Handwritten initials]</i>	<i>[Handwritten initials]</i>

**ATTACHMENT (S):** Ordinance Serial No. 15-047 (3 pp)  
 Fiscal Note: Yes  No  (1 pp)

**SUMMARY STATEMENT:**

Before you is an ordinance of the Matanuska-Susitna Borough Assembly to appropriate funds from bond proceeds for the acquisition, construction, and installation of school and related capital improvements within the Borough.

As a reminder, on October 4, 2011, the voters approved a school bond proposition in the amount of \$214,495,000. On March 3, 2015, the assembly adopted Ordinance Serial No. 15-029 which authorized the issuance of the bonds in the amount of \$63,655,000.

The proceeds will be appropriated to the School projects and for issuance costs. The bonds have now been issued for the following.

Iditarod Elementary School	\$21,609,847
Knik Area New Elementary School	24,360,265
Knik/Goose Bay Middle/High School	3,263,434

Finger Lake, Glacier View, Iditarod, Larson, Machentanz, and Snowshoe Elementary Schools, Houston and Palmer Middle Schools and Su Valley Junior/Senior High School athletic field improvements	4,991,000
Big Lake, Cottonwood Creek, Finger Lake, Goose Bay, Knik, Larson, Pioneer Peak, Shaw, Sherrod, Snowshoe, Swanson, Talkeetna and Willow Elementary Schools, Houston, Palmer and Wasilla Middle Schools and Burchell and Wasilla High Schools energy upgrades	2,900,454
Butte, Cottonwood Creek, Finger Lake, Goose Bay, Pioneer Peak, Snowshoe, Swanson, Tanaina and Willow Elementary Schools, Palmer and Wasilla Middle School and Warehouse Building heating ventilation and building environmental improvements	<u>6,530,000</u>
Total	<u>\$63,655,000</u>

In addition to the above, this ordinance will appropriate \$511,979 for issuance costs. The issuance costs include amounts estimated to be paid for the printing of the official statements, paying agent fees, fees to obtain our bond ratings, underwriter's discount, bond counsel, pricing advisor fees, and other miscellaneous costs. Any funds in excess of the actual issuance costs will be transferred to the School Debt Service Fund for future debt service payments.

**Recommendation of Administration:** Administration recommends approval of the appropriation of the 2015 Series B General Obligation Bond proceeds for the acquisition, construction, and installation of school and related capital improvements within the Borough. Additionally, administration recommends the approval of the appropriation of related issuance costs for the Series B School Bonds. Also, Administration recommends approval of the transfer of any funds in excess of actual issuance costs for the Series B bonds to the School Debt Service Fund for future debt service payments.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: April 7, 2015

SUBJECT: Appropriation of 2015 Series B General Obligation School Bond Proceed including Issuance Costs

ORIGINATOR:

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT YES NO
AMOUNT REQUESTED \$64,166,979	FUNDING SOURCE Bond Proceeds
FROM ACCOUNT # 400-000-000-4XX-XXX	PROJECT # Various
TO ACCOUNT : 400-000-000-369-210	PROJECT #
VERIFIED BY: <i>Chrysemu Derwall for TEC</i>	CERTIFIED BY:
DATE: <i>3/26/15</i>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>						

CAPITAL		64,167				
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REVENUE		64,167				
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FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		64,167	→			
<b>TOTAL</b>		64,167	→			

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: *Chrysemu Derwall for TEC* PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: *3/26/15*  
 APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

Non-code Ordinance

By: Borough Manager  
Introduced:  
Public Hearing:  
Adopted:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-047**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROPRIATING \$63,655,000 TO FUND 400, SCHOOL PROJECTS, FOR THE ACQUISITION, CONSTRUCTION, AND INSTALLATION OF SCHOOL AND RELATED CAPITAL IMPROVEMENTS WITHIN THE BOROUGH AND \$511,579 TO FUND 400 FOR RELATED ISSUANCE COSTS FROM THE PROCEEDS OF THE 2015 SERIES B GENERAL OBLIGATION SCHOOL BONDS.

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WHEREAS, on October 4, 2011, the voters authorized the issuance of general obligation bonds for the acquisition, construction, installation, and major renovation and renewal of school and related capital improvements within the Borough; and

WHEREAS, the Assembly authorized the issuance of bonds in an amount not to exceed \$63,655,000 on March 3, 2015, through the adoption of Ordinance Serial No. 15-029; and

WHEREAS, the bonds were sold at a premium which will be utilized to pay the estimated issuance costs in the amount of \$511,579; and

WHEREAS, any funds remaining in excess of actual issuance costs shall be transferred respectively to the School Facilities Debt Service Fund for future debt service payments; and

WHEREAS, the funds must be appropriated to the school project funds before they can be expended.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Construction and Issuance Cost Appropriation.

There is hereby appropriated \$64,166,979 to Fund 400 to the following projects, for the costs of acquisition, construction and installation of school and related capital improvements within the Borough and for issuance costs for the 2015 Series B General Obligation School Bonds.

Iditarod Elementary School	\$21,609,847
Knik Area New Elementary School	24,360,265
Knik/Goose Bay Middle/High School	3,263,434
Finger Lake, Glacier View, Iditarod, Larson, Machentanz, and Snowshoe Elementary Schools, Houston and Palmer Middle Schools and Su Valley Junior/Senior High School athletic field improvements	4,991,000
Big Lake, Cottonwood Creek, Finger Lake, Goose Bay, Knik, Larson, Pioneer Peak, Shaw, Sherrod, Snowshoe, Swanson, Talkeetna and Willow Elementary Schools, Houston, Palmer and Wasilla Middle Schools and Burchell and Wasilla High Schools energy upgrades	2,900,454
Butte, Cottonwood Creek, Finger Lake, Goose Bay, Pioneer Peak, Snowshoe, Swanson, Tanaina and Willow Elementary Schools, Palmer and Wasilla Middle School and Warehouse Building heating ventilation and building environmental improvements	6,530,000
Issuance Costs	<u>511,979</u>
Total	<u>\$64,166,979</u>

Section 3. Lapse of funds. Once all issuance costs have been paid, the unexpended portion of the appropriation for issuance costs for the 2015 Series B, shall lapse to the School Facilities Debt Service Fund, Fund 300, for future debt service payments.

Section 4. Effective date. Ordinance Serial No. 15-\_\_\_\_ shall take effect upon adoption by the Matanuska-Susitna Borough Assembly. ADOPTED by the Matanuska-Susitna Borough Assembly this 21st day of April, 2015.

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Larry DeVilbiss, Borough Mayor

ATTEST:

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Lonnie McKechnie, CMC, Borough Clerk

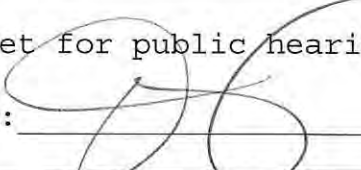
(SEAL)





**SUBJECT:** Appropriation of the 2015 Series C General Obligation Transportation Bonds including issuance costs.

**AGENDA OF:** April 7, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
1	Originator - Fin. Dir.		
2	Finance Director		
3	Attorney		
4	Borough Clerk		

**ATTACHMENT (S):** Ordinance Serial No. 15-048 (3 pp)  
 Fiscal Note: Yes X No         

**SUMMARY STATEMENT:**

Before you is an ordinance of the Matanuska-Susitna Borough Assembly to appropriate funds from bond proceeds for the construction, additions, improvements, betterments, repair, reconstruction or acquisition of public roads and facilities and acquisition of lands or rights in lands related thereto which would address urgent safety issues and transportation need.

As a reminder, on October 1, 2013, the voters approved a transportation bond proposition in the amount of \$16,215,000. On March 3, 2015, the assembly adopted Ordinance Serial No. 15-030 which authorized the issuance of the bonds in the amount of \$1,600,000. The proceeds will be appropriated to the following project.

Clay-Chapman Road/Knik Knack Mud	
Shack Road for access to the new	
Knik-Goose Bay Middle and High Schools	\$1,600,000

In addition to the above, this ordinance will appropriate \$17,481 for issuance costs. The issuance costs include amounts estimated to be paid for the printing of the official statements, paying agent fees, fees to obtain our bond ratings, underwriter's discount, bond counsel, pricing advisor fees, and other miscellaneous costs. Any funds in excess of the actual issuance costs will be transferred to the Transportation Debt Service Fund for future debt service payments.

**Recommendation of Administration:** Administration recommends approval of the appropriation of the 2015 Series C General Obligation Bond proceeds for the construction, additions, improvements, betterments, repair, reconstruction or acquisition of public roads and facilities and acquisition of lands or rights in lands related thereto which would address urgent safety issues and transportation needs. Additionally, administration recommends the approval of the appropriation of related issuance costs for the Series C Transportation Bonds. Also, Administration recommends approval of the transfer of any funds in excess of actual issuance costs for the Series C Bonds to the Transportation Debt Service Fund for future debt service payments.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: April 7, 2015

SUBJECT: Appropriation of 2015 Series C General Obligation Transportation Bond Proceed including Issuance Costs

**ORIGINATOR:**

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT YES NO
AMOUNT REQUESTED \$1,617,481	FUNDING SOURCE Bond Proceeds
FROM ACCOUNT # 430-000-000-4XX-XXX	PROJECT # 35436
TO ACCOUNT : 430-000-000-369-210	PROJECT #
VERIFIED BY: <i>Chapman Hensel for TEC</i>	CERTIFIED BY:
DATE: <i>3/26/15</i>	DATE:

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>						

CAPITAL		1,617	→			
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REVENUE		1,617				
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**FUNDING:** (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		1,617				
<b>TOTAL</b>		1,617				

**POSITIONS:**

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: *Chapman Hensel for TEC* PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: *3/26/15*  
 APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

Non-code Ordinance

By: Borough Manager  
Introduced:  
Public Hearing:  
Adopted:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-048**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROPRIATING \$1,600,000 TO FUND 430, FOR THE CONSTRUCTION, ADDITIONS, IMPROVEMENTS, BETTERMENTS, REPAIR, RECONSTRUCTION, OR ACQUISITION OF PUBLIC ROADS AND FACILITIES AND ACQUISITION OF LANDS OR RIGHTS IN LANDS RELATED THERETO WHICH WOULD ADDRESS URGENT SAFETY ISSUES AND TRANSPORTATION NEEDS AND \$17,481 TO FUND 430 FOR RELATED ISSUANCE COSTS FROM THE PROCEEDS OF THE 2015 SERIES C GENERAL OBLIGATION TRANSPORTATION BONDS.

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WHEREAS, on October 3, 2013, the voters authorized the issuance of general obligation bonds for the for the construction, additions, improvements, betterments, repair, reconstruction or acquisition of public roads and facilities and acquisition of lands or rights in lands related thereto which would address urgent safety issues and transportation needs within the Borough; and

WHEREAS, the Assembly authorized the issuance of bonds in an amount not to exceed \$1,600,000 on March 3, 2015, through the adoption of Ordinance Serial No. 15-030; and

WHEREAS, the bonds were sold at a premium which will be utilized to pay the estimated issuance costs in the amount of \$17,481; and

WHEREAS, any funds remaining in excess of actual issuance costs shall be transferred respectively to the Transportation Debt

Service Fund for future debt service payments; and

WHEREAS, the funds must be appropriated to the transportation project fund before they can be expended.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Construction and Issuance Cost Appropriation.

There is hereby appropriated \$1,617,481 to Fund 430 to the following project, for the construction, additions, improvements, betterments, repair, reconstruction or acquisition of public roads and facilities and acquisition of lands or rights in lands related thereto which would address urgent safety issues and transportation need within the Borough and for issuance costs for the 2015 Series C General Obligation Transportation Bonds.

Clay-Chapman Road/Knik Knack Mud Shack Road for access to the new Knik-Goose Bay Middle and High Schools	\$1,600,000
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Issuance Costs	<u>17,481</u>
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Total	<u>\$1,617,481</u>
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Section 3. Lapse of funds. Once all issuance costs have been paid, the unexpended portion of the appropriation for issuance costs for the 2015 Series C, shall lapse to the Transportation Debt Service Fund, Fund 330, for future debt service payments.

Section 4. Effective date. Ordinance Serial No. 15-048

shall take effect upon adoption by the Matanuska-Susitna Borough Assembly. ADOPTED by the Matanuska-Susitna Borough Assembly this 21st day of April, 2015.

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Larry DeVilbiss, Borough Mayor

ATTEST:

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Lonnie McKechnie, CMC, Borough Clerk

(SEAL)

## AMENDMENT requested by Administration

I MOVE to amend Ordinance 15-049, Resolution 15-037, and IM 15-086 by:

- striking \$2,790,927 and \$2,924,613 and inserting in their place \$2,853,438 throughout the legislation; and
- replacing the Transfer of Responsibilities Agreement (TORA) attached to the IM with TORA attached to the memorandum dated April 10, 2015.

Please see attached memorandum for explanation.



## MATANUSKA-SUSITNA BOROUGH

### Capital Projects Director

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7701 • Fax (907) 861-7735

[www.matsugov.us/cp](http://www.matsugov.us/cp)

### MEMORANDUM

DATE: April 10, 2015

TO: Members of the Assembly

FROM: Mike Brown, Capital Projects Director *MSB 4/10/15*

SUBJECT: Amendment to the Transfer of Responsibility Agreement with the State of Alaska, Department of Transportation and Public Facilities and its corresponding legislation previously presented to the Assembly.

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**TITLE:** Ordinance serial no. 15-049, An Ordinance Accepting And Appropriating \$2,790,927 From The Alaska State Department Of Transportation And Public Facilities, To Fund 430, Project No. 35403, For The Road Improvements To South Clapp Street And Realignment Intersection At Knik Goose Bay Road Project. and Resolution serial no. 15-037, A Resolution Approving The Scope Of Work And Budget, Authorize The Manager To Enter Into A Transfer Of Responsibilities Agreement With The Alaska State Department Of Transportation And Public Facilities, Approve A Contract Amendment To Bristol Environmental Remediation Services, LLC. Contract No. 14-160B In An Amount Not To Exceed \$2,480,825 And Approve Award Of Contract To Hattenburg, Dilley, And Linnell For Construction Management Services In An Amount Not To Exceed \$206,735 For Road Improvements To South Clapp Street Realignment And Intersection At Knik Goose Bay Road Project, Project No. 35403. The Ordinance was introduced to the Assembly on April 7, 2015 for Public Hearing at the April 21, 2015 Assembly meeting.

**ISSUE:** The State of Alaska Department of Transportation and Public Facilities (ADOT&PF) has increased the amount of the Legislative funding they will transfer to the Borough through the Transfer of Responsibility Agreement (TORA) from \$2,790,927 to \$2,853,438 in order to include the cost of utility relocation with contingency funding and increased MSB Admin Fees detailed on page 4 of the TORA.

*Providing Outstanding Borough Services to the Matanuska-Susitna Community.*

**RECOMMENDED ACTION:** We recommend IM No. 15-086, Ordinance Serial No. 15-049, and Resolution Serial No. 15-037 be amended as follows:

Replace each instance of \$2,790,927 with \$2,853,438 and on IM 15-086 replace the one instance of \$2,924,613 with \$2,853,438.

Replace the Draft Transfer of Responsibilities Agreement with the Final version complete with Exhibits A through C.

Thank you for your consideration of this amendment.

*Providing Outstanding Borough Services to the Matanuska-Susitna Community.*

**TRANSFER OF RESPONSIBILITIES AGREEMENT  
BETWEEN  
THE STATE OF ALASKA DEPARTMENT OF  
TRANSPORTATION AND PUBLIC FACILITIES  
AND  
THE MATANUSKA-SUSITNA BOROUGH**

This Agreement is effective upon execution by the State of Alaska, Department of Transportation and Public Facilities (hereinafter called the State) and the Matanuska-Susitna Borough, (hereinafter called the Borough). The State and the Borough are entering into this agreement pursuant to AS 35.15.080 et. Seq. and any regulations promulgated thereunder.

Whereas, the State has designed a realignment of South Clapp Street and Fairview Loop Road to meet at a common intersection at Knik Goose Bay Road; and

Whereas, the realignment of South Clapp Street and traffic signal improvements are construction ready, and the realignment of Fairview Loop Road is not construction ready; and

Whereas, the Borough is currently constructing improvements on South Clapp Street adjacent to the realignment of South Clapp Street included in the State's project; and

Whereas, the Borough will not be able to open South Clapp Street to through traffic without a traffic signal at the intersection of South Clapp Street and Knik Goose Bay Road; and

Whereas, the ADOT&PF is transferring funding for the Knik Goose Bay and Clapp Street Intersection Improvements to the Borough so that the Borough can utilize their Clapp/Mack contractor to complete the intersection improvements to facilitate a single party overseeing traffic control and thus improving safety for the traveling public while reducing potential conflicts due to multiple prime contractors.

Whereas, funds have been appropriated by the Legislature under **Chapter 17 SLA 12 Page 134, Line 28 and Chapter 17 SLA 12 Page 163, Line 13** for the project described in Exhibit A of this agreement; and

Whereas, it is in the interests of both the State and Borough that the Borough be allowed to assume all responsibility for the construction of the **S. Clapp Street Realign and Signalization at KGB** project described in Exhibit A (hereinafter also referred to as "the project") the parties mutually agree as follows:

1. The Borough agrees to assume all responsibilities heretofore held by the State relating to the construction of the project described in Exhibit A which is hereby incorporated and made a part of this agreement.
2. The Borough agrees to comply and shall require compliance by any subcontractor, with all applicable local, state and federal codes, statutes, and regulations. This specifically includes those under AS 36.15 and any laws relating to civil rights.
3. The City of Wasilla has certified the right-of-way (i.e. land interest in the project site) pursuant to AS 35.15.110 and obtained the State's approval.
4. The Borough shall indemnify, defend, and hold harmless the State of Alaska, its officers, agents, employees and contractors for any claims or suits arising out of any Borough assumptions of the development, construction, maintenance and property management responsibilities of the project set forth and described in Exhibit A to the extent the Borough has assumed those responsibilities.

IM15-086  
OR15-049  
RS15-037

5. The State has coordinated with the appropriate regulatory agencies and determined that a State Environmental Checklist is not required. The State also determined that no environmental permits were required to construct the project except for a Storm Water Pollutant Prevention Plan which is the Borough's responsibility to obtain.
6. Some utilities will need to be relocated as part of the project. The Borough agrees to relocate the conflicting utilities in conformance with the Alaska Statutes and Administrative Code.
7. The Borough agrees to accept ownership and maintenance responsibilities for the following road segments shown on the attached Road Ownership Figure (Exhibit B): S. Clapp Street (new realigned segment); and Fairview Circle. The Borough will continue to own and maintain the Old Knik Road (two segments). The State agrees to own and maintain the new realigned segment of Fairview Loop Road shown on the attached Road Ownership Figure (Exhibit B). The State will continue to own and maintain the Knik-Goose Bay Road.
8. The Borough may submit progress payment requests monthly. The State agrees to review progress payment requests and provide any questions to the Borough within 10 calendar days of receiving the progress payment request. The Borough shall answer all questions in writing, submit all requested backup information, and submit a revised progress payment request. The State will review the progress payment request as stated above and the process is repeated until there are no questions. Once there are no questions on the progress payment request, the State shall process the progress payment request for payment.
9. The Borough shall submit a quarterly status and expenditure report to the State. The first report shall be due at the end of the quarter in which the agreement has been executed and subsequent report shall be due every three months thereafter until project completion (i.e. after acceptance by the State that the Borough has met the requirements of this agreement).
10. The Borough shall provide the State 20 days to review all financial documents required in this agreement, except progress payments (see item 8).
11. The Borough and the State shall partner in the final inspection of the project. The State shall approve the final documents on the project per AS 35.15.110
12. The Borough, upon completion of the project, shall provide the State with the final expenditure report, certified by the Borough, of all costs incurred in the accomplishment of the project.
13. The Borough recognizes that 02 AAC 45.020 establishes specific audit requirements for agreements executed after August 1, 1985. The Borough agrees to be immediately subject to the audit requirements as set forth in the Alaska Administrative Code 02 AAC 45.010. The State will audit the project upon written project completion notification by the Borough. The Borough shall maintain all project records for three (3) years after the date of the project acceptance.
14. The procedures and standards governing termination of this Agreement by the State for cause or convenience are set forth in ACC 17.55.050. The terms of which are hereby incorporated by reference.
15. The Borough shall ensure that none of the funds paid under this Agreement will be used for the purposes of lobbying the activities before the Alaska State Legislature.
16. Unless changed by prior written notice, any notices required by this Agreement must be sent to the following addresses:

STATE: Central Region Construction  
Department of Transportation  
and Public Facilities  
P.O. Box 196900  
Anchorage, Alaska 99509-6900

BOROUGH: Capital Projects Director  
Matanuska-Susitna Borough  
Capital Projects Department  
350 E. Dahlia Avenue  
Palmer, Alaska 99645-6488

17. The failure of the State to insist in any one or more instances upon strict performance by the Borough of any provision or covenant in this agreement may not be considered as a waiver or relinquishment of the provision or covenant for the future. The waiver by the State of any provision or covenant in the Agreement cannot be enforced or relied upon by the Borough unless the waiver is in writing and signed on behalf of the State.
18. The Borough's administrator for this agreement is Brad Sworts, Pre-Design & Engineering Division Manager. The State's administrator for this Agreement is Matt Morrow, Construction Manager. Each party agrees to notify the other party in writing of any change in the administrator.
19. This Agreement may be modified or amended only by the written Agreement signed by both parties.

APPROVALS:

\_\_\_\_\_  
John Moosey

\_\_\_\_\_  
Matanuska-Susitna Borough Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature for State

\_\_\_\_\_  
Director Construction and Operations  
Central Region

\_\_\_\_\_  
Date

**EXHIBIT A**

A. Scope of Work

Construction and utility relocation for road improvements located on South Clapp Street and the Knik Goose Bay Road including: construction of roughly 835' of realigned South Clapp Street; construction of an approach for the new Fairview Loop Road at the South Clapp/Knik Goose Bay Road intersection; construction of a new traffic signal at South Clapp Street and Knik Goose Bay Road; repaving and intersection widening of roughly 2,770' of Knik Goose Bay Road; reconstruction of the existing pathways as needed along the affected area of Knik Goose Bay Road; and the construction of new pathway along the realigned segment of South Clapp Street. The project area is shown in Exhibit C.

B. Estimate Cost

1. Construction\*

a. Phase 4

i. Construction Contract	\$2,067,354
ii. Construction Management (CM) (10% of construction)	\$206,735
iii. Contingency (20% of construction)	\$413,471
iv. <u>MSB Admin Fee (5% of construction, CM &amp; contingency)</u>	<u>\$134,378</u>
v. Total Phase 4	\$2,821,938

b. Phase 7

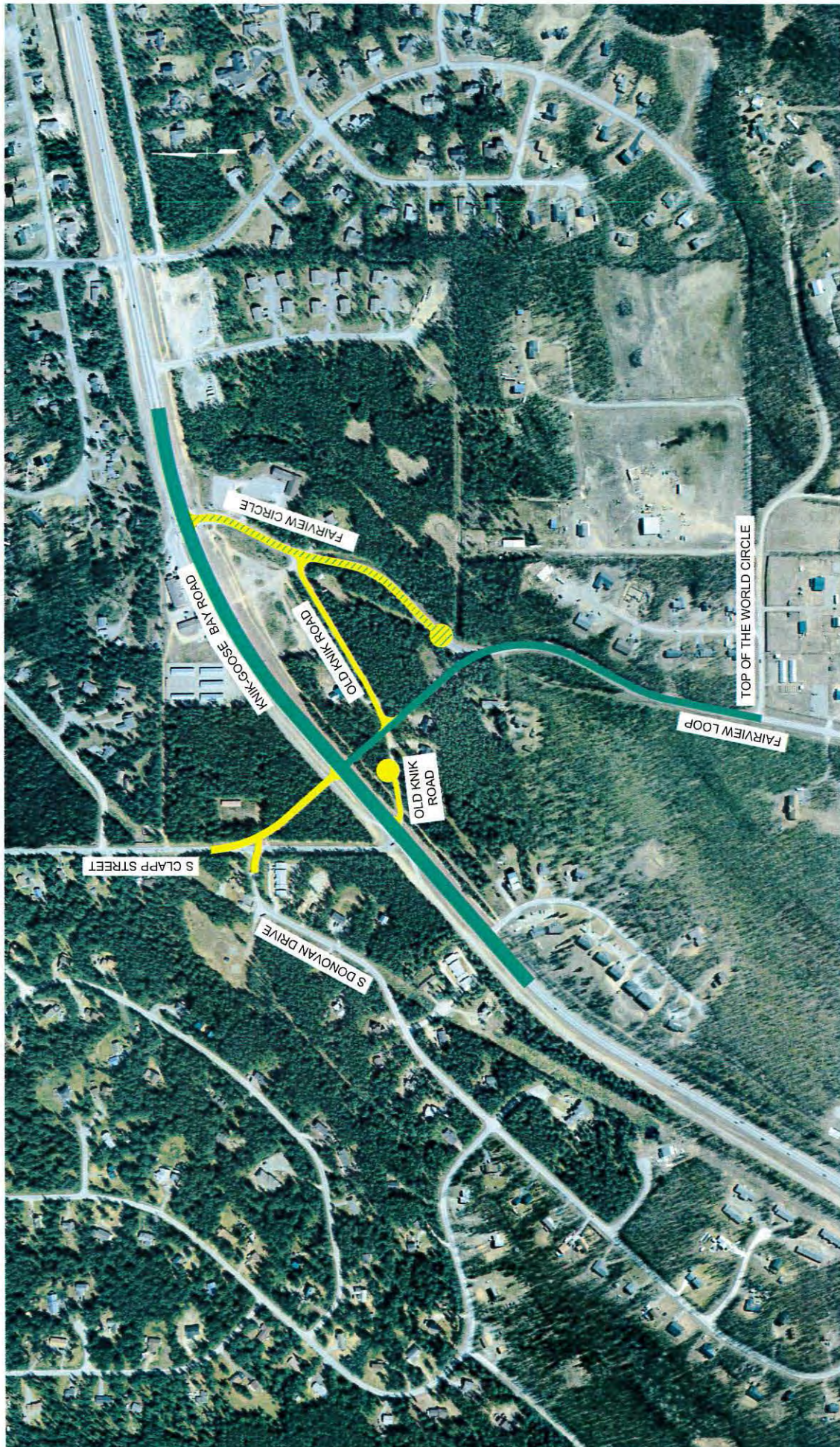
i. Utility Relocation	\$25,000
ii. Contingency (20% of utility relocation)	\$5,000
iii. <u>MSB Admin Fee (5% of utility relocation + contingency)</u>	<u>\$1,500</u>
iv. Total Phase 7	\$31,500

Not to Exceed Total \$2,853,438

C. Estimated Project Schedule:

1. Construction Completion	June 30, 2016
2. Closeout Audit (within 90 days of construction completion)	September 28, 2016

Im15-086  
OR15-049  
RS15-037



Legend

DOT&PF Roadway

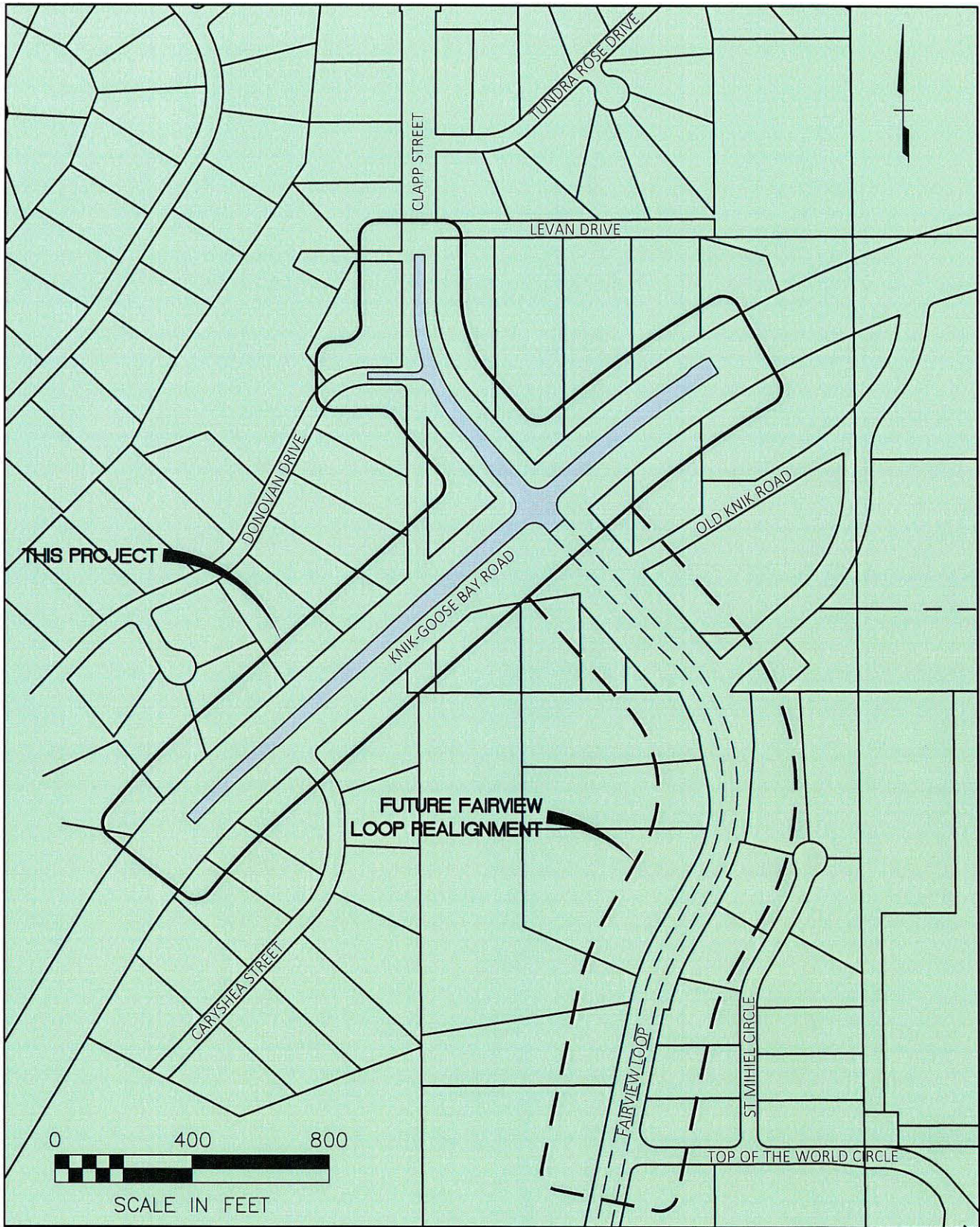
MSB Roadway

Existing DOT&PF Roadway to be transferred to MSB

EXHIBIT B

FAIRVIEW LOOP PHASE III  
 REALIGNMENT & SIGNAL AT KNIK-GOOSE BAY ROAD  
 DOT&PF PROJECT #: 54800/51774

Road Ownership Figure  
 Page 5 of 6



Sections 18 & 19 T. 17N., R. 1W. SM  
 Section 24 T. 17N., R. 2W. SM  
 USGS Quad Map Anchorage C-7 SE  
 Latitude 61° 33' 33.01"N Longitude 149° 2' 32.38" W  
 Wasilla, Alaska

S. Clapp Street Realignment  
 and Signalization at  
 Knik Goose Bay Road  
 Project Number: 59193  
 Date: March 2015

*IM15-086*  
*OR15-049*  
*RS15-037*  
**Exhibit C**  
 Project Area

**SUBJECT:** Accept, appropriate, and approve the scope of work and budget, authorize the Borough Manager to enter into a Transfer of Responsibilities Agreement with the State of Alaska, Department of Transportation and Public Facilities, approve a contract amendment to Bristol Environmental Remediation Services, LLC contract no. 14-160B in an amount not to exceed \$2,480,825, and approve award of contract to Hattenburg, Dilley, & Linnell for construction management services in an amount not to exceed \$206,735 for the Road Improvements to South Clapp Street Realignment and Intersection at Knik Goose Bay Road project, Project No. 35403.

**AGENDA OF:** April 7, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:**

Route To:	Department/Individual	Initials	Remarks
	Originator	SZ fBw	
	Capital Projects Director	MB 3/24/15	
	Finance Director	JEC	3/27/15
	Borough Attorney	JS	
	Borough Clerk	EN	3/27/15 (BA)

**ATTACHMENT (S) :** Fiscal Note: Yes  No   
 Ordinance Serial No. 15-049 (2pp)  
 Resolution Serial No. 15-037 (5pp)  
 Transfer of Responsibilities Agreement (6pp)

**SUMMARY STATEMENT:** Grant funds from the Alaska State Department of Commerce were accepted and appropriated by the Matanuska-Susitna Borough Assembly on October 16, 2012, by Ordinance Serial No. 12-120. Bond proceeds from the issuance of the 2012 Series D Transportation Systems bonds were appropriated on January 15,

2013, by Ordinance Serial No. 13-001. On January 15, 2013, the Matanuska-Susitna Borough Assembly approved the scope of work and budget for the 2012 Series D Transportation Systems Bond Proceeds.

On June 17, 2014, the Assembly awarded the construction contract for the Clapp/Mack Road Extension project, Project No. 35403 to Bristol Environmental Remediation Services, LLC in the amount of \$3,965,983.

Hattenburg, Dilley, & Linnell (HDL) is the current designer and construction manager for the Borough's Clapp/Mack project under a City of Wasilla contract. Authority is needed to award a Borough contract to HDL for construction management services not to exceed \$206,735 for the Knik Goose Bay Road and Clapp Street intersection work.

Funds in the amount of \$2,790,927 have been appropriated by the State Legislature under Chapter 17 SLA 12 Page 134, Line 28 and Chapter 17 SLA 12 Page 163, Line 13 for the South Clapp Street Realign and Signalization at Knik Goose Bay project.

The State has designed a realignment of South Clapp Street and Fairview Loop Road to meet at a common intersection at Knik Goose Bay Road. South Clapp Street and traffic signal improvements are construction ready, however, the realignment of Fairview Loop Road is not construction ready.

The Borough is currently constructing improvements to the South Clapp Street adjacent to the State's realignment project and will not allow the Borough to open the Borough's portion of the project without proper traffic signals at the intersection of South Clapp Street and Knik Goose Bay Road. This work originally was to be completed with the Alaska Department of Transportation and Public Facilities (ADOT&PF) Fairview Loop Road realignment, however due to delays in the Fairview Loop Road realignment project, ADOT&PF is giving the intersection work to the Borough to complete this summer so the new Clapp/Mack Road can be opened to the public this fall.

In accordance with **MSB Code 3.08.170(B)(3)** "to change the scope of a project or the scope of services or professional services under a construction contract to meet unforeseen borough requirements, or to change the specifications under a construction contract because of unforeseen conditions render the original specifications impracticable" this change in conditions allow the Borough to approve a change order to Bristol Environmental Remediation Services, LLC and award a contract to HDL for construction management services in order to complete the intersection improvements this year.

The State and Borough agree that it is in the best interest of the public for the Borough to assume all responsibility for the construction of the realignment of the South Clapp Street extension and intersection at the Knik Goose Bay Road project so the Borough can utilize their Clapp/Mack contractor to complete the intersection improvements to facilitate a single party overseeing traffic control and thereby improving safety for the traveling public while reducing potential conflicts due to two prime contractors in the area.

The Borough and ADOT&PF have drafted a Transfer of Responsibilities Agreement to describe the process for funding the project and which party will be responsible for individual tasks. ADOT&PF will transfer, through reimbursement, the \$2,924,613 State Legislative funds Chapter 17 SLA 12 Page 134, Line 28 and Chapter 17 SLA 12 Page 163, Line 13 to the Borough to complete the project.

If approved, the attached ordinance and resolution will accept and appropriate the grant funds, approve the scope of work and budget and authorize the Borough Manager to execute the Transfer of Responsibilities agreement (TORA). Authority would also be given to the Borough Manager, based on the recommendation of the Capital Projects Director, to modify and update the TORA as appropriate.

**RECOMMENDATION OF ADMINISTRATION:** Accept, appropriate, and approve the scope of work and budget, authorize the Borough Manager to enter into a Transfer of Responsibilities Agreement with the State of Alaska, Department of Transportation and Public Facilities, approve a contract amendment to Bristol Environmental Remediation Services, LLC contract no. 14-160B in an amount not to exceed \$2,480,825, and approve award of contract to Hattenburg, Dilley, & Linnell for construction management services in an amount not to exceed \$206,735 for the Road Improvements to South Clapp Street Realignment and Intersection at Knik Goose Bay Road project, Project No. 35403.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: April 7, 2015

**SUBJECT:** Accept, appropriate, and approve the scope of work and budget, authorize the Borough Manager to enter into a Transfer of Responsibilities Agreement with the State of Alaska, Department of Transportation and Public Facilities, approve a contract amendment to Bristol Environmental Remediation Services, LLC contract no. 14-160B in an amount not to exceed \$2,480,825, and approve award of contract to Hattenburg, Dilley, & Linnell for construction management services in an amount not to exceed \$206,735 for the Road Improvements to South Clapp Street Realignment and Intersection at Knik Goose Bay Road project, Project No. 35403.

**ORIGINATOR:** Bob Walden, Engineer

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <b>(YES)</b> NO
AMOUNT REQUESTED <b>\$ 2,687,560 *</b>	FUNDING SOURCE <b>state</b>
FROM ACCOUNT # <b>430.000.000.4XX.XXX</b>	PROJECT # <b>35403</b>
TO ACCOUNT :	PROJECT #
VERIFIED BY: <b>Barbara Baumgart</b>	CERTIFIED BY:
DATE: <b>3/25/15</b>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL	<b>2,687</b>					
---------	--------------	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds	<b>2,687</b>					
Other						
TOTAL	<b>2,687</b>					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) **\* Transfer of funds from the state per the TORA**

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: **[Signature]** DATE: **3/27/15**

IM No. 15-086  
 Ordinance Serial No. 15-049  
 Resolution Serial No. 15-037  
**304**

**TRANSFER OF RESPONSIBILITIES AGREEMENT  
BETWEEN  
THE STATE OF ALASKA DEPARTMENT OF  
TRANSPORTATION AND PUBLIC FACILITIES  
AND  
THE MATANUSKA-SUSITNA BOROUGH**

This Agreement is effective upon execution by the State of Alaska, Department of Transportation and Public Facilities (hereinafter called the State) and the Matanuska-Susitna Borough, (hereinafter called the Borough). The State and the Borough are entering into this agreement pursuant to AS 35.15.080 et. Seq. and any regulations promulgated thereunder.

Whereas, the State has designed a realignment of South Clapp Street and Fairview Loop Road to meet at a common intersection at Knik Goose Bay Road; and

Whereas, the realignment of South Clapp Street and traffic signal improvements are construction ready, and the realignment of Fairview Loop Road is not construction ready; and

Whereas, the Borough is currently constructing improvements on South Clapp Street adjacent to the realignment of South Clapp Street included in the State's project; and

Whereas, the Borough will not be able to open South Clapp Street to through traffic without a traffic signal at the intersection of South Clapp Street and Knik Goose Bay Road; and

Whereas, the ADOT&PF is transferring funding for the Knik Goose Bay and Clapp Street Intersection Improvements to the Borough so that the Borough can utilize their Clapp/Mack contractor to complete the intersection improvements to facilitate a single party overseeing traffic control and thus improving safety for the traveling public while reducing potential conflicts due to multiple prime contractors.

Whereas, funds have been appropriated by the Legislature under **Chapter 17 SLA 12 Page 134, Line 28 and Chapter 17 SLA 12 Page 163, Line 13** for the project described in Exhibit A of this agreement; and

Whereas, it is in the interests of both the State and Borough that the Borough be allowed to assume all responsibility for the construction of the **S. Clapp Street Realign and Signalization at KGB** project described in Exhibit A (hereinafter also referred to as "the project") the parties mutually agree as follows:

1. The Borough agrees to assume all responsibilities heretofore held by the State relating to the construction of the project described in Exhibit A which is hereby incorporated and made a part of this agreement.
2. The Borough agrees to comply and shall require compliance by any subcontractor, with all applicable local, state and federal codes, statutes, and regulations. This specifically includes those under AS 36.15 and any laws relating to civil rights.
3. The City of Wasilla has certified the right-of-way (i.e. land interest in the project site) pursuant to AS 35.15.110 and obtained the State's approval.
4. The Borough shall indemnify, defend, and hold harmless the State of Alaska, its officers, agents, employees and contractors for any claims or suits arising out of any Borough assumptions of the development, construction, maintenance and property management responsibilities of the project set forth and described in Exhibit A to the extent the Borough has assumed those responsibilities and is allowed by law.

5. The State has coordinated with the appropriate regulatory agencies and determined that a State Environmental Checklist is not required. The State also determined that no environmental permits were required to construct the project except for a Storm Water Pollutant Prevention Plan which is the Borough's responsibility to obtain.
6. Some utilities will need to be relocated as part of the project. The Borough agrees relocate the conflicting utilities in conformance with the Alaska Statutes and Administrative Code.
7. The Borough agrees to accept ownership and maintenance responsibilities for the following road segments shown on the attached Road Ownership Figure (Exhibit B): S. Clapp Street (new realigned segment); and Fairview Circle. The Borough will continue to own and maintain the Old Kink Road (two segments). The State agrees to own and maintain the new realign segment of Fairview Loop Road shown on the attached Road Ownership Figure (Exhibit B). The State will continue to own and maintain the Knik-Goose Bay Road.
8. The Borough may submit progress payment requests monthly. The State agrees to review progress payment requests and provide any questions to the Borough within 10 calendar days of receiving the progress payment request. The Borough shall answer all questions in writing, submit all requested backup information, and submit a revised progress payment request. The State will review the progress payment request as stated above and the process is repeated until there are no questions. Once there are no questions on the progress payment request, the State shall process the progress payment request for payment.
9. The Borough shall submit a quarterly status and expenditure report to the State. The first report shall be due at the end of the quarter in which the agreement has been executed and subsequent report shall be due every three months thereafter until project completion (i.e. after acceptance by the State that the Borough has met the requirements of this agreement).
10. The Borough shall provide the State 20 days to review all financial documents required in this agreement.
11. The Borough and the State shall partner in the final inspection of the project. The State shall approve the final documents on the project per AS 35.15.110
12. The Borough, upon completion of the project, shall provide the State with the final expenditure report, certified by the Borough, of all costs incurred in the accomplishment of the project.
13. The Borough recognizes that 02 AAC 45.020 establishes specific audit requirements for agreements executed after August 1, 1985. The Borough agrees to be immediately subject to the audit requirements as set forth in the Alaska Administrative Code 02 AAC 45.010. The State will audit the project upon written project completion notification by the Borough. The Borough shall maintain all project records for three (3) years after the date of the project acceptance.
14. The procedures and standards governing termination of this Agreement by the State for cause or convenience are set forth in ACC 17.55.050. The terms of which are hereby incorporated by reference.
15. The Borough shall ensure that none of the funds paid under this Agreement will be used for the purposes of lobbying the activities before the Alaska State Legislature.
16. Unless changed by prior written notice, any notices required by this Agreement must be sent to the following addresses:

STATE: Central Region Construction

Im15-086  
OR15-049  
RS15-037

Department of Transportation  
and Public Facilities  
P.O. Box 196900  
Anchorage, Alaska 99509-6900

BOROUGH: Capital Projects Director  
Matanuska-Susitna Borough  
Capital Projects Department  
350 E. Dahlia Avenue  
Palmer, Alaska 99645-6488

17. The failure of the State to insist in any one or more instances upon strict performance by the Borough of any provision or covenant in this agreement may not be considered as a waiver or relinquishment of the provision or covenant for the future. The waiver by the State of any provision or covenant in the Agreement cannot be enforced or relied upon by the Borough unless the waiver is in writing and signed on behalf of the State.
18. The Borough's administrator for this agreement is Brad Sworts, Pre-Design & Engineering Division Manager. The State's administrator for this Agreement is Matt Morrow, Construction Manager. Each party agrees to notify the other party in writing of any change in the administrator.
19. This Agreement may be modified or amended only by the written Agreement signed by both parties.

APPROVALS:

\_\_\_\_\_  
Authorized Signature for Borough      Borough Manager      Date

\_\_\_\_\_  
Authorized Signature for State      Director Construction and Operations  
Central Region      Date

IM15-086  
OR15-049  
RS15-037

**EXHIBIT A**

A. Scope of Work

Construction and utility relocation for road improvements located on South Clapp Street and the Knik Goose Bay Road including: construction of roughly 835' of realigned South Clapp Street; construction of an approach for the new Fairview Loop Road at the South Clapp/Knik Goose Bay Road intersection; construction of a new traffic signal at South Clapp Street and Knik Goose Bay Road; repaving and intersection widening of roughly 2,770' of Knik Goose Bay Road; reconstruction of the existing pathways as needed along the affected area of Knik Goose Bay Road; and the construction of new pathway along the realigned segment of South Clapp Street. The project area is shown in Exhibit C.

B. Estimate Cost

1. Construction\*

a. Phase 4

i. Construction	\$2,067,354
ii. Construction Management (10% of construction)	\$206,735
iii. Contingency (20% of construction)	\$413,471
iv. <u>MSB Admin Fee (5% of construction)</u>	<u>\$103,367</u>
v. Total Phase 4	\$2,790,927

b. Phase 7

i. Utility Relocation	\$
ii. <u>Indirect Cost Rate Agreement (4.79%)</u>	<u>\$</u>
iii. Total Phase 7	\$

Not to Exceed Total \$

C. Estimated Project Schedule:

- 1. Construction Completion \_\_\_\_\_
- 2. Closeout Audit (within 90 days following #4) \_\_\_\_\_

Im15-086  
OR15-049  
RS15-037

**EXHIBIT B**

(INSERT ROAD OWNERSHIP FIGURE)

DRAFT

**EXHIBIT C**

(Project Area)

DRAFT

Im 15-086  
OR 15-049  
RS 15-037

NON-CODE ORDINANCE

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-049**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ACCEPTING AND APPROPRIATING \$2,790,927 FROM THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, TO FUND 430, PROJECT NO. 35403 FOR THE ROAD IMPROVEMENTS TO SOUTH CLAPP STREET AND REALIGNMENT INTERSECTION AT KNIK GOOSE BAY ROAD PROJECT.

---

WHEREAS, the Matanuska-Susitna Borough was notified by the State of Alaska Department of Transportation and Public Facilities that they received a 2012 Legislative grant in the amount of \$2,790,927 for road improvements to South Clapp Street and Knik Goose Bay Road which they will transfer to the Borough; and

WHEREAS, the Assembly must approve an ordinance to accept and appropriate these grant funds; and

WHEREAS, no expenditures can be made until the scope of work and budget has been approved by the Assembly.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Acceptance and appropriation source. There is hereby accepted and appropriated by the Matanuska-Susitna Borough Assembly \$2,790,927 from the State of Alaska Department of Transportation to the following:

- 1) Road Improvements to South Clapp  
Street Realignment and Intersection  
at Knik Goose Bay Road.  
Fund 430/Project 35403 \$2,790,927

Section 3. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE MCKECHNIE, Borough Clerk

(SEAL)

Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH**  
**RESOLUTION SERIAL NO. 15- 037**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE SCOPE OF WORK AND BUDGET, AUTHORIZE THE MANAGER TO ENTER INTO A TRANSFER OF RESPONSIBILITIES AGREEMENT WITH STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, APPROVE CONTRACT AMENDMENT TO BRISTOL ENVIRONMENTAL REMEDIATION SERVICES, LLC, CONTRACT NO. 14-160B IN AN AMOUNT NOT TO EXCEED \$2,480,825, AND APPROVE AWARD OF CONTRACT TO HATTENBURG, DILLEY, & LINNELL FOR CONSTRUCTION MANAGEMENT SERVICES IN AN AMOUNT NOT TO EXCEED \$206,735 FOR ROAD IMPROVEMENTS TO SOUTH CLAPP STREET REALIGNMENT AND INTERSECTION AT KNIK GOOSE BAY ROAD PROJECT, PROJECT NO. 35403.

WHEREAS, the State of Alaska Legislature appropriated funds in FY 2012 to the State of Alaska Department of Transportation and Public Facilities (ADOT&PF) for the construction and utility relocation for road improvements located on South Clapp Street and Knik Goose Bay Road; and

WHEREAS, the State has designed a realignment of South Clapp Street and Fairview Loop Road to meet at a common intersection at Knik Goose Bay Road; and

WHEREAS, the realignment of South Clapp Street and traffic signal improvements are construction ready, while the realignment of Fairview Loop Road is not construction ready; and

WHEREAS, the Borough has a construction contract in place with Bristol Environmental Remediation Services, LLC to complete construction of the Clapp/Mack Road extension project adjacent

to the realignment of South Clapp Street included in the State's project; and

WHEREAS, the Borough will not be able to open South Clapp Street to through traffic without a traffic signal at the intersection of South Clapp Street and Knik Goose Bay Road; and

WHEREAS, this traffic signal work was originally to be completed with the ADOT&PF Fairview Loop Road realignment project, however due to delays in that project, ADOT&PF will transfer the intersection work to the Borough to complete this summer with their South Clapp Street project; and

WHEREAS, Hattenburg, Dilley, & Linnell (HDL) is the current designer and construction manager for the Borough's Clapp/Mack project under a City of Wasilla contract; and

WHEREAS, the Borough and ADOT&PF agree that having a single contractor working at the busy intersection of Knik Goose Bay Road and South Clapp Street will improve safety for the public while reducing potential conflicts due to multiple prime contractors in the area; and

WHEREAS, ADOT&PF would like to transfer responsibility and their legislative funding for the project to the Borough to through a Transfer of Responsibilities Agreement (TORA) to complete the construction of the improvements to the intersection at South Clapp Street and Knik Goose Bay Roads; and

WHEREAS, funds must be accepted and appropriated prior to expenditures; and

WHEREAS, no expenditures can be made until a scope of work and budget has been approved by the Assembly.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly hereby approves the following scope of work and budget for the road improvements at South Clapp Street and Knik Goose Bay Road:

**SCOPE OF WORK**

Construction and utility relocation for road improvements located on South Clapp Street and Knik Goose Bay Road including: construction of roughly 835' of realigned South Clapp Street; construction of an approach for the new Fairview Loop Road at the South Clapp/Knik Goose Bay Road intersection; construction of a new traffic signal at South Clapp Street and Knik Goose Bay Road; repaving and intersection widening of roughly 2,770' of Knik Goose Bay Road; reconstruction of the existing pathways as disturbed by the affected area of Knik Goose Bay Road; and the construction of a new pathway along the realigned segment of South Clapp Street connecting pedestrian facilities from Knik Goose Bay Road to the Parks Highway.

**BUDGET**

- 1) Road Improvements to South Clapp Street Realignment and Intersection at Knik Goose Bay Road.  
Fund 430/Project 35403 \$2,790,927

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Matanuska-Susitna Borough Assembly hereby approves the Manager to enter into a Transfer of Responsibilities Agreement with the State of Alaska, Department of Transportation and Public Facilities.

NOW, THEREFORE, BE IT EVEN FURTHER RESOLVED, that the Matanuska-Susitna Borough Assembly hereby approves a contract amendment to Bristol Environmental Remediation Services, LLC, Contract No. 14-160B in an amount not to exceed \$2,480,825 for road improvements to South Clapp Street realignment and intersection at Knik Goose Bay Road.

NOW, THEREFORE, BE IT EVEN FURTHER RESOLVED, that the Matanuska-Susitna Borough Assembly hereby approves award of a contract to Hattenburg, Dilley, & Linnell for construction management services in an amount not to exceed \$206,735 for road improvements to South Clapp Street realignment and intersection at Knik Goose Bay Road.

ADOPTED by the Matanuska-Susitna Borough Assembly this -

037  
049

day of -, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE MCKECHNIE, Borough Clerk

(SEAL)

**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ADOPTING MSB CODE CHAPTER 4.80 ESTABLISHING THE AGRICULTURE ADVISORY BOARD AND ITS COMPOSITION, FUNCTIONS, AND DUTIES.

**AGENDA OF:** April 7, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduction and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:**

Route To:	Department/Individual	Initials	Remarks
	Originator	MSC	
	Community Development Director	EP	
	Finance Director	JM	
	Borough Attorney	MS	
	Borough Manager	See above	
	Borough Clerk	JM	

**ATTACHMENT (S):** Fiscal Note Yes X No \_\_\_  
 Ad Hoc Agriculture Committee  
 Resolution Serial No. 15-001 (2 pp)  
 Ordinance Serial No. 15-050 (4 pp)

**SUMMARY STATEMENT:**

In accordance with Matanuska-Susitna Assembly Resolution Serial No. 14-091, an Agriculture Forum was held on November 10, 2014 wherein the agriculture community at large and affiliated agencies came together to discuss ways of establishing clear written policy with uniform provisions for use of borough agricultural parcels.

Consensus of forum participants was to form an ad hoc committee to review and analyze the information from the Forum and to provide feedback to the Mayor and Assembly through an ad hoc committee.

An ad hoc committee was established with membership from representatives of the Borough Assembly and staff, owners of agriculture parcels approved under MSB Title 13, 15, and 23, members of Farm Bureau and Farmers Union, Agricultural and Forestry Experimental Station, State of Alaska Division of Agriculture, and a state agricultural land owner.

The committee completed its task and is prepared to move the recommendation forward to establish an agriculture advisory board. Recommendations as to an advisory board's functions are included in the Matanuska-Susitna Borough Ad Hoc Agriculture Committee Resolution Serial No. 15-001.

**RECOMMENDATION:**

In accordance with Matanuska-Susitna Borough Ad Hoc Agriculture Committee Resolution Serial No. 15-001 and the Agriculture Forum participant wishes, the ad hoc committee respectfully recommends the Matanuska-Susitna Borough Assembly approve establishment of an agriculture advisory board for the purpose of reviewing issues affecting borough agriculture lands.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: April 7, 2015

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ADOPTING MSB CODE CHAPTER 4.80 ESTABLISHING THE AGRICULTURE ADVISORY BOARD AND ITS COMPOSITION, FUNCTIONS, AND DUTIES.

ORIGINATOR: Community Development

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED \$ *	FUNDING SOURCE Land Mgt
FROM ACCOUNT # 203.000.000.4xx.xxy	PROJECT #
TO ACCOUNT :	PROJECT #
VERIFIED BY: Barbara Bauwengut	CERTIFIED BY:
DATE: 3/26/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel		*	→			
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING		*	→			

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		*	→			
TOTAL		*	→			

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) \* costs associated with committee meetings, i.e. mileage will be determined based on size of committee and requests for reimbursement.

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: [Signature] DATE: 3/27/15

IM No. 15-088  
Ordinance Serial No. 15-050

**MATANUSKA-SUSITNA BOROUGH AD HOC AGRICULTURE COMMITTEE  
RESOLUTION SERIAL NO. 15-001**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AD HOC AGRICULTURE COMMITTEE RECOMMENDING ESTABLISHMENT OF AN AGRICULTURE ADVISORY BOARD FOR THE PURPOSE OF REVIEWING ISSUES AFFECTING BOROUGH AGRICULTURE LANDS. (MSB006973)

---

WHEREAS, Matanuska-Susitna Borough Ordinance Serial No. 14 091 was approved to organize a public forum regarding borough agricultural lands for the purpose of making recommendations to the assembly on setting policy for the use of said lands; and

WHEREAS, as a direct result from the forum, an ad hoc committee was created to 1) define the meaning of agriculture, 2) analyze forum comments with regard for establishing an Agriculture Advisory Board, 3) review similar boards and those responsibilities and membership requirements, and 4) provide comment and recommendation to the Mayor and Assembly regarding these matters; and

WHEREAS, the ad hoc committee has completed their tasks and is prepared to move their findings and recommendations forward to an agriculture advisory board if so established; and

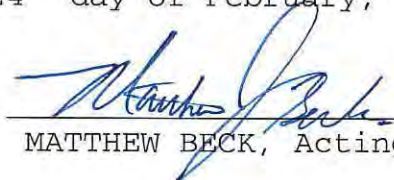
WHEREAS, recommended agriculture advisory board functions would specifically be to 1) deal only with ag issues and make recommendation to the assembly regarding these issues, 2) determine how ag land conservation is to be implemented and how "no net loss" of agricultural lands is defined, 3) review

the equity of current tax policy on agriculture parcels, 4) explore parcel size allowance of less than the required 40 acres minimum, 5) review agriculture covenants/restrictions within Matanuska-Susitna Borough Titles 13, 15 and 23 and recommend changes, if any, and 6) determine if current subdivision requirements on these parcels is adequate or too restrictive, and 7) other identified topics as requested by the assembly; and

WHEREAS, recommended board membership would include those with knowledge and/or experience in livestock, foraging, horticulture, landscaping, root crops, hoop/green houses, soil & water conservation, farmer associations, and agriculture education.

NOW, THEREFORE, BE IT RESOLVED, the ad hoc committee does hereby recommend the establishment of an agriculture advisory board, including the above criteria, for the purpose of reviewing issues affecting borough agriculture lands.

ADOPTED by the Matanuska-Susitna Borough Ad Hoc Agriculture Committee this 24<sup>th</sup> day of February, 2015.

  
MATTHEW BECK, Acting Committee Chair

CODE ORDINANCE

Sponsored by:  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-050**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ADOPTING MSB CODE CHAPTER 4.80 ESTABLISHING THE AGRICULTURE ADVISORY BOARD AND ITS COMPOSITION, FUNCTIONS, AND DUTIES.

---

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Adoption of chapter. MSB 4.80 is hereby adopted to read as follows:

**AGRICULTURE ADVISORY BOARD**

4.80.010 Establishment and purpose

4.80.020 Composition

4.80.030 Functions and duties

4.80.040 Organization; Meetings

4.80.050 Compensation

**4.80.010 ESTABLISHMENT AND PURPOSE.**

(A) The agriculture advisory board is established pursuant to MSB 4.05.020.

(B) The purpose of the agriculture advisory board is to review issues specifically related to and affecting borough

agriculture lands, and advise the assembly and manager on such matters.

(C) All matters pertaining to the agriculture advisory board, unless otherwise specified in this section, shall be governed by MSB 4.05.

**4.80.020 COMPOSITION.**

(A) The board shall consist of 11 members, with one member each from the following organizations, groups or public as follows:

- (1) soil conservation district;
- (2) Alaska Farm Bureau;
- (3) Alaska Farmer's Union;
- (4) agriculture education;
- (5) knowledge and/or experience in livestock;
- (6) knowledge and/or experience in foraging;
- (7) knowledge and/or experience in horticulture;
- (8) knowledge and/or experience in landscaping;
- (9) knowledge and/or experience in root crops; and
- (10) knowledge and/or experience in hoop/greenhouses;
- (11) knowledge and/or experience in prepared foods and

value-added product industry.

(B) If any of the above positions cannot be filled as designated, the assembly may appoint an at-large person who has

demonstrated an interest or knowledge in borough agriculture lands.

**4.80.030 FUNCTIONS AND DUTIES.**

(A) The agriculture advisory board shall have the following functions and duties:

(1) act in an advisory capacity to the assembly and administration on agriculture issues affecting borough agriculture lands; and

(2) act in an advisory capacity to the assembly and administration regarding agriculture land conservation matters and implementation of conservation measures; and

(3) act in an advisory capacity to the assembly and administration on any recommendations or changes to borough code regarding real property issues affecting current and future borough agriculture lands; and

(4) act in an advisory capacity to the assembly and administration on other agriculture topics identified by the assembly or administration.

**4.80.040 ORGANIZATION; MEETINGS.**

(A) Seven members shall constitute a quorum and an affirmative vote of seven is necessary for the board to take action.

(B) Meetings shall be established by the board. Minutes may be taken by borough staff but shall be reviewed and approved

by the board and forwarded to the clerk for preservation.

(C) The board shall hold an organizational meeting each year and elect a chairperson and vice-chairperson.

(D) All formal actions and recommendations of the board shall be by resolution and transmitted to the assembly or manager as appropriate.

(E) The board shall be assisted with its work by the Community Development Department.

**4.80.050 COMPENSATION.**

(A) Board members shall be reimbursed for mileage incurred in connection with meetings of the board in the same manner as borough employees are compensated for mileage expenses upon presentation of supporting documentation.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** Amend the scope of work for revision no. Three (3), which will remove culvert no. 15 McRoberts Creek at Maud Road and add a culvert at Meadow Creek at Beaver Lake Road, project number 30114.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the Assembly for consideration.

**APPROVED BY** *[Signature]* JOHN MOOSEY, BOROUGH MANAGER: *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator	HK	
	Public Works Director	<i>[Signature]</i>	1 APR 15
	Finance Director	<i>[Signature]</i>	4/9/15
	Borough Attorney	<i>[Signature]</i>	
	Borough Clerk	<i>[Signature]</i>	4/13/15 <i>[Signature]</i>

**ATTACHMENT (S):** Fiscal Note: Yes x ; No           
 Resolution Serial No. 15-038 (2 pp)

**SUMMARY STATEMENT:** The Public Works Department determined culvert no. 15 McRoberts Creek at Maud Road was located on Department of Natural Resources Land and the Borough will not be able to complete the previously approved scope of work. Public Works requested and received approval from United States Fish and Wildlife Service to revise the scope of work. Revision no. 3 replaces culvert no. 15 McRoberts Creek at Maud Road with a culvert at Meadow Creek at Beaver Lake Road. No changes to the timeline will occur with this revision, and this revision does not have any monetary value.

The Matanuska-Susitna Borough is a member of the Mat-Su Basin Salmon Conservation Partnership which is one of four nationally

recognized fish partnerships by the National Fish Habitat Action Plan Board through the U.S. Fish and Wildlife Service. The partnership has created a strategic plan which lists obstructions to fish passage as one of the major threats to salmon health in the Mat-Su basin, and the project identified in this legislation is but one of these projects. Through this partnership, the U.S. Fish and Wildlife Service works collaboratively to survey, identify, fund, and remove barriers to fish passage, thus keeping our salmon populations healthy and viable.

**RECOMMENDATION OF ADMINISTRATION:** Approve the amended scope of work for revision no. Three (3), which will remove culvert no. 15 McRoberts Creek at Maud Road and add a culvert at Meadow Creek at Beaver Lake Road, project number 30114.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: April 21 2015  
 SUBJECT: Amend the scope of work for revision no. Three (3), which will remove culvert no. 15 McRoberts Creek at Maud Road and add a culvert at Meadow Creek at Beaver Lake Road, project number 30114.  
 ORIGINATOR: Dept of Public Works, Operations & Maintenance

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED *	FUNDING SOURCE US F&W
FROM ACCOUNT # 410.000.000.4xx.xxx	PROJECT # 30114.8400.
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baumgartner</i>	CERTIFIED BY:
DATE: 4/2/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY14	FY15	FY16	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL		*				
---------	--	---	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds		*				
Other						
TOTAL		*				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) \* Actual cost unknown. It will be based on the work completed.

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED BY: *J.E. Galt* DATE: 4/9/15

IM No. 15-093  
RSIS-038

Introduced:  
Public Hearing:  
Adopted:

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 15-038**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING THE SCOPE OF WORK FOR REVISION NO. 3 WHICH WILL REMOVE CULVERT NO. 15 MCROBERTS CREEK AT MAUD ROAD AND ADD A CULVERT AT MEADOW CREEK AT BEAVER LAKE ROAD, PROJECT NO. 30114.

---

WHEREAS, the Public Works Department determined culvert no. 15 McRoberts Creek at Maud Road was on Department of Natural Resources Land preventing replacement of this culvert; and

WHEREAS, a request was submitted to United States Fish and Wildlife Service removing culvert no. 15 and adding a culvert at Meadow Creek at Beaver Lake Road; and

WHEREAS, on March 26, 2015, Public Works was notified by the United States Fish and Wildlife Service, that Revision No. 3 amending the scope of work as requested was approved; and

WHEREAS, one fish passage culvert is being removed and one is being added to the scope of work; and

WHEREAS, no expenditures can be made until the amended scope of work has been approved by the Assembly.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly hereby approves the following scope of work for project no. 30114.

**AMENDED SCOPE OF WORK**

Replace culvert no. 15 titled McRoberts Creek at Maud Road, ADFG ID no. 20401198 from the original culvert

list in NOAL F13AC00418 with a culvert on Meadow Creek  
at Beaver Lake Road ADFG DI no. 20501435

ADOPTED by the Matanuska-Susitna Borough Assembly this -  
day of -, 2015 .

LARRY DEVILBISS, Borough Mayor

ATTEST:

LONNIE MCKECHNIE, CMC, Borough Clerk

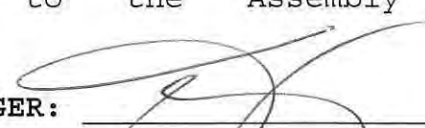
(SEAL)




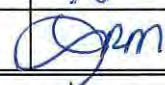

SUBJECT: A RESOLUTION APPROVING THE START OF THE COMPREHENSIVE PLANNING PROCESS FOR CHASE COMMUNITY COUNCIL.

AGENDA OF: April 21, 2015

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Present to the Assembly for consideration.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER: 

Route To:	Department/Individual	Initials	Remarks
	Originator: J. Allen		
	Planning and Land Use Director		
	Borough Attorney		
	Borough Clerk		4/13/15 

ATTACHMENT(S) : Fiscal Note: Yes \_\_\_; No X  
 Resolution Serial No. 15-039 (2 pp)  
 Chase Community Council Comp Plan Update Request and Minutes of April 3, 2014 (3 pp)  
 Chase Community Council Area Map (1 pp)  
 MSB Ordinance 93-071AM(1) (9 pp)  
 MSB Am 93-322AM (13 pp)  
 Comprehensive Planning Process Guidelines (3 pp)  
 Comprehensive Planning Process Diagram (1 pp)  
 PC Resolution (2 pp)

SUMMARY STATEMENT:

On October 13, 2014 the Matanuska-Susitna Borough received a formal request from the Chase Community Council (CCC). At their April 4, 2014 meeting the CCC voted unanimously to begin the process of updating their comprehensive plan. At this time, the plan is twenty-two (22) years old.

The CCC has a few concerns which they would like to address through an update. Being a roadless rural community, with many residents living a subsistence lifestyle, the stewardship and use of available natural resources is of the utmost importance. Chase is susceptible to potentially community altering changes such as higher population density, over use of game, road development, the Susitna-Watana Dam project, and the Alaska LNG pipeline project. With these potential changes in mind, the CCC would like to reevaluate the comprehensive plan, and update sections with recent more information.

The planning commission established comprehensive planning process guidelines under Resolution 09-14(AM). According to the guidelines, when a request is received for comprehensive planning assistance, the request is forwarded to the commission for review and approval, and a planning staff member is appointed to facilitate the process. A copy of the guidelines set by the planning commission is included with this legislation.

On occasion, controversial topics are discussed and can become contentious issues for communities. Controversy may arise and attempts may be made by community members to engage elected officials in the middle of the process. With this in mind, the planning department is seeking assembly review of the CCC request, and respectfully invites the assembly to provide consent. If the assembly chooses to endorse the CCC request, staff will proceed with the effort, and seek planning commission approval to begin the comprehensive plan update process.

Once approved, a staff member will be appointed to work with the council according to the guidelines. It will generally involve one or two evening meetings per month, with a goal of completing the process within 18 to 24 months.

**Recommendation of Administration:** Respectfully, the Planning Department requests adoption of the legislation.

Draft

MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 15-\_\_

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING THE START OF THE COMPREHENSIVE PLANNING PROCESS FOR CHASE COMMUNITY COUNCIL.

---

WHEREAS, the Chase Community Council voted unanimously on April 4, 2014 to send a formal letter requesting assistance from the borough in developing a community comprehensive plan which was received on October 13, 2014; and

WHEREAS, the planning commission has established a process and guidelines for developing community comprehensive plans through PC Resolution 09-14 (AM); and

WHEREAS, the Chase Community Council has a community comprehensive plan adopted by MSB Ordinance 93-071AM (1) which is twenty-two (22) years old; and

WHEREAS, the Chase Community Council boundary encompasses an area sensitive to population change and density which would impact the area's rural roadless subsistence lifestyle; and

WHEREAS, the Chase Community Council area is likely to be significantly impacted by any increased residential development, over consumption of game, and road development within its boundaries; and

WHEREAS, the Chase Community Council is also concerned with the potential impacts upon their community from large scale projects such as the Watana-Susitna Dam Project and the Alaska LNG Pipeline Project; and

WHEREAS, it is prudent for the council to update the comprehensive plan, identify community goals and assets, and ensure that development occurs in a way that is consistent with the resident's goals.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission does hereby approve the start of the Comprehensive Plan Process for the Chase Community Council, and designates planning staff and resources to facilitate the process.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this \_\_\_ day of \_\_\_\_, 2015.

\_\_\_\_\_  
JOHN KLAPPERICH, Chair

ATTEST:

\_\_\_\_\_  
MARY BRODIGAN, Planning Clerk

(SEAL)

## Update of the Chase Community Comprehensive Plan

To: Eileen Probasco, Planning and land Use Director

From: The Chase Community Council

Re: Update of the Chase Comprehensive Plan

RECEIVED

OCT 13 2014

TOWN OF CHASE  
COMMUNITY COUNCIL

The Chase Community Council is working on updating the Chase Comprehensive Plan. The matter was discussed at our last meeting which was on April 4<sup>th</sup>, 2014, (Minutes of the meeting are attached).

The main focus of the update will be the following.

1. Census data.
2. Fish and wildlife data. There has been several new surveys taken since the plan was adopted in 1993
3. The economic data
4. Land use, and subsistence data

The planning committee does not foresee any major changes in the CCP. It has been 21 years since the plan was adopted and it is time to update it.

RECEIVED

OCT 13 2014

WATKINSVILLE POLICE DEPARTMENT  
CLERKING DIVISION

**Minutes of the Chase Community Council Meeting  
April 3, 2014  
6:30 PM  
Gravel Pit, AKRR MP 232**

The meeting was called to order at 6:40 by James Tunnel. A quorum was established.

Board Members present: Kip Boers, Ruthie Strong and Molly Wood

Board Members Absent without notice: Kim Sternberg

Chase Community Members: Beth Pike, Bob Erwin, Susan Erwin, Donnie Billington

Molly moved to approve the agenda, Ruthie seconded the motion, all approved.

The minutes of the January, 2014 meeting were read by Ruthie. Molly moved to approve the minutes, the motion was seconded by Beth and unanimously agreed to.

**Correspondence**

DNR Public notice of LAS29498 submitted by Farley Dean, AK Snow Car Services, Mat Su Spring clean-up, DNR request for records is dormant, Becky Long letter submitted in response to DNR permit.

**Treasurer's Report**

As of 2/28/14 the accounts are as follows:

- \$17256.95 is in the money market account
- \$1946.59 is in the checking account.

\$750 is allocated for operating expenses. All revenue sharing fund checks have cleared. \$13.30 was spent on office supplies and stamps. An overdraft protection fee was incurred for \$18.00 as a result of the timing of dispersal of funds.

**Announcements**

Beth Pike resigned from the Revenue sharing proposal committee and volunteers were solicited.

**Persons to be Heard**

The Erwin family introduced themselves and were welcomed.

**Committee Reports**

***Revenue Sharing***

\$20,200 has been allocated from the Borough for the Chase revenue sharing funds. Molly moved to accept the revenue sharing funds and to appoint James to serve on the Revenue Sharing Committee with Peg and Mike Wood. Ruthie seconded the motion and all approved.

Im15-082  
RS15-039

**Susitna Dam Committee**

Informal updates were provided on the status on state funding for the dam and on key permits for Dam-related activity underway or proposed.

**Trail Supervisors**

None

**Old Business**

**Trail grater and tractor update:** Kevin is making sure that the tractor is in good shape and then it will be shipped up from Wisconsin.

**MVFU Signers:** Ruthie updated the group on the status of the accounts. Currently, it is a private account and needs to be changed to a non-profit/business account. Molly moved to change the account to a non-profit account in the name of Chase Community Council and have the secretary/treasurer and co-chairs join Peg Foster as signers on the account. Donnie seconded the motion and all supported it unanimously.

**Website:**Beth was thanked for her work on the website.

**Clear Creek Trail Maintenance:**At the last meeting, James Tunnell asked that the Board consider using future funds for trail maintenance near snowflake lake. The group agreed to talk with the Trail supervisor board to see if a portion of their revenue sharing funds being held could be used to expedite work on this problem area (raised at the last meeting. James and Donnie will investigate local machinery that could be used.

**Review of Chase Comprehensive Plan:** Dan Elliott has suggestions. James inquired with the Borough on the procedures. Peg moved to approve the review and update of the CCP Ruth seconded the motion and all agreed. The committee will meet in the coming weeks. Beth Pike, Paul Bratton (absent but previously expressed interest), James Tunnel and Mike Wood agreed to work together and propose revisions by the end of 2014.

**New Business**

**Bylaw adjustments:** Adjustments are needed to update the bylaws. Ruthie moved to ask Kim if she would be willing to take the lead on reviewing them and making proposed changes. Moly seconded the motion and was unanimously approved.

**Adjourn**

James moved to adjourn the meeting and Molly seconded, motion passed unanimously. The meeting adjourned at 7:50pm.

*Minutes respectfully submitted by Molly Wood*

# Chase Community Council Area

## Communities

● Communities

## Transportation

— Roads

- - - Trail

— HWY

⊕ Airstrips

⊕ Railroads

## Parcel Ownership

MSB

USA

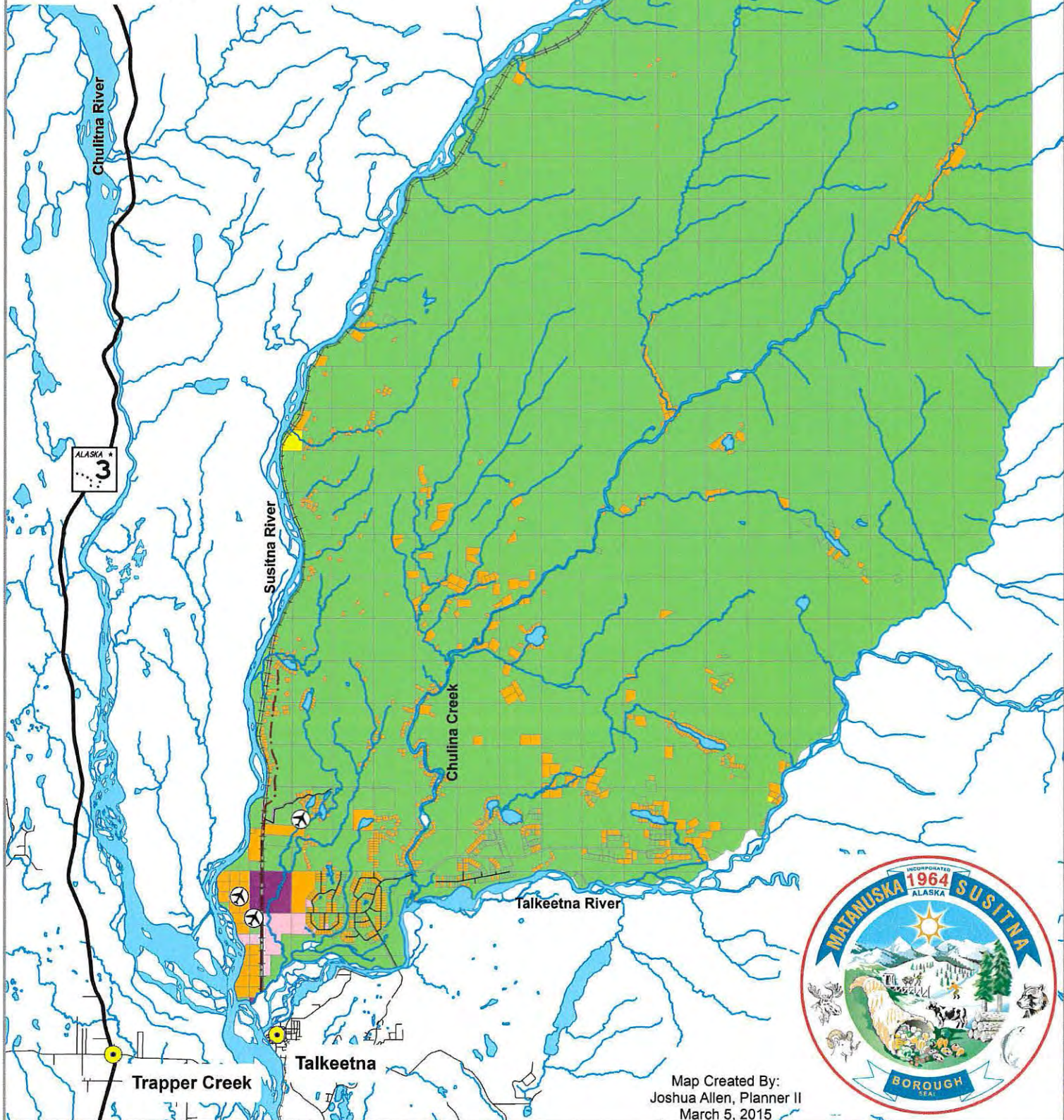
Mental Health

Private

University of Alaska

Alaska

1 in = 3 miles



Map Created By:  
Joshua Allen, Planner II  
March 5, 2015

**RESOLUTIONS**

Im 15-082 339

RS15-039

CODE ORDINANCE

Introduced by: Borough Manager

MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 93-071AM (1)

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ADOPTING THE  
CHASE COMPREHENSIVE PLAN

BE IT ENACTED:

Section 1. Classification. Sections 1, 3 and 4 of this ordinance are non-code. Section 2 of this ordinance is of a general and permanent nature and shall become a part of the borough code.

Section 2. Amendment of section. MSB 15.24.030 (B) is hereby amended as follows:

(7) Chase Comprehensive Plan, May 5, 1992, adopted 1993, as amended.

Section 3. Amendment of Plan. The Chase Comprehensive Plan, May 5, 1992 is amended as follows:

Page 56: Adjust land ownership figures on this page to reflect the more recent number of 889 parcels - include adjusted acreage figures.

Page 76, insert new paragraph 4:

However, Dr. Welbourn notes that the state Department of Natural Resources does not guarantee that wood on state land will always be the fuel supply for private cabins.

Page 77, footnote to paragraph 3:

Dr. Welbourn notes more recently that, 'The 10 years since the study was published contradict the original assumption.' She now states that assuming that all parcels will be developed for full-time use will grossly overestimate the actual demand for timber.

Page 78, last paragraph:

Delete the paragraph starting, "For an estimate of psychological . . ." and ending ". . . from that report she observes," and replace with:

In his August 1974, 'Land: Bridge to Community in the Open-to-entry Area North of Talkeetna' (Alaska Humanities Forum),

cited in Appendix B of Carrying Capacity of Remote Lands for Settlement, R.A. Durr observed:

Page 79, paragraph 2:

These [CONCLUSIONS] proposals support a maximum density limit of 40 acres per dwelling unit; and the Committee believes that this density should be used where appropriate in the area south of a line drawn from Chase to Katie Lake. The area north of this line is characterized by higher country with thinner stands of trees to treeless areas [WHERE MAXIMUM DENSITIES OF 170-1000 ACRES PER CABIN WOULD BE MORE APPROPRIATE (AS RECOMMENDED FOR SUCH AREAS IN DR. WELBOURN'S STUDY).] similar to the more open regions described on page 19 of "Carrying Capacity of Remote Lands for Settlement", 1982, for which that study states that 170-1000 acres/cabin would be required for self-sufficiency in wood resources.

Page 79, after paragraph 6, insert the following new paragraph:

Dr. Welbourn now believes that the 1982 Study is outdated, and offers the following more recent expression of the position of the Department of Natural Resources taken from Susitna Forestry Guidelines - Response to Comments on the Public Review Draft, May 1991, p.99:

"It would be irresponsible of DNR to ignore concerns of private landowners about the impacts of activities on adjacent state land on their property. Therefore the guidelines restrict certain activities next to private property. However, it would also be irresponsible of DNR to grant individual private landowners a veto over use of public lands. Therefore, the guidelines do not prohibit all timber harvesting, and allow for management needed to prevent or control outbreaks of insects, disease, or wildfire, or remove hazards to public safety."

Page 103, table of trail standards: Add 60 ft. ROW width for Class V trails.

Page 75, As first section under "Land Use and Resource Management" add:

Historic/archaeologic Preservation

Historic sites have been identified in the area and it is possible that significant archaeological sites might be found there.

Page 71, add as new second paragraph for Overall Goal Statement:  
Economic development will evolve around small to medium scale economic enterprises while retaining the natural character and aesthetics of the land, water, fish and wildlife.

Page 79, amend the end of paragraph 8 as follows:

. . . disposals in the Chase area have exceeded the carrying capacity should they all be occupied year-round.

Page 87, paragraph 6, second sentence:

As indicated herein, were all of the parcels to occupied full-time, there may not be enough timber in the area to support the potential resident population represented by the number of parcels that have been disposed of in the area.

Page 97, paragraph 6, continuing to next page:

[PRINCIPAL REMAINING PROBLEMS TO BE WORKED OUT ARE AGREEMENT BY THE BOROUGH] A trail service area has been established to assume liability for the trail and the crossing, and to [IDENTIFY] provide a method of maintaining the trails.

Page 85, add the following new second paragraph:

Historically the successes in agriculture in the state have been the smaller mixed family farms with vegetables and animals. These have proven able to survive market fluctuations, subsist on local market constituencies, and grow in many cases into an expanded market base. In many respects the isolated, low-key situation of the Chase Area lends itself to innovative and low-key start ups of this scale.

Page 86, paragraph 5, amend as follows:

Commercial grazing of [LARGE HERDS OF] domesticated animals is not recommended in the area.

Page 89, paragraph 7, 2nd sentence, amend as follows:

Salmon runs in Clear Creek [ARE] could be endangered by degradation of water quality, destruction of spawning beds, and over-fishing.

Page 90, amend paragraph 8 as follows:

It is recommended that the Department of Fish and Game consider suspending the trapping of marten [BE SUSPENDED] in the area for at least three years to allow the recovery of that species.

Page 115, paragraph 2, 2nd sentence:

[THE FOLLOWING FIGURE] The figure on page 73 indicates lands within which public recreation is a primary use.

Page 105, paragraph 8, delete and replace as follows:

[ANADROMOUS FISH STREAMS SHOULD BE BRIDGED OR OTHER APPROPRIATE ACTIONS TAKEN TO PROTECT THE STREAMS.]

This plan encourages enforcement of Department of Fish and Game guidelines for crossing of anadromous streams by mining equipment and other vehicles.

Page 85, paragraph 5, amend as follows:

Innovative and lower impact forms of agriculture - such as organic farming [THAT DO NOT REQUIRE STUMP CLEARANCE AND ARE LAND INTENSIVE] would be more compatible with the goals and objectives of this plan [AND WOULD BE MORE FEASIBLE WITHOUT ROAD ACCESS]. Such methods are recommended when new agricultural disposals are considered in the area.

Page 99, paragraph 3, amend as follows:

[THERE ARE NO CURRENT PROVISIONS FOR SYSTEMATIC CONSTRUCTION AND MAINTENANCE OF TRAILS IN THE AREA.] With the establishment of the Chase Trail Service Area, a mechanism now exists for systematic construction and maintenance of trails in the area.

Page 104, last single asterisk, add:

(This recommendation was implemented by establishment of the Chase Trail Service Area at the October 6, 1992 regular election.)

Page 119, 1st recommendation under "Recommendations", amend as follows:

[CREATE AN ON-GOING CHASE CITIZEN'S ADVISORY COMMITTEE] In accordance with procedures set forth in Planning Commission Resolution 93-27(AM), create a new Chase Citizens Advisory

Committee to implement the comprehensive plan. The new committee is to consist of ten members chosen to fairly represent the views of all residents and property owners in the area. Any impasses concerning issues under deliberation will be resolved through the elevation process per Resolution 93-27(AM).

Page 71, paragraph 5, amend last sentence as follows:

The planning area will be served primarily by trails; however Motor vehicle [ROADS] facilities will be [DISCOURAGED] allowed in [THE PLANNING AREA] legal rights-of-way.

Page 79, add a final paragraph before the Recommendations section as follows:

However, the existing more-dense settlement pattern in the southern portion of the planning area - including the Chase II Subdivision with 10 acre combined lots - and the high probability that not all lots will be occupied year-round support a recommended higher density in the area south of the Chase to Katie Lake line, while the relatively inhospitable nature of the area north of that line supports a recommendation for lower density.

Page 79, Recommendation 1, amend as follows:

[THERE SHOULD BE NO ADDITIONAL DISPOSALS OF RESIDENTIAL PARCELS IN THE AREA.] Additional disposals of parcels in the area are allowed. Prior to any new land disposals in the planning area, a feasibility study of such a disposal will be completed and reviewed by the Planning Commission.

Page 79, last paragraph, amend as follows:

[NO NEW PARCELS SHOULD BE CREATED IN THE AREA THAT ARE LESS THAN 40 ACRES IN SIZE, AND LEGISLATION SHOULD BE AMENDED TO ALLOW CURRENT LANDOWNERS THE OPPORTUNITY TO INCREASE CURRENT HOLDINGS TO A TOTAL OF 40 ACRES.]

Lots in the planning area should be relatively large to accommodate a remote lifestyle and gross residential density should not exceed the capability of the surrounding area to support area lifestyles on a continuing basis.

Page 80, Illustration, amend title as follows:

[RESIDENTIAL CARRYING CAPACITY] Recommended Residential Densities

Replace the figures on the illustration with the words "lower d.u. density" north of the Chase-Katie Lake line and "higher d.u. density" south of that line.

Page 81, paragraph 1, amend as follows:

Residential density in the area south of the Chase-to-Katie Lake line should [NOT EXCEED 40 ACRES PER DWELLING UNIT,] be higher than [WITH LOWER DENSITIES (AS LOW AS 1,000 ACRES PER DWELLING) in the area north of that line.

Page 89, paragraph 9 and continuing to page 90, delete and replace as follows:

[HEAVY EQUIPMENT FOR WHICH BRIDGING IS IMPRACTICABLE SHOULD CROSS STREAMS ONLY BY PERMIT AND THEN ONLY AT APPROPRIATE TIMES OF THE YEAR TO MINIMIZE TURBIDITY AND DESTRUCTION OF SPAWNING BEDS.]

Department of Fish and Game guidelines for crossing of anadromous streams by mining equipment and other vehicles should be enforced. (Bridges should be constructed and used, as practicable, by all motorized traffic for crossing significant streams in the area.)

Page 91, paragraph 8, amend as follows:

A low population density, justified by resource carrying capacity as described herein, has its own value as a part of [THE CURRENT] a remote lifestyle and should be maintained. [AS RULE OF THUMB] Generally, and with deference to carrying capacity concerns analyzed herein, residential density should be [LIMITED TO ONE DWELLING PER 640 ACRES] even lower in the area north of a line from the Chase railroad station to Katie Lake[; AND TO ONE DWELLING UNIT PER 40 ACRES] than in the area south of that line.

Page 84, paragraph 2, amend as follows:

Mining permits and leases should contain conditions adequate to protect water quality and in-stream flow and be developed in accordance with existing state and federal regulations.

It is recommended that [EITHER] the state include community review in its permitting process [OR THAT THE BOROUGH REQUIRE IT UNDER ITS ZONING AUTHORITY].

Page 84, paragraph 4, amend as follows:

Large scale mining along Clear Creek and its tributaries should be discouraged - elsewhere it should be reviewed on a case-by-case basis.

Page 97, paragraph 1, amend as follows:

There is a need in the Chase area to establish maximum as well as minimum standards for trail development and use[;] [AND, SINCE ROADS AND THE KINDS OF VEHICLES THAT USE ROADS ARE DISCOURAGED IN THE CHASE AREA, IT IS IMPORTANT TO ESTABLISH MAXIMUM AS WELL AS MINIMUM STANDARDS].

Page 98, paragraph 4, amend as follows:

[AN ADDITIONAL RIVER CROSSING MAY BE SOUGHT.] In addition or prior to the construction of the road bridge proposed in connection with the Chase II Subdivision, [THIS MIGHT BE] a small bridge capable of carrying one-way ATC/snowmachine traffic . . .

Page 101, next to last paragraph, second sentence, amend as follows:

The Plan does not recommend any further agricultural disposals at this time [.] pending changes in Borough and state agricultural programs that will make agriculture more viable.

Page 86, paragraph 2, amend as follows:

Pending changes in Borough and state agricultural programs that will make agriculture more viable [FURTHER DEMONSTRATION OF THE VIABILITY OF ORGANIC FARMING AND AGRICULTURE IN THE UPPER SUSITNA VALLEY], it is recommended that no additional agricultural land disposals be offered [UNTIL THIS PLAN IS REVISED (IN APPROXIMATELY FIVE YEARS)]. Lands currently classified for agriculture should be reevaluated with respect to the latest U.S. Soil Conservation Service soil survey. Soils with high agricultural potential, such as those indicated in the following figure, should be preserved in a

use or uses which will not preclude conversion to agriculture in the future[;]\_. [AND, AT SUCH TIME AS FURTHER AGRICULTURAL DISPOSALS MAY BE OFFERED IN THE AREA, IT IS RECOMMENDED THAT CONSIDERATION BE GIVEN TO LIMITING THEM TO ORGANIC PRACTICES.]

Page 101, paragraph 11, second sentence, amend as follows:

The Plan does not recommend any further agricultural disposals [AT THIS TIME] pending needed changes in state and Borough agricultural policy.

Page 88, paragraph 6, amend as follows:

[THERE SHOULD BE NO TREE CLEARING WITHIN 200 FEET OF PRIVATE PROPERTY LINES - ON STATE OR BOROUGH LAND EXCEPT FOR SELECTIVE CUTTING FOR FOREST MANAGEMENT.] Buffers for timber harvest in the vicinity of private property shall be as provided in the Susitna Forestry Guidelines.

Page 92, paragraph 6, amend as follows:

Identify and establish feasible and legal access to all parcels in the area. This should include access by rail, air, trail, road facilities, or boat.

Page 96, paragraph 6, first sentence, amend as follows:

Since principal access by trail is an important element of the Overall Goal of this Plan [IS TO DISCOURAGE ROADS IN THE AREA], physical surface access requirements will be satisfied primarily by trails; while legal access will be assured.

Page 98, amend paragraphs 5 and 6 as follows:

[SOME TRAILS ARE IN FACT PRIMITIVE ROADS - E.G. THE AGRICULTURAL "ROADS" IN] Platted roads exist in the area for the agricultural homestead area west of the railroad and just north of Talkeetna, and Clear Creek Road which connects the railroad siding at ARR M.P. 232 with the Chase II Subdivision area. Chase II Subdivision has been platted with roads serving all lots [- HOWEVER THE ROADS HAVE NOT BEEN CONSTRUCTED]. The Chase II plat includes a designated bridge crossing of the Talkeetna River at the gauging station. The road rights-of-way within Chase II have been dedicated to the public. [AND ROADS COULD BE BUILT WITHIN THEM WITHOUT A PERMIT] A homeowners association was established at the time

the plat was recorded as an instrument to build and maintain roads. [HOWEVER, BUILDING ROADS OR TRIALS THAT WOULD ACCOMMODATE CONVENTIONAL VEHICLES WITHOUT A BRIDGE THAT WILL HANDLE THEM IS NOT DESIRABLE SINCE IT WOULD INVITE TRESPASS USE OF THE RAILROAD BRIDGE BY CONVENTIONAL VEHICLES, FURTHER EXACERBATING AN ALREADY DANGEROUS SITUATION AND CONTRIBUTING TO THE DEGRADATION OF TRAILS IN THE AREA NOT DESIGNED FOR SUCH USE.]


Page 106, after paragraph 6, add new paragraph:

Allow the development and use of private landing strips on private land.


Section 4. Effective date. Ordinance Serial No.93-071AM shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

INTRODUCTION: 7/13/93 10/6/93 PUBLIC HEARING: 9/21/93; 9/28/93 10/19/93

19 ADOPTED by the Matanuska-Susitna Borough Assembly this day of October, 1993.

  
ERNEST W. BRANNON, Borough Mayor

ATTEST:

  
LINDA A. DAHL, Borough Clerk  
(SEAL)

Im15-082  
RS15-039

**BOROUGH ASSEMBLY DOCUMENT  
CONTROL & AM FORM**

Matanuska-Susitna Borough  
350 East Dahlia Avenue  
Palmer, Alaska 99645

For Agenda of: October 5, 1993

No. AM 93-322AM

**SUBJECT:** Chase Comprehensive Plan Amendments

**ATTACHMENTS:** Fiscal Note: Yes  No  MSB Ordinance Serial No. 93-071AM; Planning Commission Resolution 93-27(AM); Planning and Economic Development Committee Recommendations dated September 28, 1993; and MSB Resolution Serial No. 86-7.

1	Originator Rodney Schulling	RS, P
	Clerk	
5	Assistant to the Manager	
4	Attorney	WJ
5	Finance Director	
2	Planning Director	RS, P
	Assessor	
	Public Works Director	
	Mayor	

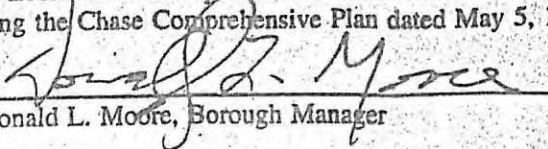
**SUMMARY STATEMENT:**

At the conclusion of the public hearing of the Chase Plan in Palmer on September 28, the Assembly voted to postpone action on the Plan pending delivery of amendments to the Plan recommended by the Assembly's Planning and Economic Development Committee. The Committee's recommendations have been included in Ordinance Serial No. 93-071 (AM) and this ordinance has been introduced and set for public hearing on October 19.

The first section of amendments through that on page 115, paragraph 2, 2nd sentence are those listed in AM 93-193 under Alternative One as agreeable to the Planning Commission, to the Chase Citizens Planning Advisory Committee, or to Mr. Jim Sykes, the latter's representative during Planning Commission consideration of the Plan.

**RECOMMENDED ACTION:** Staff understands that with the amendments included therein, the Borough's Planning and Economic Development Committee recommends approval of Ordinance Serial No. 93-071(AM) adopting the Chase Comprehensive Plan dated May 5, 1992.

APPROVED BY:

  
Donald L. Moore, Borough Manager

IM 15-082  
RS 15-039

The remaining amendments - from that on Page 105, paragraph 8 onward - are recommended by the Planning and Economic Development Committee after review of the Plan and the Planning Commission's recommendations in their Resolution 93-30 (AM). Some of these amendments are as the Planning Commission recommended, some are modification of Planning Commission recommendations, and a few were authored by the Committee. A few amendments recommended by the Planning Commission were not included by the Committee.

Copies of Assembly Resolution 86-7 establishing policy guidelines for comprehensive planning in the Borough, and Planning Commission Resolution 93-27(AM) establishing guidelines for the development of community based comprehensive plans, based upon the policy established by MSB Resolution 86-7, are enclosed. The ten member committee recommended by the Planning and Economic Development Committee to implement the Chase Plan would be formed and function under the guidelines of Planning Commission Resolution 93-27(AM).

Im15-082  
RS 15-039

September 28, 1993

The Planning and Economic Development Committee has considered Ordinance 93-071 "An Ordinance of the Matanuska-Susitna Borough Assembly adopting the Chase Comprehensive Plan" and makes the following recommendations:

1. We reject the concept of dividing the planning area into two sub-units. This was recommended by the Planning Commission as a solution to the dispute over residential density and minimum lot size. We believe a more practical solution would be to address these questions in the implementation process by defining a number of zones with different criteria to meet both present conditions and future anticipations.

2. We recommend that the Assembly adopt Option 1 in AM 93-193 with the following additional amendments:

- Page 105, para 8: delete and replace (Page 8, PC Reso 93-30(AM))
- Page 85, para 5: amend (Page 8, PC Reso 93-30(AM))
- Page 99, para 3: delete first sentence and substitute:

"With the establishment of the Chase Trail Service Area, a mechanism now exists for systematic construction and maintenance of trails in the area."

- Page 104, last single asterisk: Add: "(This recommendation was implemented by establishment of the Chase Trail Service Area at the October 6, 1992 regular election.)"
- Page 119, under Local Government, Recommendations: Recommendation #1, delete [CREATE AN ON-GOING CHASE CITIZENS ADVISORY COMMITTEE] and substitute:

"In accordance with procedures set forth in Planning Commission Resolution 93-27(AM), create a new Chase Citizens Advisory Committee to implement the comprehensive plan. The new committee is to consist of ten members chosen to fairly represent the views of all residents and property owners in the area. Any impasses concerning issues under deliberation will be resolved through the elevation process per Resolution 93-27(AM)."

3. We propose that the attached *Statement of Borough Policy Regarding the Chase Comprehensive Plan* be adopted by the Assembly and included in the plan.

AM 93-322AM

Im 15-082  
RS 15-039

**STATEMENT OF MATANUSKA-SUSITNA BOROUGH POLICY  
REGARDING THE CHASE COMPREHENSIVE PLAN**

1. The Matanuska-Susitna Borough planning process is based on local input. The intent is to have comprehensive plans developed by the people so that the land use preferences of the residents may be preserved. In the case of the Chase Plan, we believe that the residents have a right to preserve - to the extent consistent with State and Borough law - their subsistence, wilderness lifestyle.
2. Those affected by the plan must not be led into believing that the plan does things that it is not capable of doing: the plan does not supersede the Susitna Area Plan or the Susitna Forestry Plan as to State lands; Borough classifications and ordinances as to Borough lands; the State Forest Practices Act; Fish & Game regulations regarding activity in anadromous waters; or Borough platting requirements as to all lands, public or private. Its purpose is to provide a database and rationale for zoning decisions. At best the plan can provide a guide for management decisions by public agencies, but it can have no effect on private lands. Only when the plan is implemented by adoption of zoning regulations will it be fully effective.
3. The issues of roads versus trails is simply solved. The planning area should be designated a remote area so that the provisions of MSB 16.20.100.B will apply. This permits the Platting Board to waive road construction as a condition of plat approval. This should be done as part of the implementation process for those subdivisions established by the State since at the time they were sold, the State was exempt from Borough regulation. The realities of the budget process will work in favor of those who do not wish to encourage road development. With the competition for available road funds, it is unlikely that roads will be constructed over the substantial objections of the residents. Subdivisions can still be platted subject to existing platting and zoning regulations.
4. The questions of carrying capacity of the land and the allowable density are much more difficult. The State policies in the area were driven by a legislative mandate to dispose of 100,000 acres per year with an exemption from Borough regulations. Accordingly, there was little planning for the consequences of establishing city-style subdivisions in remote areas such as Chase. We believe that there is no legal imperative or requirement that the State or Borough guarantee the continued availability of public resources to support a subsistence lifestyle. However, since the problem does exist as a result of government actions, government has a moral duty to solve it if possible. The basic principle that no public resources shall be converted to private use without compensation is sound. State lands belong to all the people of the State, and to convert State resources in the Chase area to private use without appropriate compensation is obviously unfair. The plan recommends that the State adopt legislation that would permit present owners in the area to supplement their holdings up to a maximum of 40 acres. We agree, and suggest the Borough, in cooperation with the State, could make some or all of its land in the area available, provided that the acquisition is at fair market value. An innovative approach needs

pIn/pmg/rs1205

AM 93-322AM

Im 15-082  
RS 15-039

to be found for management of forest resources in the area with the objective of supplying a continuing source of fuel wood and house logs, while ensuring reforestation and providing some compensation to the public for the conversion to private use. A multiple use management agreement with a viable entity in the area may be one method. The zoning decisions on parcel size will depend in part on how these questions are answered. It is pointless to attempt to forecast those decisions.

5. Additional residential land disposals in the area should at least be deferred until some of the decisions as to carrying capacity and density are made.
6. The agricultural disposals made in the past suffer from overcontrol of the property. We believe that both the State and Borough will amend the law to permit conveyance of fee title subject to zoning in advance of the sale in organized municipalities or some inclusion of title restrictions where there is no zoning authority. Most of the problems in agriculture have resulted from government rules about how, where and when the farmer can farm. We believe the owner should have the most freedom possible to make his/her own management decisions and fail or prosper because of them. We would, therefore, oppose a requirement for organic farming only, and feel there should be a moratorium on further sales pending changes in the agricultural program.

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AM 93-322AM

Im15-082  
RS15-039

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION 93-27 (AM)**

**A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION  
SETTING FORTH GUIDELINES FOR THE DEVELOPMENT OF COMMUNITY BASED  
COMPREHENSIVE PLANS.**

WHEREAS, the Planning Commission is responsible for the development of the Matanuska-Susitna Borough's comprehensive plan; and

WHEREAS, the Planning Commission has determined that comprehensive plans shall be developed on a community by community basis; and

WHEREAS, community-based planning efforts should have a well-defined process so that the goals of borough residents are expressed and debated in a productive manner; and

WHEREAS, the Planning Commission has carefully considered the comprehensive planning process to ensure the wishes of borough residents are expressed and a balance of interests achieved.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Planning Commission hereby sets forth the following guidelines for the development of community-based comprehensive plans:

- (1) **Scheduling:** Community-based planning efforts will commence at the beginning of the fiscal year unless otherwise approved by the commission, and the planning efforts will be scheduled for 12-month completions.
- (2) **Boundaries:** The boundaries of the planning area shall be reviewed and approved by the commission prior to the planning effort.
- (3) **Notice:** Upon Planning Commission approval of a planning effort, a general notice will be mailed to the area's property owners and registered voters notifying them of the planning effort, the proposed schedule, purpose of the effort, request for nominations, and the contact person. The mailing list will be based on the borough's tax assessment files and the clerk's voter registration list.

Once a draft plan is completed a notice will be mailed to all property owners and registered voters of the area notifying them of the draft plan and requesting their comments on the draft. A notice will also be advertised in the local newspaper. Public meetings would be held to obtain public comments on the draft plan.

AM 93-322 AM

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After the comment period closes on the draft plan the planning team will review all comments and make appropriate changes to the plan. The team will indicate how comments were either incorporated into the plan or why it chose not to incorporate comments.

- (4) **Planning Team:** A planning team will be formed consisting of community representatives, borough staff, and agency representatives, if needed. The number of community representatives will range between six and 15 individuals unless otherwise approved by the commission.

After the Planning Commission has approved the start-up of a new community planning effort a notice will be sent to the relevant community council(s) notifying the council(s) of the action and requesting nominations for membership of the planning team. At the same time an advertisement will be placed in the local newspaper also requesting nominations for the planning team. The applications for planning team representatives will be reviewed by a subcommittee of the Planning Commission. The subcommittee will consist of the commissioner from the subject area, the chairperson or his/her designee, and the plan's project manager. The subcommittee's recommendations will be forwarded to the Planning Commission for review and comment.

- (5) **Methods:** Once the planning project is underway, borough staff will conduct research, inventory resources, prepare background text, and prepare base maps. This information will be prepared in draft form prior to the first working meetings of the planning team. Once the working meetings begin, the planning team will determine which public participation methods will be used (e.g., questionnaires, workshops, etc.) to identify major issues within the planning area.
- (6) **Planning Team Meetings:** Planning Team committee meetings will be public meetings held in a facility within the community. They will be facilitated by borough staff and public input will be received at a designated time during the meeting. Decisions will be made by appointed team members only. The intent is to provide a forum in which team members can discuss issues, make decisions and reach compromises as necessary based on their understanding of the wishes of the community.
- (7) **Workshops:** Workshops will be held at times determined by the planning team throughout the planning process. They will be public meetings in an open house format and will be held in a facility within the community. The workshops will be scheduled over a period of several hours to allow members of the public to stop in at their convenience and talk with team members and borough staff. The intent of the workshops will be to allow the team members to remain abreast of the community on key issues and more importantly to allow community residents to remain informed.

AM 93-322/AM

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RS 15-039

- (8) Public Hearings: Public hearings will be held by the Planning Commission prior to recommending that the Assembly adopt a community plan. The public hearing is to allow the public the opportunity to voice their support or objections prior to the commission's final decision.
- (9) Elevation: From time to time issues will arise that members of the planning team will not be able to agree upon. Due to limited resources it will be necessary to resolve the impasse. Upon reaching impasse, the borough staff member assigned to the planning effort will notify the Planning Director of such and instruct representatives of each side of the issue to prepare briefing papers describing the issue and supporting their position. The briefing papers will be forwarded to the Planning Director and a meeting will be scheduled at which a representative of each side would make a presentation. The Planning Director will issue a written decision on the issue(s) with supporting rationale. The decision will be forwarded to the planning team and Planning Commission. The decision will be considered "final" for the purposes of preparing the draft plan: that is, the issue will be open for public comment during the public comment stage of the draft plan and during the Planning Commission's and Assembly's public hearings.
- (10) Policy Guidelines: Prior to the start of a planning effort the commission will be queried as to policies. Staff will utilize plans that have been formally adopted and directives of the commission and Assembly when assembling the guidelines for the planning effort.

ADOPTED by the Matanuska-Susitna Borough Planning Commission, this 17th day of May, 1993.

  
CARL DEPREST, Chairman

ATTEST:

  
LINDA KETCHUM, Planning Clerk

PLN/ldk/RESO93-27

AM 93-322/AM

Im 15-082  
RS 15-039

Presented by: MSB Planning Commission  
Drafted by: Planning Director

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 88-12**

**A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ESTABLISHING  
POLICY GUIDELINES WITHIN WHICH FUTURE ACTIVITIES TOWARDS THE DEVELOPMENT  
OF A COMPREHENSIVE PLAN WILL OCCUR**

WHEREAS, the Matanuska-Susitna Borough Assembly recognizes that State law requires the Matanuska-Susitna Borough Planning Commission to develop a Comprehensive Plan for the Matanuska-Susitna Borough; and

WHEREAS, the Matanuska-Susitna Borough Assembly recognizes the need for a unified policy position and statement to describe to the people of the Borough the guidelines within which future Comprehensive Plan activities will take place; and

WHEREAS, the Matanuska-Susitna Borough Planning Commission did adopt such a policy at its special meeting held December 10, 1985.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE  
MATANUSKA-SUSITNA BOROUGH:

The Matanuska-Susitna Borough Planning Commission is required by State law to develop a Comprehensive Plan for the Mat-Su Borough. It is the intent of the Matanuska-Susitna Borough government to learn of and respect each community's desires for its present and future way of life and to insure that these desires become each community's portion of the Mat-Su Borough Comprehensive Plan. It will be the responsibility of the community to determine the extent of, or the lack of land use restrictions to be applied in the community.

PASSED AND APPROVED by the Matanuska-Susitna Borough Assembly this

7<sup>th</sup> day of January, 1986.

AM 93-322/AM

*Im15-082  
RS15-039*

*Dorothy A. Jung*  
Dorothy A. Jung, Mayor

REVIEWED AND APPROVED:

*Gary Threlton*  
Gary Threlton, Borough Manager

ATTEST:

*Lucy Barnhart*  
Lucy Barnhart, Clerk

(S.E.C.)

AM 93-322 AM

Im15-082  
RS 15-039

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

### DIVISION OF LAND

WALTER J. HICKEL, GOVERNOR

LAND & RESOURCES SECTION  
3001 G STREET  
P.O. BOX 107000  
ANCHORAGE, ALASKA 99510-7000  
PHONE: (907) 762-3425

Received  
OCT - 5 1993

September 28, 1993

Ernest Brannon, Mayor  
Metamaska-Sustina Borough  
330 East Dahlia Avenue  
Palmer, Alaska 99645

RECEIVED

OCT 1 1993

CLERKS' OFFICE

Dear Mr. Brannon,

Jim Calver of the Borough planning commission called me earlier today with questions about my letter addressing the Chase Comprehensive Plan. I would like to clarify my statements on parcel size limitations. The state does not oppose the borough setting parcel size limits - this is part of the borough's zoning powers. However, we do object to a parcel limit that would conflict with our statutes and prevent a reasonable land sale program in the Chase area.

If the minimum parcel size in the Chase area is set at 40 acres, we can only offer land through the agricultural homestead program: our other land sale programs authorize us to sell parcels that have a maximum size of 40 acres. Typically, people staking homesteads cannot accurately judge the size of their parcel. They frequently believe they have staked 40 acres, but when surveyed the parcel may only be 37 or 38 acres. With a minimum lot size of 40 acres, we could not practically sell land under our current programs. The maximum lot sizes are set by law in Title 38.

We ask that if a minimum lot size is set, that it be less than 40 acres to avoid prohibiting land sales by default. I hope that this clarifies our position. Please call if you have further questions.

Sincerely,



Martha Welbourn, Chief  
Resource Assessment & Development Section

Faxed 9/28/93

Im 15-082  
RS 15-039

AM 93-322AM

printed on recycled paper

*John Darity*  
*Rodney*

September 20, 1993

Matanuska-Sustina Borough  
350 East Dahlia Avenue  
Palmer, AK 99645-6488

Re: Chase Comprehensive Plan

Assembly Members:

We are asking you to make the following modification to the Plan: extend Sub-Unit B west to the Susitna River instead of stopping at the railroad (See the copy of the map for the proposed modification area). This modification will place the Chase Agricultural Area within Sub-Unit B.

When the agricultural parcels were sold in the late 1970's, a group of the landowners built a road system from the railroad to the individual parcels. The purpose of the road is to enable owners to bring equipment and supplies to their land to develop its agricultural potential. John Cruickshank's survey in December 1992 of landowners south of Chase showed 75% favored development of road and bridge rights of way for the agricultural area. In view of the survey results there was no reason to leave the agricultural area (shown in red on the map) out of Sub-Unit B.

Thank you for considering this modification.

Sincerely,

*Robert J. Gleason*

*Florence Ada Gleason*

Robert J. Gleason

Florence Ada Gleason

5201 E. 100th Ave.

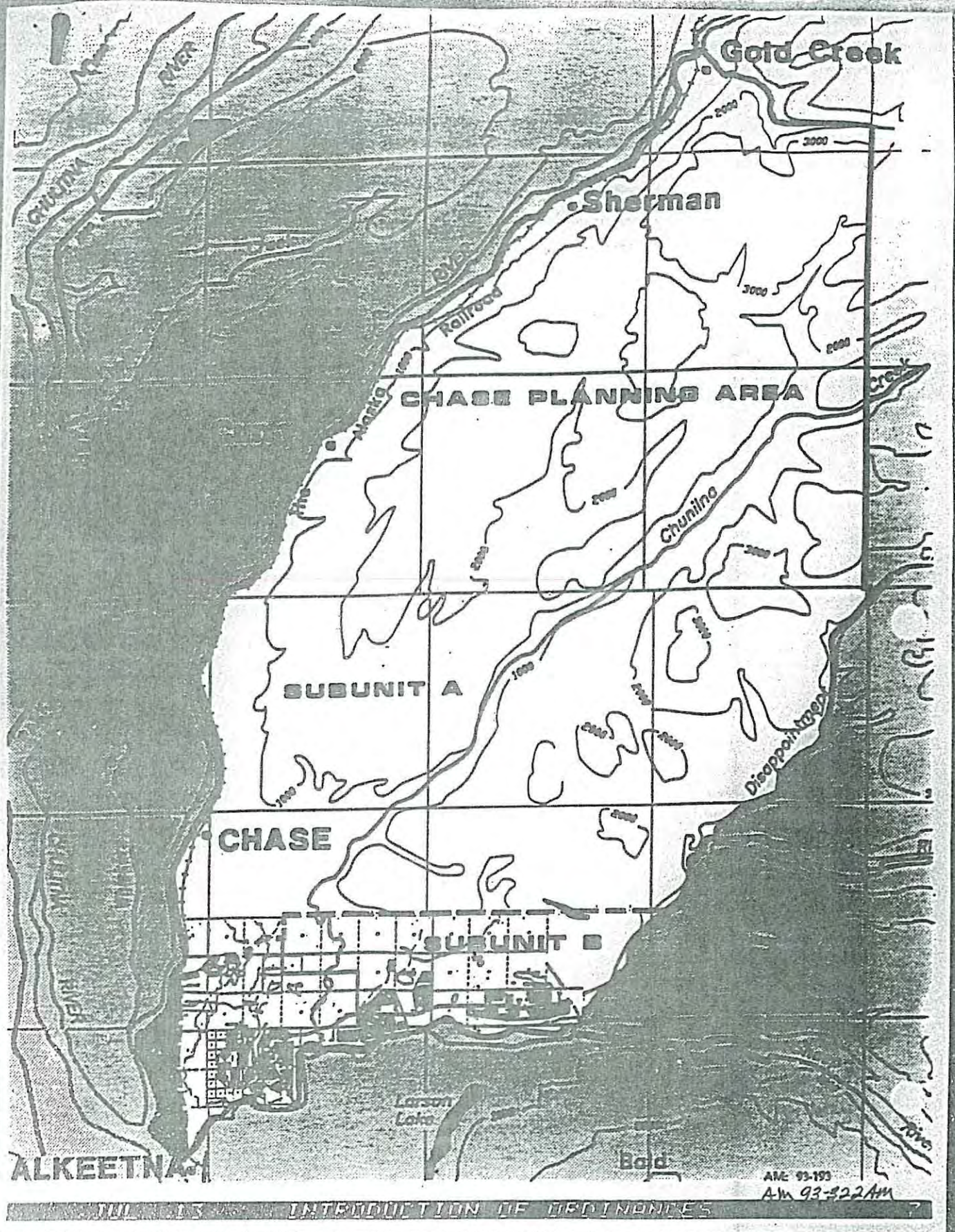
Anchorage, AK 99516

346-2710

*Im15-082*

*RS15-039*

*AM 93-322AM*



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RS15-039



## MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 745-9833 • Fax (907) 745-9876

### **Guidelines for the Development or Update of Community Based Comprehensive Plans and SPUDS. Planning Commission Resolution 09-14 (AM)**

**Request:** According to assembly policy, the request for development or update of a community comprehensive plan or Special Land Use District (SpUD) shall be initiated upon written request by the community council or its equivalent local representative body (for the remainder of this document, community council refers to the local representative body).

**Scheduling:** Community based planning efforts will be scheduled and will be prioritized to accomplish the communities planning goals.

**Commission approval of start-up:** Once the request is scheduled, staff assistance for the planning effort and the boundaries of the affected area shall be reviewed and approved by the commission. The boundaries of the affected area should generally be consistent with the community council boundaries (except that the Core Area comprehensive plan boundaries shall generally consist of the communities of Gateway, North and South Lakes, Tanaina, Farm Loop, and those areas generally between the cities of Palmer and Wasilla that are not within any community council).

Guidelines which have been formally adopted by the planning commission shall be utilized for the planning effort.

**Notice and planning team appointment:** Upon planning commission approval of a planning effort, a general notice will be mailed to the area's property owners and registered voters (if voter list is available) notifying them of the planning effort, the proposed schedule, purpose of the effort, request for planning team nominations, and the contact staff person. At the same time an advertisement will be placed in the newspaper of general circulation also requesting nominations for the planning team. The applications for planning team representatives will be reviewed by a subcommittee of the commission, consisting of the commissioner from the subject area, the council chair or designee, and the staff project manager. The subcommittee's recommendations will be forwarded to the commission for review and comment.

A planning team will be formed with the emphasis placed on ensuring a broad range of representation consisting of community representatives (i.e. property owners, local business owner, education/youth, real estate, etc.), borough staff and agency representatives if needed. The number of community representatives should range between six and 15 individuals unless otherwise approved by the commission. No more than two community council board members may hold both positions of board member

and planning team member. No more than one member of a household unit may be on the planning team.

Planning team members shall complete a commitment form, ensuring the following:

- Lives, owns property, owns a business or other community/agency representative within the planning area;
- Will make the voluntary commitment of time to be available for meetings during the planning effort;
- Will consider compromises that will help manage conflict between competing segments of the community;
- Will listen to and consider testimony from the public and other government agencies as it affects the comprehensive plan;
- Will commit to develop a comprehensive plan that will represent the entire planning area;
- Will commit to distribute accurate information to other community members and clarify misunderstandings.

If any appointed member of the planning team fails to meet the commitments outlined above, he/she may be removed by the subcommittee upon written request by a majority of the remaining planning team members.

**Planning team meetings and public outreach methods:** Once the planning project is underway, borough staff will conduct research, inventory resources, prepare background text, and prepare base maps. This information will be prepared in draft form prior to the first working meetings of the planning team. Once working meetings begin, the planning team will determine which public participation methods will be used (i.e. questionnaires, workshops, etc.) to identify major issues within the planning area.

All planning team meetings and other workshops shall be advertised, at a minimum, in the local newspaper and on the borough web-site. Additional notification efforts such as radio public service announcements, flyers posted at public locations, or other methods may be used.

Planning team meetings will be public meetings held in a facility within the community. They will be facilitated by borough staff and public input will be received at a designated time during the meeting. Decisions will be made by appointed team members only. The intent is to provide a forum in which team members can discuss issues, make decisions and reach consensus as necessary based on their understanding of the wishes of the community.

Workshops will be held at times determined by the planning team throughout the planning process. They will be public meetings in an open house format and will be held in a facility within the community. The workshops will be scheduled over a period of several hours to allow members of the public to stop in at their convenience and talk with team members and borough staff. The intent of the workshops will be to allow the team members to remain abreast of the community on key issues and more importantly to allow community residents to remain informed.

**Draft document is produced:** Once a draft document is prepared by the planning team, it will be made available at a minimum, at the nearest library and on the borough web-site. A second general notice will be mailed to all property owners and

registered voters (if voter list is available) of the area notifying them and requesting their comments on the draft. A notice will also be advertised in the newspaper of general circulation. At least one public meeting will be held to obtain comments on the draft plan or SpUD.

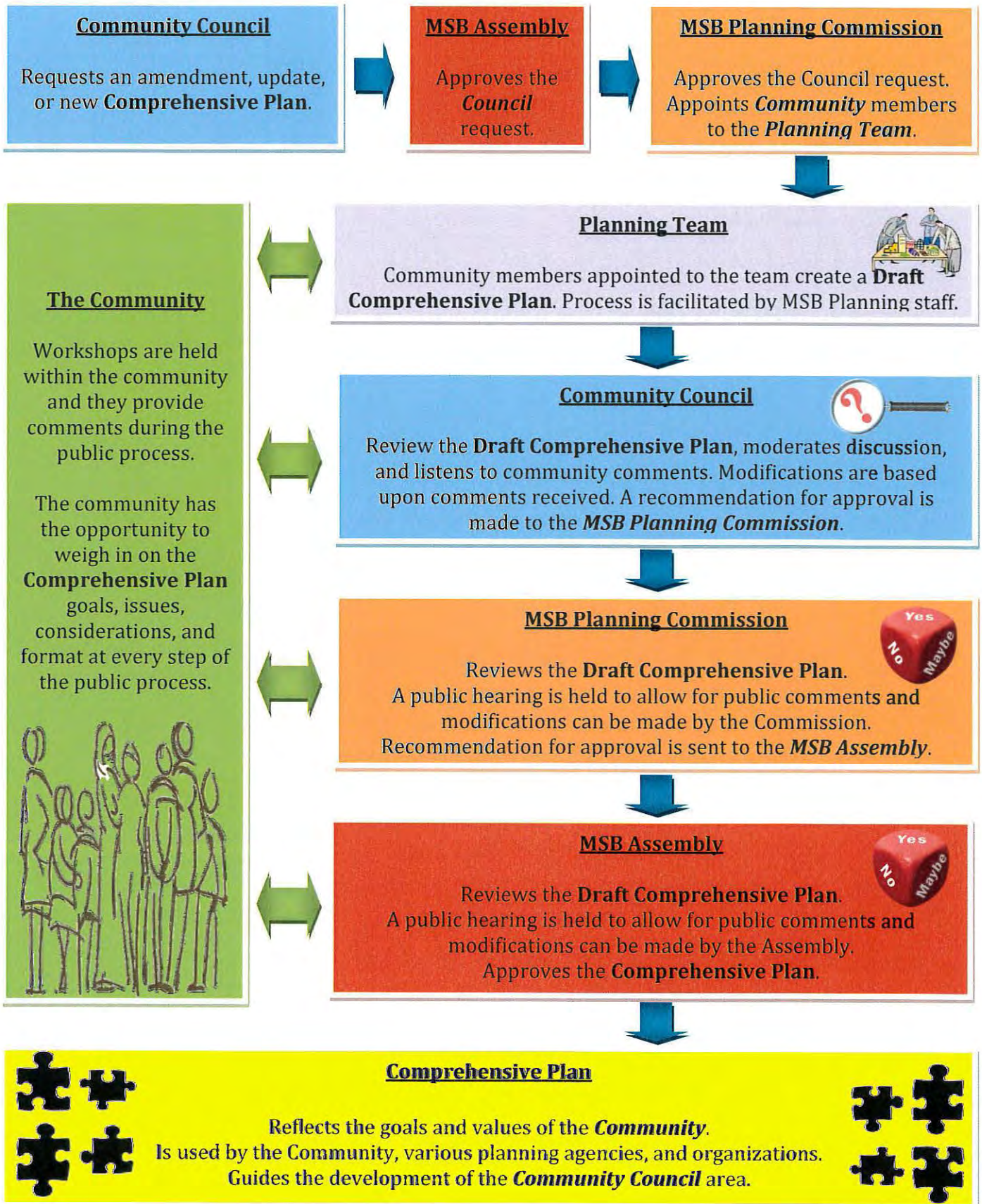
After the comment period closes on the draft document the planning team will review all comments and make appropriate changes to the plan or SpUD. The team will indicate how comments were either incorporated into the plan or explain why it chose not to incorporate such comments. The team will then forward the planning team approved draft to the community council.

**Community Council Review:** The community council shall thoroughly review and make a recommendation to the planning commission, on each specific chapter of the plan or SpUD.

**Public Hearings:** One or more public hearings will be held by the planning commission prior to making a recommendation to the assembly on a community plan or SpUD. The public hearing is to allow the public the opportunity to voice their support or objections prior to the commission's final decision.

**Elevation:** From time to time issues will arise that members of the planning team will not be able to agree upon. Due to limited resources it will be necessary to resolve the impasse. Upon reaching impasse, the borough project staff will notify the planning director of such and instruct representatives of each side of the issue to prepare briefing papers describing the issue and supporting their position. The briefing papers will be forwarded to the planning director and a meeting scheduled at which a representative of each side would make a presentation. The planning director will issue a written decision on the issue(s) with supporting rationale. The decision will be forwarded to the planning team and planning commission. The decision will be considered "final" for the purpose of preparing the draft plan or SpUD: that is, the issue will be open for public comment during the public comment stage of the draft plan or SpUD and during the planning commission and assembly's public hearing.

# Matanuska-Susitna Borough Comprehensive Plan Process



Action:

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 15-039**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE START OF THE COMPREHENSIVE PLANNING PROCESS FOR CHASE COMMUNITY COUNCIL.

---

WHEREAS, the Chase Community Council voted unanimously on April 4, 2014 to send a formal letter requesting assistance from the borough in developing a community comprehensive plan which was received on October 13, 2014; and

WHEREAS, the planning commission has established a process and guidelines for developing community comprehensive plans through PC Resolution 09-14 (AM); and

WHEREAS, the Chase Community Council has a community comprehensive plan adopted by MSB Ordinance 93-071AM (1) which is twenty-two (22) years old; and

WHEREAS, the Chase Community Council boundary encompasses an area sensitive to population change and density which would impact the area's rural roadless subsistence lifestyle; and

WHEREAS, the Chase Community Council area is likely to be significantly impacted by any increased residential development, over consumption of game, and road development within its boundaries; and

WHEREAS, the Chase Community Council is also concerned with the potential impacts upon their community from large scale projects such as the Watana-Susitna Dam Project and the Alaska

LNG Pipeline Project; and

WHEREAS, it is prudent for the council to update the comprehensive plan, identify community goals and assets, and ensure that development occurs in a way that is consistent with the resident's goals.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly does hereby approve the start of the Comprehensive Plan Process for the Chase Community Council, and designates planning staff and resources to facilitate the process.

ADOPTED by the Matanuska-Susitna Borough Assembly this day of April 21, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough  
Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** APPROVAL OF UNINCORPORATED COMMUNITIES FOR PARTICIPATION IN THE FISCAL YEAR 2016 COMMUNITY REVENUE SHARING PROGRAM.

**AGENDA OF:** April 30, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the Assembly for consideration.

APPROVED BY *John M. Moosey* JOHN M. MOOSEY, BOROUGH MANAGER: *[Signature]*

Route To:	Department/Individual	Initials	Remarks
1	Originator	BB	
2	Finance Director	JUL	4/8/15
3	Borough Attorney	NS	
4	Borough Clerk	JMM	4/13/15 <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">501</span>

**ATTACHMENT (S):** Fiscal Note: Yes X No  
 Resolution Serial No. 15-040 (3 pp)

**SUMMARY STATEMENT:**

During the 2008 legislative session a bill was passed that would allow a portion of the Fiscal Year 2009 Community Revenue Sharing Program funds to be passed through to unincorporated areas. The program was also funded for Fiscal Year 2010, Fiscal Year 2011, Fiscal Year 2012, Fiscal Year 2013, Fiscal Year 2014, and Fiscal Year 2015. For the Fiscal Year 2016 program, the Department of Commerce, Community and Economic Development is requiring that a resolution be adopted by the governing body to approve the participating unincorporated communities for the program prior to June 1, 2015.

To qualify for the program, the communities must have at least 25 residents and pay for three of the following services: fire protection, emergency medical, water and sewer, solid waste management, public road or ice road maintenance, public health, and search and rescue. The grant to each unincorporated area can only be spent for the public benefit of the unincorporated area. Once the amount of funding is known, an ordinance will be

presented to the Assembly to accept and appropriate the funds.

The following unincorporated communities and their respective incorporated nonprofit entities are eligible for funding under the Fiscal Year 2016 Community Revenue Sharing Program:

Unincorporated Community   Nonprofit Entity

Big Lake	Big Lake Community Council
Buffalo Mine/Soapstone	Buffalo Mine/Soapstone Community Council
Butte	Butte Community Council
Chase	Chase Community Council
Chickaloon	Chickaloon Community Council
Fishhook	Fishhook Community Council
Gateway	Gateway Community Council
Glacier View	Glacier View Community Council
Knik-Fairview	Knik-Fairview Community Council
Lake Louise	Lake Louise Non-Profit Corporation
Lazy Mountain	Lazy Mountain Community Council
Meadow Lakes	Meadow Lakes Community Council
North Lakes	North Lakes Community Council
Point MacKenzie	Point MacKenzie Community Council
South Knik River	South Knik River Community Council
South Lakes	South Lakes Community Council
Susitna	Susitna Community Council
Sutton	Sutton Community Council
Talkeetna	Talkeetna Community Council
Trapper Creek	Trapper Creek Community Council
Willow Area	Willow Area Community Organization

Some examples of the scopes of work that community councils submitted for the program are as follows:

- Comprehensive Plan and compilation of history of the area
- Trail grooming - wintertime
- Purchase of equipment and supplies for road clean-up and road-kill moose and other food harvesting
- Installation of streetlights to improve community safety
- Upgrading and supplying the Community Center for use as an Emergency Shelter/Triage Center in the event of a disaster affecting the community
- Purchase of materials and equipment for the local Public Safety Building
- Computer table, chair, computer, color printer, paper, and printer toner for the local Senior Center
- Projector and Portable PA system to be used at community council meetings and other community functions
- Portable toilet rental at public access to lakes and trailheads within the community
- Monthly safety meetings to improve recreation safety awareness among the community
- Public services such as food baskets and coats for needy families and related programs
- Folding chairs and tables for the local Senior Center for use during community council and education sessions
- Ice Rink Resealing and Equipment
- Roadside Educational Kiosk Renovation
- Neighborhood Watch Signs
- Historical Park Renovations
- Community Hall Renovations
- Community Resource Center Construction
- Providing funds to the local Health Organization to help establish a Farmer's Market
- Purchase materials and equipment for improvements to the community fields at the local elementary School

**RECOMMENDATION OF ADMINISTRATION:**

Adopt the attached legislation that will approve unincorporated communities for participation in the Fiscal Year 2016 Community Revenue Sharing Program.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: April 7, 2015

SUBJECT: APPROVAL OF UNINCORPORATED COMMUNITIES FOR THE PARTICIPATION IN THE FISCAL YEAR 2014  
COMMUNITY REVENUE SHARING PROGRAM.

ORIGINATOR: Finance

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED *\$424,200	FUNDING SOURCE State Revenue Sharing Funds
FROM ACCOUNT #	PROJECT #
TO ACCOUNT : 475.000.000.3XX.XXX	PROJECT # 47033
VERIFIED BY: <i>Barbara Baumgart</i>	CERTIFIED BY:
DATE: <i>3/25/15</i>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>						

CAPITAL		424.2				
---------	--	-------	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State Funds		424.2				
Other						
<b>TOTAL</b>		424.2				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) \* At this time, this is the estimated amount allocated for the Community Revenue Sharing Program for Fiscal Year 2016.

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED BY: *[Signature]* DATE: *4/8/15*

Resolution Serial No. 15-040  
IM No. 15-089

Action:

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 15-040**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING CERTAIN UNINCORPORATED COMMUNITIES AND THE INCORPORATED NONPROFIT ENTITY FOR PARTICIPATION IN THE FISCAL YEAR 2016 COMMUNITY REVENUE SHARING PROGRAM.

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WHEREAS, AS 29.60.865 and 3 AAC 180.070 require the assembly of a borough or unified municipality to adopt a resolution identifying those unincorporated communities located within their municipal boundaries that the assembly determines meet the Community Revenue Sharing Program eligibility criteria established under AS 29.60.879 and 3 AAC 180.110; and

WHEREAS, the unincorporated community must have an incorporated nonprofit entity that will agree to receive and spend the Community Revenue Sharing payment for the public benefit of the unincorporated community; and

WHEREAS, the unincorporated community must have 25 or more residents residing as a social unit; and

WHEREAS, at least three of the following services: fire protection, emergency medical, water and sewer, solid waste management, public road or ice road maintenance, public health, and search and rescue; are generally available to all residents of the unincorporated community and each of the three services, in any combination, are substantially paid for by the residents

of the unincorporated community through taxes, charges, or assessments levied or authorized by the borough or unified municipality.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly hereby certifies that the following unincorporated communities and their respective incorporated nonprofit entities are eligible for funding under the Fiscal Year 2016 Community Revenue Sharing Program:

Unincorporated Community Nonprofit Entity

Big Lake	Big Lake Community Council
Buffalo Mine/Soapstone	Buffalo Mine/Soapstone Community Council
Butte	Butte Community Council
Chase	Chase Community Council
Chickaloon	Chickaloon Community Council
Fishhook	Fishhook Community Council
Gateway	Gateway Community Council
Glacier View	Glacier View Community Council
Knik-Fairview	Knik-Fairview Community Council
Lake Louise	Lake Louise Non-Profit Corporation
Lazy Mountain	Lazy Mountain Community Council
Meadow Lakes	Meadow Lakes Community Council
North Lakes	North Lakes Community Council
Point MacKenzie	Point MacKenzie Community Council

South Knik River	South Knik River Community Council
South Lakes	South Lakes Community Council
Susitna	Susitna Community Council
Sutton	Sutton Community Council
Talkeetna	Talkeetna Community Council
Trapper Creek	Trapper Creek Community Council
Willow Area	Willow Area Community Organization

ADOPTED by the Matanuska-Susitna Borough Assembly this - day  
of -, 2015.

Larry DeVilbiss, Borough Mayor

ATTEST:

LONNIE R. MCKECHNIE, CMC, Borough Clerk

(SEAL)


**SUBJECT:** Resolution establishing the minimum level of funding for the Matanuska-Susitna Borough School District for the fiscal year ending June 30, 2016.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY** <sup>for</sup> John Moosey, Borough Manager: *George W. Hayes*

Route To:	Department/Individual	Initials	Remarks
	Originator/Fin. Dir.	TC	
1	Finance Director	<i>JWC</i>	4/8/15
2	Attorney	<i>NS</i>	
3	Borough Clerk	<i>JMM</i>	4/13/15 

**ATTACHMENT(S):** Resolution Serial No. 15-041  
 Fiscal Note: Yes X No \_\_\_\_\_  
 Correspondence dated October 1, 2014 from  
 Ronald E. Brown, State Assessor (IP)

**SUMMARY STATEMENT:**

The School District preliminary budget was approved by the School Board on March 18, 2015. In accordance with MSB 3.04.020(B), on or before the last Tuesday in March the school board shall provide to the Manager a proposed budget for school operations. The Matanuska-Susitna Borough School District delivered the preliminary budget to the Borough Manager on March 24, 2015. In accordance with code, the District delivered the preliminary budget to the Assembly on April 1, 2015. The assembly now has 30 days to determine the total amount of money to be made available from local sources for school purposes (AS 14.14.060(c)).

The total school district budget request is \$259,881,783. Of that amount, they have made the request that \$52,830,472 be provided by the Borough. Resolution Serial No. 15-041 will establish the minimum amount of money available for school purposes. That amount is \$233,721,848. Of this total, \$26,670,537 is the required

Borough (local) contribution. This minimum required local contribution amount (\$26,670,537) is calculated in accordance with AS 14.17.410(b)(2) based upon the full and true value of property in the borough, as determined by the Department of Commerce, Community & Economic Development as of January 1, 2014. The required contribution is calculated as follows.

**Required Local Contribution Computation (AS 14.17.410(b)(2))**

DCRA full and true value per correspondence  
dated October 1, 2014 \$10,064,353,720

2.65 mills equivalent: Required Contribution \$26,670,537

Passage of Resolution Serial No. 15-041 fulfills the requirements of AS 14.14.060(c) and MSB 3.04.020(B). Additionally, Resolution Serial No. 15-041 provides a mechanism for increasing local support for school purposes once the full status of state funding of local governments is determined. The purpose of Resolution No. 15-041 is not to restrict the amount of "local support" for school operations, but to provide the assembly with a degree of flexibility. Much of the information necessary for an informed decision on the budget is still unknown at the time this resolution was prepared.

The Borough assembly provided \$51,291,720 in local support for education in fiscal year 2015. In addition, \$9,492,915 was provided for net debt service for the school construction and improvement bonds. This funding equated to 7.6 mills for local support of education.



STATE OF ALASKA  
DEPARTMENT OF  
**COMMERCE**  
COMMUNITY AND  
ECONOMIC DEVELOPMENT

*Sean Parnell, Governor*  
*Susan K. Bell, Commissioner*  
*Lawrence Blood, Acting Director*

Division of Community and Regional Affairs

October 1, 2014

**CERTIFIED/RETURN RECEIPT REQUESTED**

70123050000147060738

Borough Mayor Larry DeVilbiss  
Matanuska-Susitna Borough  
350 East Dahlia Avenue  
Palmer, AK 99645

RE: 2014 FULL VALUE DETERMINATION

Dear Borough Mayor DeVilbiss:

As required by AS 14.17.510 (Public Schools Foundation Program), the Department of Commerce, Community, and Economic Development has determined that, as of January 1, 2014, the full and true value of taxable real and personal property within your municipality is as follows:

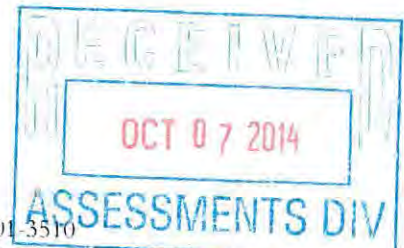
Real Property:	\$8,686,670,800
Personal Property	\$1,370,420,700
State Assessed Property (AS 43.56):	\$7,262,220
<b>TOTAL:</b>	<b>\$10,064,353,720</b>

This full value determination may be appealed administratively by you within fifteen (15) days of receipt of this notice. In addition, AS 14.17.510 allows for judicial review of the determination. If you have any questions concerning this full value determination for 2014, please contact our office at 269-4605.

Sincerely,

*Ronald E. Brown*

Ronald E. Brown  
State Assessor



550 W. 7th Avenue, Suite 1640, Anchorage, Alaska 99501-5510  
Telephone: (907) 269-4580 Fax: (907) 269-4539  
Website: <http://commerce.alaska.gov/dnn/dcra/Home.aspx>

Im15-102  
RS15-091

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: April 21 2015

SUBJECT: Resolution establishing the minimum level of funding for the Matanuska-Susitna Borough School District for the Fiscal Year ending June 30, 2016.

ORIGINATOR: T. Clayton

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <b>(YES)</b> NO
AMOUNT REQUESTED \$ 233,721,848	FUNDING SOURCE State, Federal and Local Funds and Tax Revenues
FROM ACCOUNT # 204-000-000-406-100	PROJECT #
TO ACCOUNT : 204-000-000-3XX-XXX	PROJECT #
VERIFIED BY:	CERTIFIED BY:
DATE: 04/06/12	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>				<b>233,722</b>		

CAPITAL & ISSUANCE COSTS						
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REVENUE						
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FUNDING: (Thousands of Dollars)

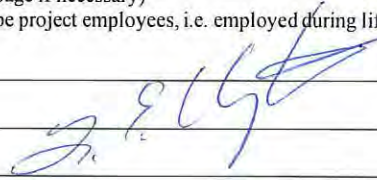
General Fund				26,671		
State/Federal/Other Funds				207,051		
Other						
<b>TOTAL</b>				<b>233,722</b>		

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

\*These full-time employees will be project employees, i.e. employed during life of project.

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY:  DATE: 4/8/15

IM No. 15-102  
RS15-041

Action:

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 15-041**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ESTABLISHING THE MINIMUM LEVEL OF FUNDING FOR THE MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT FOR THE FISCAL YEAR ENDING JUNE 30, 2016.

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WHEREAS, MSB 3.04.020(B) provides that the borough assembly shall approve the total sum to be made available for the school board no later than the first day of May; and

WHEREAS, AS 14.14.060(c) provides that the borough assembly shall determine the total amount of money to be made available from local sources for school purposes within 30 days after the school district presents their request to the Assembly which was April 1, 2015; and

WHEREAS, the Matanuska-Susitna Borough School Board has submitted a proposed budget of \$259,881,783, which includes a request of \$52,830,472 in revenue from the borough as a local source; and

WHEREAS, sufficient time for hearing the school budget is not available as of this date; and

WHEREAS, the actual amount to be appropriated for school district purposes will be addressed within the borough budget; and

WHEREAS, Ordinance Serial No. 15-015 is scheduled to be acted on by the Assembly on May 11, 12, and 13.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly hereby sets \$233,721,848 (including \$26,670,537 of revenue from the borough as the required local contribution) as a minimum amount for the education operating budget for the fiscal year ending June 30, 2016.

BE IT FURTHER RESOLVED that the Matanuska-Susitna Borough Assembly will make an additional determination, not later than May 31, 2015, regarding additional funds which may be made available to the school district based upon state funding of local governments and other information then available for the fiscal year ending June 30, 2016.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Larry DeVilbiss, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. MCKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** Approve amendment for contract 14-067P with Collins Construction, project No. 40187, Joe Redington Sr. JR/SR High School, in the amount of \$4,511,715, to construct high school competition artificial turf football/soccer/track stadium with bleachers and lights, and competition softball and baseball fields for a total contract amount of \$51,101,047.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the Assembly for consideration.

**APPROVED BY** *John* John Moosey, BOROUGH MANAGER: *[Signature]*

Route To:	Department/Individual	Initials	Remarks
1	Originator	BB	
2	Capital Projects Director	MS	3/19/15
3	Purchasing Officer	RMK	3/23/15
4	Finance Director	JAC	4/13/15
5	Borough Attorney	John N.S.	4/13/15
6	Borough Clerk	Jum	4/14/15 <i>[Signature]</i>

**ATTACHMENT (S) :** Fiscal Note: Yes  X  No    

**SUMMARY STATEMENT:** On November 15, 2013, the Matanuska-Susitna Borough requested proposals from qualified contractors to serve as Construction Manager/General Contractor (CM/GC) for construction of the new Joe Redington Sr. JR/SR High School. This new school will provide a complete middle/high school program, relieve the overcrowding at Wasilla Middle and High Schools, and is to be completed by August 2015. Construction is progressing well and is currently over 75% complete.

On February 4, 2014, the Borough Assembly approved a CM/GC contract to Collins Construction for preconstruction services, preliminary site development and procurement of long lead time items, for an amount not to exceed \$13,293,200.

On May 6, 2014, the Borough Assembly approved the remaining CM/GC contract for construction to Collins Construction for an amount not to exceed \$31,877,304.

The total budget for this project is \$65,455,000. Now that construction is over 75% complete, the Borough staff requests to award this additional work to the existing contract to construct two baseball fields and a football/soccer/track stadium with lights. Site preparations for the baseball and softball fields were completed last year in accordance with the master site plan. The new construction contract total will be as follows:

Total Project Budget	\$65,455,000
Current Construction Contract Award	\$46,589,332
Proposed Amendment	\$ 4,511,715
New Construction Contract Total	\$51,101,047

In accordance with MSB Code 3.08.170.C.4, Administration seeks Contract Amendment authority of \$500,000.

**RECOMMENDATION OF ADMINISTRATION:** Approve contract amendment for contract no. 14-067P with **COLLINS CONSTRUCTION** for project no. 40187, **JOE REDINGTON SR. JR/SR HIGH SCHOOL**, in the amount of **FOUR MILLION FIVE HUNDRED ELEVEN THOUSAND SEVEN HUNDRED FIFTEEN DOLLARS AND NO/100 (\$4,511,715)**, to construct the athletic fields at the new Joe Redington Sr. JR/SR High School for a total contract amount of \$51,101,047.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: April 21, 2015

SUBJECT: Approve amendment for contract 14-067P with Collins Construction, project No. 40187, Joe Redington Sr. JR/SR High School, in the amount of \$4,511,715, to construct high school competition artificial turf football/soccer/track stadium with bleachers and lights, and competition softball and baseball fields for a total contract amount of \$51,101,047.

ORIGINATOR:

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED <i>\$4,511,715<sup>00</sup> *</i>	FUNDING SOURCE <i>Bonds</i>
FROM ACCOUNT # <i>400.000.000.4xx.xx</i>	PROJECT # <i>40187-1000-1004</i>
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baumgartner</i>	CERTIFIED BY:
DATE: <i>3/24/15</i>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL		<i>4,511*</i>				
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REVENUE						
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FUNDING: (Thousands of Dollars)

General Fund	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
State/Federal Funds						
Other <i>(Bonds)</i>		<i>4,511*</i>				
TOTAL		<i>4,511*</i>				

POSITIONS:

Full-Time	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

*Ordinance 15-047 \* Contingent upon adoption of*

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: *4/13/15*

**SUBJECT:** Acceptance of late filed and retroactive Senior Citizen and Disabled Veteran exemption applications.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY** *JMC* JOHN MOOSEY, BOROUGH MANAGER: *George W. Hayes*

Route To:	Department/Individual	Initials	Remarks
1	Originator	<i>BD</i>	
	Public Works Director		
	Planning and Land Use Director		
	Community Development		
	Emergency Services Director		
2	Finance Director	<i>JCC</i>	4/8/15
3	Borough Attorney	<i>AS</i>	
4	Borough Clerk	<i>Jmm</i>	4/14/15 <i>(Signature)</i>

**ATTACHMENT (S) :** Fiscal Note: Yes  No

**SUMMARY STATEMENT:**

Attached is a listing of individuals who are requesting exceptions for late filed and retroactive applications for Senior Citizen and Disabled Veteran exemption. In 2002, the state of Alaska enacted legislation whereby Disabled Veterans and Senior Citizens may request retroactive exemption. MSB code was amended accordingly. MSB Code 3.15.030(c) now establishes authority for the assembly with good cause to accept the late filed applications as timely.

Disabled Veteran late filed mandatory and optional exemptions:

Mr. Christopher Cranfill applied on February 20, 2015 for the mandatory and optional Disabled Veteran exemptions for tax year 2014. Mr. Cranfill has owned and occupied his home since September 20, 2007. He is 90% disabled effective January 1, 2014. Mr. Cranfill filed late because he was waiting for his percentage of disability letter from the Veteran's office. He would like his late filed application accepted for 2014.

1665B04L003 - 2014 - \$110,700

Mr. Nathan Ellis applied on January 20, 2015 for the mandatory and optional Disabled Veteran exemptions for tax year 2014. Mr. Ellis has owned and occupied his home since June 1, 2009. He is 80% disabled effective October 1, 2013. Mr. Ellis filed late because he was waiting for his percentage of disability letter from the Veteran's office. He would like his late filed application accepted for 2014.

6448B01L030 - 2014 - \$170,000

Mr. Christopher Renfro applied on February 20, 2015 for the mandatory and optional Disabled Veteran exemptions for tax years 2013 and 2014. Mr. Renfro has owned and occupied his home since August 3, 2011. He is 60% disabled effective November 1, 2012. Mr. Renfro filed late because he was waiting for his percentage of disability letter from the Veteran's office. He would like his retroactive request and late filed application accepted for 2013 and 2014.

4740B02L007 - 2013 - \$170,000

4740B02L007 - 2014 - \$170,000

Mr. William Nash applied on February 24, 2015 for the mandatory and optional Disabled Veteran exemptions for tax years 2013 and 2014. Mr. Nash has owned and occupied his home since March 1, 2012. He is 70% disabled effective December 1, 2011. Mr. Nash filed late because he was unaware of the exemption program. He would like his retroactive request and late filed application accepted for 2013 and 2014.

5814B03L008 - 2013 - \$170,000

5814B03L008 - 2014 - \$170,000

Senior Citizen late filed mandatory and optional exemptions:

Mr. Omar Anacleto applied on March 5, 2015 for the mandatory and optional Senior Citizen exemptions for tax year 2014. Mr. Anacleto has owned and occupied his home since January 29, 1980. He turned 65 on September 23, 2013. Mr. Anacleto filed late because he was unaware of the exemption program. He would like his late filed application accepted for 2014.

6513B01L004 - 2014 - \$64,200

Ms. Dotty Hammack applied on August 27, 2014 for the mandatory and optional Senior Citizen exemptions for tax years 2013 and 2014. Ms. Hammack has owned and occupied her home since December 20, 2010. She turned 65 on July 19, 2012. Ms. Hammock filed late because she was unaware that she could apply for the Contiguous Lot Exemption for her property. She would like her late filed application accepted for 2013 and 2014.

6274000L029 - 2013 - \$45,300

6274000L029 - 2014 - \$44,900

Mr. George Ballard applied on March 4, 2015 for the mandatory and optional Senior Citizen exemptions for tax years 2013 and 2014. Mr. Ballard has owned and occupied his home since October 9, 2012. He turned 65 on January 17, 2010. Mr. Ballard filed late because he was unaware of the exemption program. He would like his late filed application accepted for 2014.

6412B04L002 - 2013 - \$149,100

6412B04L002 - 2014 - \$165,200

Ms. Martha Jack applied on February 25, 2015 for the mandatory and optional Senior Citizen exemptions for tax years 2013 and 2014. Ms. Jack has owned and occupied her home since December 23, 2010. She turned 65 on September 16, 2010. Ms. Jack filed late because she was unaware of the exemption program. She would like her retroactive request and late filed application accepted for 2013 and 2014.

6804B01L002 - 2013 - \$170,000

6804B01L002 - 2013 - \$170,000

Mr. Chester Johnson applied on February 18, 2015 for the mandatory and optional Senior Citizen exemptions for tax year 2014. Mr. Johnson has owned and occupied his home since December 23, 2002. He turned 65 on November 4, 2013. Mr. Johnson filed late because he was unaware of the exemption program. He would like his late filed application accepted for 2014.

6513B01L004 - 2014 - \$85,000

Mr. Darol Owen applied on February 12, 2015 for the mandatory and optional Senior Citizen exemptions for tax years 2013 and 2014. Mr. Owen has owned and occupied his home since June 13, 2000. He turned 65 on November 10, 2009. Mr. Owen filed late because he was unaware of the exemption program. He would like his retroactive and late filed application accepted for 2013 and 2014.

2693B05L010 - 2013 - \$170,000

2693B05L010 - 2014 - \$170,000

Ms. Janice Phillips applied on December 29, 2014 for the mandatory and optional Senior Citizen exemptions for tax years 2013 and 2014. Ms. Phillips has owned and occupied her home since February 12, 2002. She turned 65 on May 3, 2012. Ms. Phillips filed late because she was unaware of the exemption program. She would like her retroactive request late filed application accepted for 2013 and 2014.

6804B01L002 - 2013 - \$170,000

6804B01L002 - 2013 - \$170,000

**RECOMMENDATION OF ADMINISTRATION:** Acceptance of late filed and retroactive requests for tax exemption.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: April 7, 2015

SUBJECT: Acceptance of retroactive and late filed Senior Citizen and Disabled Veteran exemption applications.

ORIGINATOR: Brad Pickett, Borough Assessor

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <u>YES</u> NO
AMOUNT REQUESTED <u>&lt;36,864&gt;</u>	FUNDING SOURCE <u>NAR/FSA/RSA/SSA Property taxes</u>
FROM ACCOUNT # <u>100/2XX.000.000.311.100/102</u>	PROJECT #
TO ACCOUNT :	PROJECT #
VERIFIED BY: <u>Barbara Baumgartner</u>	CERTIFIED BY:
DATE: <u>3/25/15</u>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
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REVENUE						<u>&lt;36.8&gt;</u>
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FUNDING: (Thousands of Dollars)

General Fund						<u>&lt;23&gt;</u>
State/Federal Funds						
Other <u>NAR/FSA/RSA/SSA</u>						<u>&lt;13.8&gt;</u>
TOTAL						<u>&lt;36.8&gt;</u>

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: Brad Pickett, Borough Assessor PHONE: 861-8647

DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_

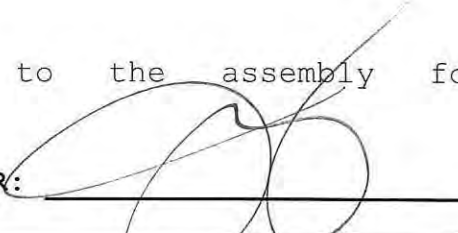
APPROVED BY: [Signature] DATE: 4/8/15

**SUBJECT:** Award of ITB 15-093B, Dena'ina Elementary School Construction to F-E Contracting, Inc. in the amount of \$15,640,049.00.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
	Originator	<i>ADD for RMK</i>	<i>3/23/15</i>
	Capital Projects Director	<i>MB</i>	<i>3/23/15</i>
	Finance Director	<i>JCC</i>	<i>4/7/15</i>
	Borough Attorney	<i>NS</i>	
	Borough Clerk	<i>JAM</i>	<i>4/14/15</i>

**ATTACHMENT (S):** Fiscal Note: Yes  X  No    
 Advertising: (1p)  
 Bid Analysis: (1p)

**SUMMARY STATEMENT:** On January 13, 2015, the Matanuska-Susitna Borough issued Invitation to Bid 15-093B soliciting bids from qualified contractors to construct the new Dena'ina Elementary School. The advertising resulted in ten bids being received with the lowest responsible and responsive bid being from F-E Contracting, Inc.

This contract will be administered and monitored by the Department of Capital Projects, Project Management Division. The contract is anticipated to begin by May 1, 2015, with completion slated for July 1, 2016.

In accordance with MSB Code 3.08.170.C.4, Administration seeks Contract Amendment authority of ten percent.

**RECOMMENDATION OF ADMINISTRATION:** Award of ITB 15-093B, DENA'INA ELEMENTARY SCHOOL CONSTRUCTION, to F-E CONTRACTING, INC. for the contract amount of FIFTEEN MILLION SIX HUNDRED FORTY THOUSAND FORTY NINE AND NO/100 DOLLARS (15,640,049.00).

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: April 21, 2015

SUBJECT: Award of ITB 15-093B, Dena'ina Elementary School Construction to F-E Contracting, Inc. in the amount of \$15,640,049.00.

ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED \$15,640,049*	FUNDING SOURCE Bonds
FROM ACCOUNT # 400.000.000.4xx.xxx	PROJECT # 40192-1000-1004
TO ACCOUNT:	PROJECT #
VERIFIED BY: <i>Barbara Baumgart</i>	CERTIFIED BY:
DATE: 4/6/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL		15,640*				
---------	--	---------	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		15,640*				
TOTAL		15,640*				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) \* Award is subject to adoption of Ordinance 15-047

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_

DEPARTMENT: *SCG* DATE: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_ DATE: 4/7/15

**MATANUSKA-SUSITNA BOROUGH  
350 East Dahlia  
Palmer, Alaska 99645**

**ADVERTISEMENT**

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Alaska Dispatch News		MATA 0070	JANUARY 14 & 19, 2015
Frontiersman		CONTRACT	JANUARY 16, 2015
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH  
BID #15-093B  
DENA'INA ELEMENTARY SCHOOL CONSTRUCTION**

The Matanuska-Susitna Borough is soliciting bids for the construction of Dena'ina Elementary School, an approximately 44,000 square foot facility to be constructed at 7068 S Knik Knack Mud Shack Road., Wasilla, AK.

Bid documents are available **beginning January 13, 2015** from the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer AK 99645. For information call (907) 861-8601, Fax (907) 861-8617. This bid document may be available on the internet at [www.matsugov.us](http://www.matsugov.us). Cost of bid documents picked up \$5.00; if mailed, \$10.00.

Bids open: **FEBRUARY 10, 2015 At 3:00 PM in the Purchasing Division**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8687.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Date: 1/12/15	Requested by: Signature on File	Approved by: Signature on File
------------------	------------------------------------	-----------------------------------

DEPARTMENT ACCOUNT NO.: 400.000.000.461.940 ~ 40192-1000-1004

Am15-032

BID TABULATION											
BID #15-093B											
March 11, 2015 @ 3:00 PM											
BIDDER	W-E Contractin	UIC Const	Cornerstone	Osborne	Watterson	Roger Hickel	Unit Company	Collins Const	Denali General	Neeser Const	
Item #	Pay Item Description	TOTAL PRICE	TOTAL PRICE	TOTAL PRICE	TOTAL PRICE	TOTAL PRICE	TOTAL PRICE	TOTAL PRICE	TOTAL PRICE	TOTAL PRICE	TOTAL PRICE
1	Base Bid	\$14,930,000.00	\$18,000,000.00	\$16,060,749.00	\$17,306,000.00	\$15,793,000.00	\$15,470,000.00	\$15,960,000.00	\$15,170,000.00	\$17,100,000.00	\$17,634,000.00
1a	Clearing	\$65,000.00	\$100,000.00	\$62,825.00	\$68,000.00	\$90,000.00	\$40,000.00	\$50,000.00	\$60,000.00	\$60,000.00	\$61,200.00
	Allowance 1 MEA	\$70,000.00	\$70,000.00	\$70,000.00	\$70,000.00	\$70,000.00	\$70,000.00	\$70,000.00	\$70,000.00	\$70,000.00	\$70,000.00
	Allowance 2 - Digital Controls	\$285,000.00	\$285,000.00	\$285,000.00	\$285,000.00	\$285,000.00	\$285,000.00	\$285,000.00	\$285,000.00	\$285,000.00	\$285,000.00
	Allowance 3 - Interactive Panels	\$121,000.00	\$121,000.00	\$121,000.00	\$121,000.00	\$121,000.00	\$121,000.00	\$121,000.00	\$121,000.00	\$121,000.00	\$121,000.00
	Allowance 4 - Enstar	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
	<b>TOTAL BASE</b>	<b>\$15,479,000.00</b>	<b>\$18,584,000.00</b>	<b>\$16,607,574.00</b>	<b>\$17,858,000.00</b>	<b>\$16,367,000.00</b>	<b>\$15,994,000.00</b>	<b>\$16,494,000.00</b>	<b>\$15,714,000.00</b>	<b>\$17,644,000.00</b>	<b>\$18,179,200.00</b>
	Additive Alt 1	\$26,166.00	\$35,000.00	\$29,974.00	\$25,000.00	\$33,000.00	\$20,900.00	\$26,000.00	\$28,600.00	\$75,000.00	\$34,526.00
	Additive Alt 2	\$12,548.00	\$14,000.00	\$29,138.00	\$23,000.00	\$35,000.00	\$14,200.00	\$31,000.00	\$21,500.00	\$40,000.00	\$35,415.00
	Additive Alt 5	\$31,932.00	\$35,000.00	\$32,374.00	\$46,000.00	\$37,000.00	\$27,100.00	\$37,500.00	\$48,500.00	\$35,000.00	\$38,748.00
	Additive Alt 4	\$90,403.00	\$130,000.00	\$107,288.00	\$123,000.00	\$116,000.00	\$126,400.00	\$37,500.00	\$112,800.00	\$105,000.00	\$154,200.00

Am15-032


**SUBJECT:** WITHIN TAX PARCEL D5, VACATE ANY PUBLIC INTEREST IN THE FOLLOWING: 20' WIDE ROAD AND UTILITY EASEMENT WITHIN THE PARCEL AS SHOWN ON THE RECORDED PLAT OF HERKIMER SUBDIVISION, WITHIN THE DASHED LINES LEADING TO THE LAKE AS SHOWN ON THE SAME PLAT, AND THE 50' WIDE ROAD EASEMENT THAT GOES FROM THE SOUTHEAST CORNER OF SECTION 7 RUNNING GENERALLY NORTHWESTERLY TO TRACT I HERKIMER SUBDIVISION RECORDED AT BOOK 117/PAGE 137. LOCATED IN SECTION 07, TOWNSHIP 17 NORTH, RANGE 02 WEST, SEWARD MERIDIAN, ALASKA. ASSEMBLY DISTRICT 7: VERN HALTER

**AGENDA:** APRIL 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** \_\_\_\_\_

Route To:	Department/Individual	Initials	Remarks
	Originator	PH	
	Planning Director	SP	
	Borough Attorney	KS	
	Borough Clerk	JM	4/19/15 

**ATTACHMENT (S) :** Fiscal Note: Yes \_\_\_\_\_ No X

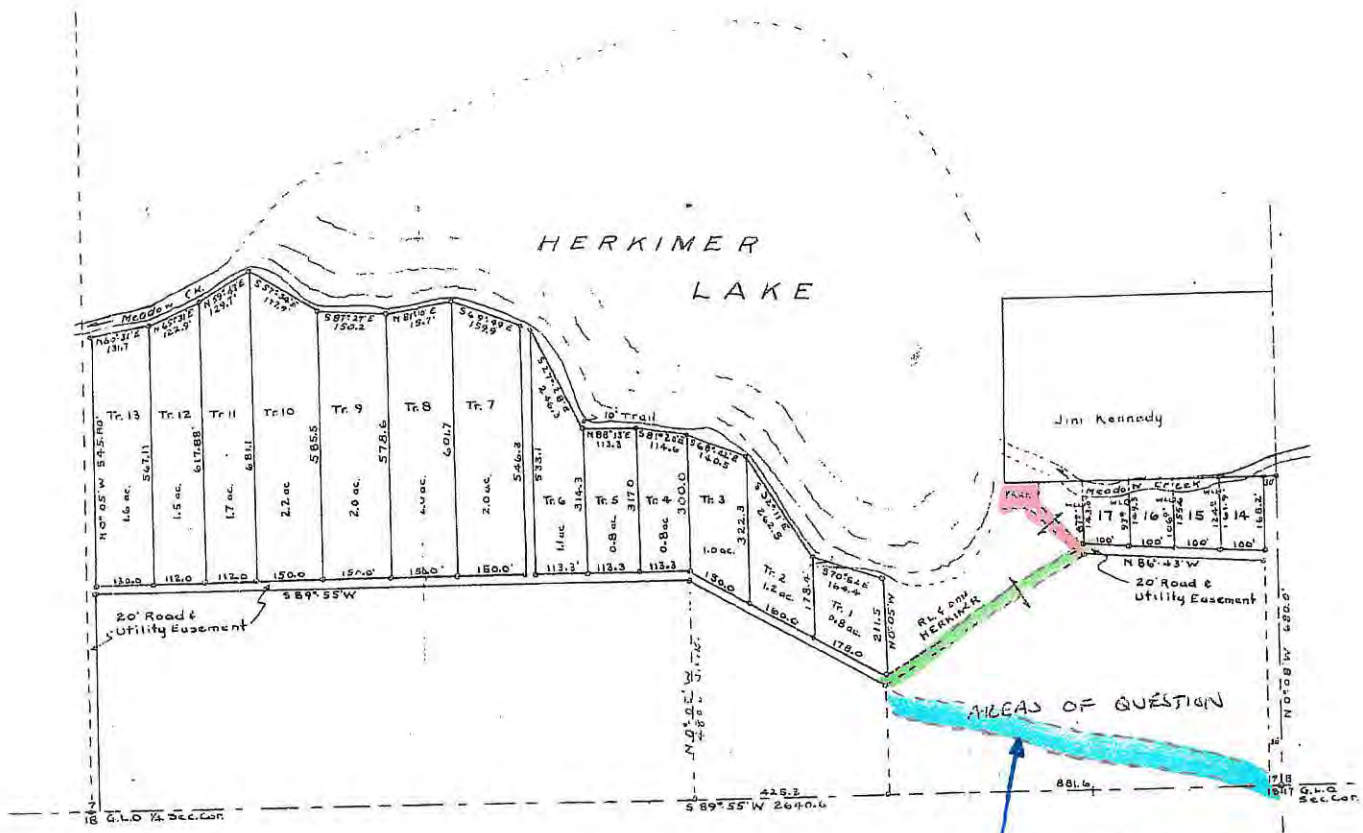
- Minutes (1 page)
- Notification of Action (3 pages)
- Vicinity Map (1 page)
- Herkimer Subdivision, Plat No. W-15 (1 page)
- New 20' Wide Utility Easement (1 page)
- Easement, Book 117/Page 137 (2 pages)

**REASON FOR REQUEST:** The subject property (Tax Parcel D5) is being subdivided into 10 Lots. The vacation of any public interest in the identified areas (highlighted areas shown on surveyor's attachment A) is being done in order to clear up the title on this property so that future lot owners do not have a "cloud" on their title.

**SUMMARY STATEMENT:** On March 19, 2015 (written decision March 24, 2015), the Platting Board approved the preliminary plat and vacations as equal and alternate easement exists or are being provided or improved consistent with MSB 43.15.035(B)(1)(a) the vacation is conditioned upon the final approval of plat affecting the same land which provides equal or better access to all areas affected by the vacation. In addition utilities will be relocated to the new 20' wide utility easement that is being provided to replace the one being vacated.

**RECOMMENDATION OF ADMINISTRATION:** Staff recommends the Assembly approve the vacations as the Platting Board's decision to vacate is pursuant to AS 29.40.120 through 29.40.140 and MSB 43.15.035 Vacations.

Am15-033



NOTE:  
 ○ indicates 4" x 4" wood hub.  
 W.C. " witness corner.

50' easement Bk 117 Pg 136

HERKIMER SUBDIVISION  
 in  
 SECTION 7, T 17 N, R 2 W S.M.

Scale: 1 inch = 200 feet

Survey & Plat by: J.C. Baldwin  
 Reg. No. 236-S  
 Sept. 1953

Approved by Owners: \_\_\_\_\_

Territory of Alaska  
 Wasilla Precinct  
 And Recording District  
 The within bearing and distance was filed  
 for record at 6 o'clock P.M.  
 Sept 24 1953 at the  
 request of Robert J. Herkimer  
 and duly recorded in Book 7, p. 236  
 of the records of said district  
 May C. Carter  
 District Recorder  
 Wasilla, Alaska

**SURVEYORS ATTACHMENT A**

### 3. UNFINISHED BUSINESS

### 4. PUBLIC HEARINGS

#### A. HERKIMER LAKE

Sloan Von Gunten (Secretary)

- Stated that 89 public hearing notices were mailed out on March 5, 2015, to this date there has been 3 returns, no objections, no non-objections, and no concerns.

Amy Otto-Buchanan (Platting Technician)

- Gave an overview on the case.

Katie Cruthers (Vice Chairman)

- Opened the public hearing and asked any members of the public wishing to speak to come forward. Seeing no members of the public wishing to speak, closed the public hearing.

Gary LoRusso (Petitioner's Representative)

- Would like the wording on recommendation #5 to be reworded to be better written.
- The utility lines will be underground.
- Agrees with the changes to the recommendations.

#### MOTION:

- Mr. Zimmerman moved to approve the preliminary plat and the vacation of any public interest in the 20' wide Road and Utility Easement within this parcel as shown on the recorded plat of Herkimer Subdivision, any interest in what is shown as dashed lines leading to the lake, and any interest in an easement recorded in Book 117, Page 137, seconded by Mr. Marty Van Diest, with changes to recommendation #5.

#### RECOMMENDATION:

- Modify #5: Add road maintenance and snow storage easement to the utility easement verbiage on the east side of Lots 7, 8, 9 and 10 to the 15' utility easement.

#### VOTE:

- The motion passed with all in favor. There are 15 findings.

**TIME: 8:50 A.M.**

**CD: 00:19:50**

#### B. ROSE ESTATES

Sloan Von Gunten (Secretary)

- Stated that 81 public hearing notices were mailed out on February 26, 2015, to this date there has been 2 returns, 1 objection, no non-objections, and no concerns.



# MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Platting Division

350 East Dahlia Avenue • Palmer AK 99645

Phone (907) 861-7874 • Fax (907) 861-8407

March 24, 2015

## NOTIFICATION OF ACTION

Herkimer Land Trust  
PO Box 871468  
Wasilla, AK 99687

RE: HERKIMER LAKE & VACATION

CASE: 2015-012 & 013

Action taken by the Platting Board on March 19, 2015 is as follows:

THE PRELIMINARY PLAT AND VACATION OF ANY PUBLIC INTEREST IN THE 20' WIDE ROAD AND UTILITY EASEMENT WITHIN THIS PARCEL AS SHOWN ON THE RECORDED PLAT OF HERKIMER SUBDIVISION, ANY INTEREST IN WHAT IS SHOWN AS DASHED LINES LEADING TO THE LAKE, AND ANY INTEREST IN AN EASEMENT RECORDED IN BOOK 117, PAGE 137, WAS APPROVED, AND WILL EXPIRE ON MARCH 24, 2021 CONTINGENT UPON THE FOLLOWING CONDITIONS / REASON (see attached),

ALL DECISIONS AS TO APPROVAL OR DISAPPROVAL BY THE PLATTING BOARD OR OFFICER SHALL BE FINAL UNLESS APPEALED TO THE BOARD OF ADJUSTMENT AND APPEALS, MSB 15.39. A PETITION WHICH IS TABLED BY THE BOARD SHALL BE DEEMED DENIED UNLESS THE APPLICANT BRINGS THE MATTER BACK BEFORE THE BOARD WITH ALL CONDITIONS MET WITHIN THE TIME ALLOWED BY THE BOARD OR BY LAW.

If this is in reference to a plat application, recordation at the appropriate District Recorder's Office of the plat is required before any transfer of title can occur. Should you have any questions or require a copy of the minutes of the meeting, please feel free to contact this office.

Kindest regards,

*Katie Cruthers*

Ms. Katie Cruthers  
Platting Board Chairman

cc:  
DCP/ENG

Keystone Surveying  
Gary LoRusso  
PO Box 2216  
Palmer, AK

AM15-033  
Page 1 of 3 AOB

**CONDITIONS of APPROVAL:**

The Platting Board approved the Preliminary Plat and the Vacation of any public interest in the 20' wide Road and Utility Easement within this parcel as shown on the recorded plat of Herkimer Subdivision, any interest in what is shown as dashed lines leading to the lake, and any interest in an easement recorded in Book 117, page 137, contingent upon the following:

1. Taxes and special assessments must be current prior to the recording of each phase plat, pursuant to MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.
2. Provide updated Certificate to Plat executed within 90 days of recording and submit Beneficiary Acknowledgement for any holder of a beneficial interest.
3. Show or list all easements of record.
4. Obtain approval of the vacation from the Assembly within 30 days of written notification of Platting Board action.
5. Add road maintenance and snow storage easement to the utility easement verbiage on the east side of Lots 7, 8, 9 and 10.
6. Grant the 20' wide utility easement, commencing at the eastern boundary, west along the common lot line of Lot 9 & 10, 10' wide each side, continuing west along the common lot lines of Lot 10 and Lots 4, 5, and 6, as shown at Exhibit M-2.
7. Reconstruct driveway for Tract 14 and Tract 15A, Herkimer Subdivision, within the 20' wide Road and Utility Easement.
8. Pay mailing and advertising fees of \$77.41 for the March 19, 2015 Public Hearing.
9. Submit recording fee payable to State of Alaska, Department of Natural Resources (SOA/DNR).
10. Submit final plat in full compliance with Title 43.

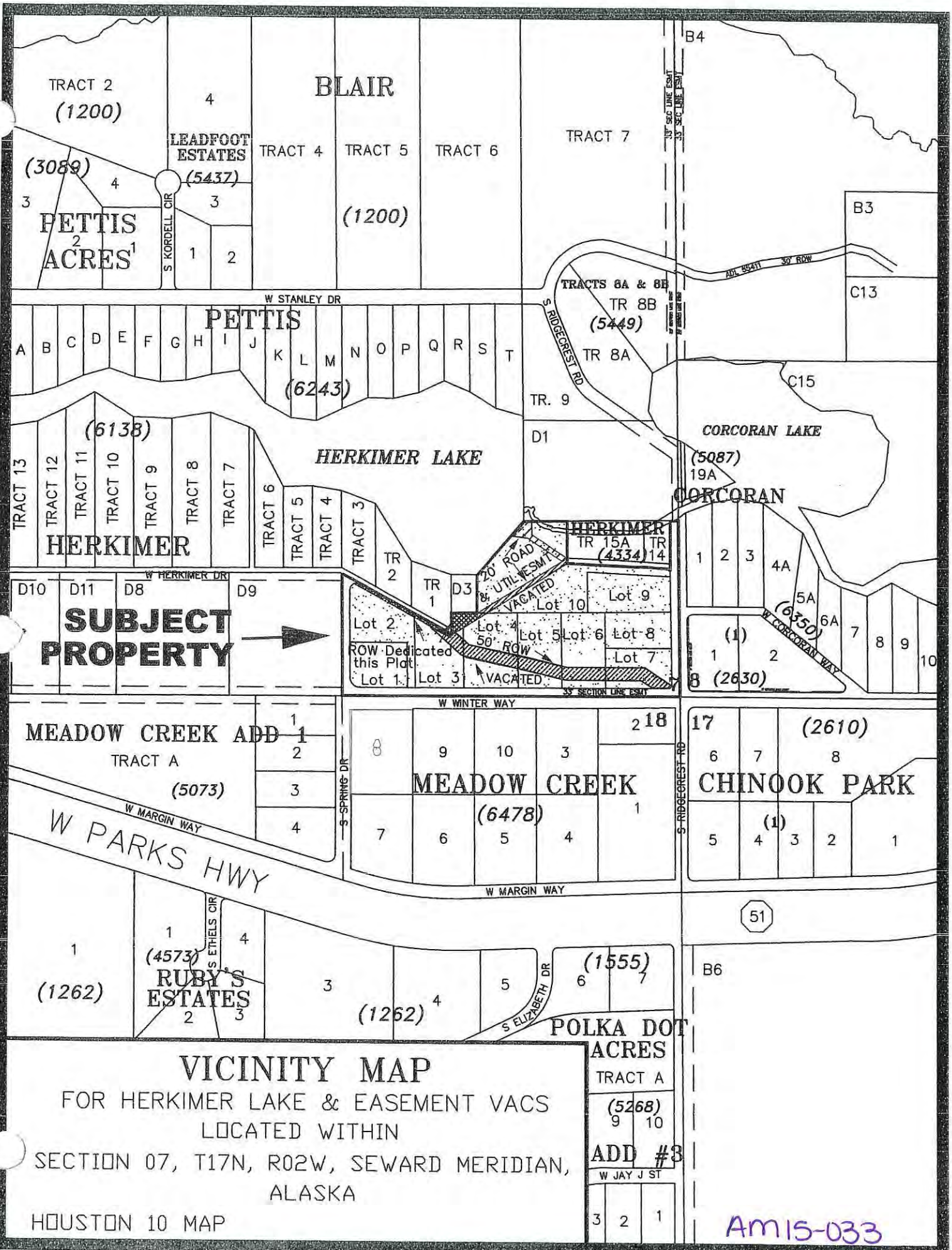
**FINDINGS for PRELIMINARY PLAT:**

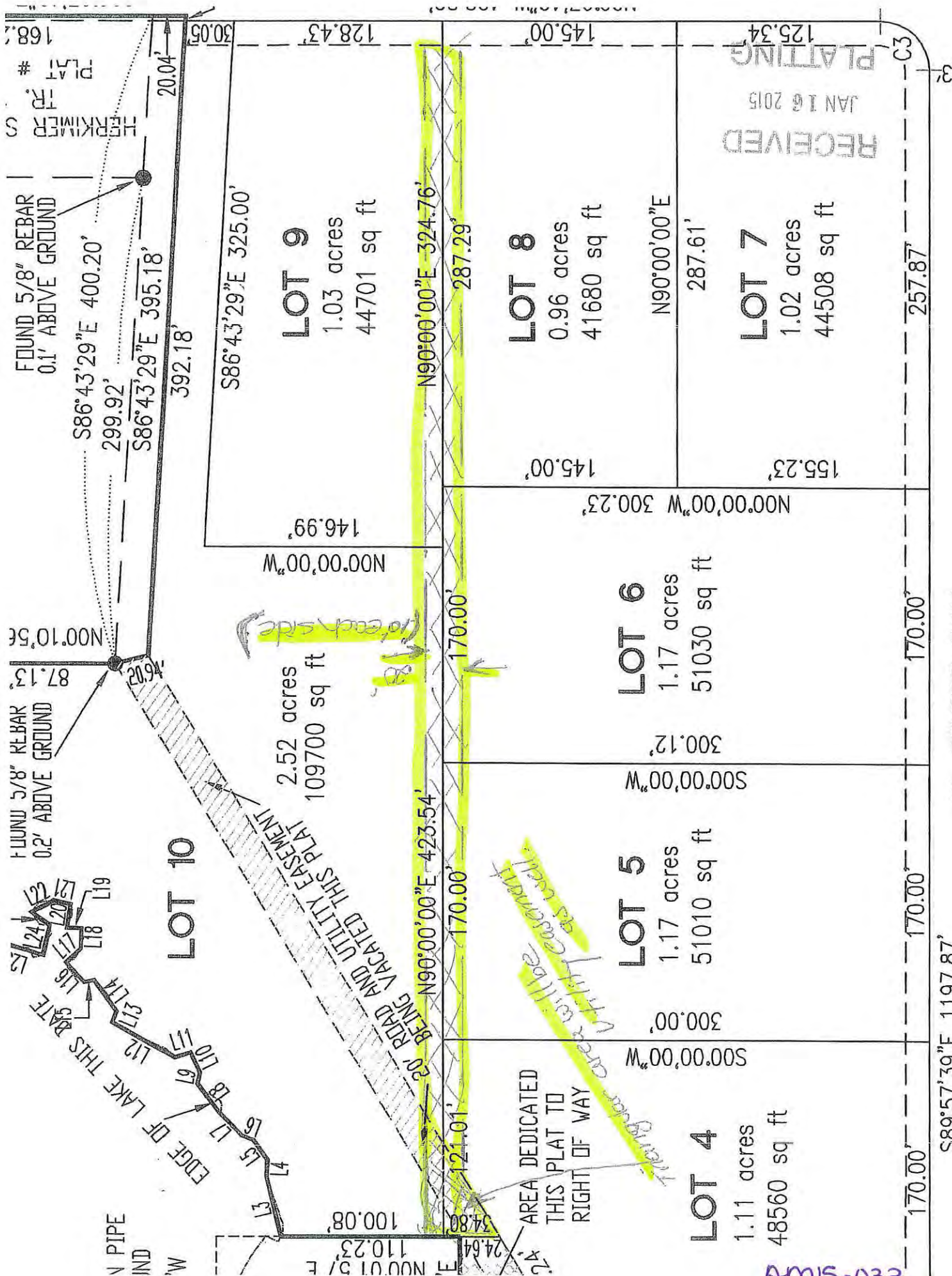
1. The plat of Herkimer Lake is consistent with AS 29.40.070 Platting Regulations, MSB 43.15.015 Preliminary Plats, and MSB 43.20.300(D) Flag lots.
2. A Petition for Vacation of Right-of-Way was submitted pursuant to MSB 43.15.035 Vacations.
3. The vacation of the 20' wide Road and Utility Easement is pursuant to AS 29.40.120 thru 29.40.140 Vacations and MSB 43.15.035 Vacations.
4. Petitioner is dedicating a 20' wide utility easement commencing at the eastern boundary, west along the common lot line of Lot 9 & 10, 10' wide each side, continuing west along the common lot lines of Lot 10 and Lots 4, 5, and 6, as shown at Exhibit M-2, to replace the

Am 15-033  
Page 2 of 3 AOB

proposed vacation of the 20' wide Road and Utility Easement, consistent with MSB 43.15.035(B)(1).

5. Equal or better access to adjoining properties is being provided, consistent with MSB 43.15.035(B)(1).
6. There were no objections to the plat from any federal, state or borough agencies, or utilities.
7. There were no objections from the general public in response to the Notice of Public Hearing.
8. At the time of staff report write-up, there were no responses to the Request for Comments (RFC) from US Army Corps of Engineers; Meadow Lakes Community Council; Road Service Area #27 Meadow Lakes; or MSB Cultural Resources, Assessments and Pre-Design Division.
9. Lot sizes and useable area are consistent with MSB 43.20.280 Area.
10. Petitioners' engineer of record submitted an engineering statement pursuant to MSB 43.20.280(A) Area, verifying each lot has 10,000 sf of contiguous useable septic area and 10,000 sf of buildable area.
11. Frontage for the subdivision exists pursuant to MSB 43.20.320 Frontage.
12. Lot 2 is designed as a flag lot, which is allowed by MSB 43.20.300(D) Flag lots.
13. Legal and physical access is provided to the proposed lots, consistent with MSB 43.20.100 Access Required, MSB 43.20.120 Legal Access, MSB 43.20.140 Physical Access, and MSB 43.20.300(D) Flag lots.
14. Proposed Lot 10 has more than the required 125' of lake frontage, as required by MSB 43.20.340 Lot Dimensions.
15. Mailing and advertising fees of \$65.41 for the March 5, 2015 hearing have been paid.





RECEIVED  
 JAN 16 2015  
 PLATTING  
 125.34

FOUND 5/8" REBAR  
 0.1' ABOVE GROUND  
 HERKIMER S  
 PLAT #

FOUND 5/8" REBAR  
 0.2' ABOVE GROUND  
 N00°10'56"

EDGE OF LAKE THIS GATE  
 13 14 15 16 17 18 19 20 21 22 23 24

PIPE  
 110.23'

S89°57'39" F 1197.87'

6/3

EASEMENT

WHEREAS, MICHAEL P. WILSON, hereinafter called the Grantor, is the owner of certain property located in the Palmer Recording District, Third Judicial District, State of Alaska, more particularly described as follows:

The Southeast one-quarter of Section 7, Township 17 North, Range 2 West, Seward Meridian, in the Palmer Recording District, Third District, State of Alaska.

EXCEPTING THEREFROM the following: All of the HERKIMER SUBDIVISION, according to the Plat filed on September 24, 1953 in File 15 of Plats, in the Palmer Recording Precinct, State of Alaska.

AND ALSO EXCEPTING THEREFROM the following Parcel: Commencing at the Northeast corner of TRACT 1 of the aforementioned HERKIMER SUBDIVISION; thence South along the East line of said TRACT 150.0 feet; thence East 100.0 feet; thence North 150.0 feet; thence West 100.0 feet to the Point of Beginning;

AND ALSO EXCEPTING THEREFROM that certain TRACT described as follows: Commencing at the Northeast corner of TRACT 14 of the aforementioned HERKIMER SUBDIVISION; thence East 30 feet to the Section line which is the dividing line between Sections 7 and 8, Township 17 North, Range 2 West, of the Seward Meridian, Alaska; thence North along said Section line 400 feet; thence West 600 feet; thence South 400.0 feet; thence East 570.0 feet to the Point of Beginning;

AND ALSO EXCEPTING ALL of PETTIS SUBDIVISION, according to Plat 65-8, in the Palmer Recording District, Third District, State of Alaska.

ALSO EXCEPT the South 480 feet of the Southwest one-quarter of said Southeast one-quarter, Section 7, Township 17 North, Range 2 West, Seward Meridian. All in the Palmer Recording District, Third District, State of Alaska.

and

WHEREAS, the Grantor wishes to grant access for ingress and egress over and through the above-described land for the benefit of all owners of property adjacent to said right of way hereinafter described, and to the public generally without limitation,

NOW, THEREFORE, the Grantor does hereby convey to the owners of property adjacent to and adjoining said below-described right of way, and to the public in general, for unlimited public use, a right of way over and through the above-described land, such right of way over said land being described as follows:

A 50 foot wide easement for road purposes beginning at the southeast corner of Section 7, Township 17 North, Range 2 West and running generally northwesterly to Tract I of Herkimer Subdivision over a gravel road as it presently exists.

This easement shall become null and void at such time as the grantor provides alternate legal and physical access to Blair Subdivision located in the north portion of Section 7, Township 17 North, Range 2 West, Seward Meridian.

*Palmer Recording District*

FURTHERMORE, this easement shall run with the land, regardless of how such may be subdivided and shall be binding upon and inure to the benefit of the heirs, representatives, successors and assigns of the Grantee and the Grantor; and by virtue of this easement, the Grantee and its successors, at its election, may commence construction of a road and maintenance of same along and within said right of way.

DATED: June 3, 1976

Michael P. Blair  
GRANTOR

STATE OF ALASKA )  
THIRD JUDICIAL DISTRICT ) SS.

THIS IS TO CERTIFY that on the 3rd day of June, 1976, before me, the undersigned Notary Public, in and for Alaska duly commissioned and sworn as such, personally appeared Michael P. Blair, known to me and to me known to be the individual named in and who executed the above and foregoing EASEMENT, and acknowledged to me the execution thereof as his free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year in this certificate first above written.



Carolyn F. Anderson  
NOTARY PUBLIC in and for Alaska

My Commission expires: 10-23-78

76-004923  
7-

-2-

RECORDED-FILED  
PALMER REC.  
DISTRICT

JUN 3 1 08 PM '76

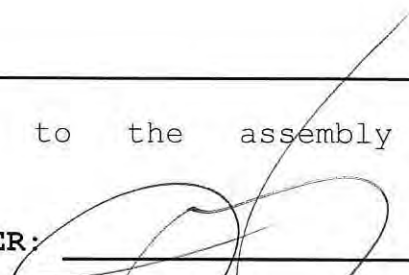
REQUESTED BY Michael Blair  
ADDRESS Box 200




**SUBJECT:** Approval of change order no. 3 to Northern Asphalt Construction, Inc in the amount of \$786,800 adding Cruiser Street, Project No. 35442; Reliance Road, Project No. 35442; Northern Rose and Mollies Circle LID, Project No. 60104, Mountain Trails Road Project No. 75003 and Project No. 35187 and Ravenview Drive, Project No.35406, and South Central Regional Emergency Services Training Center Road Paving to the 2014/15 Roads Paving Project, Project No. 45268.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
	Originator	HK	
	Public Works Director		25 MAR 15
	Purchasing Officer		
	Finance Director	Jul	4/7/15
	Borough Attorney	NS	
	Borough Clerk	Jan	5/14/15 

**ATTACHMENT (S):** Fiscal Note: Yes  No

**SUMMARY STATEMENT:** Assembly approval of contract amendments (change orders) are required by MSB 3.08.170(C)(3) for contracts with an original award value of \$500,000 up to \$2,000,000, a contract amendment or change order, or cumulative contract amendments or change orders, that will cause the total contract amount, as amended, to exceed 120 percent of the original

contract award, or to increase the original contract by \$200,000, whichever is less.

On July 23, 2014, Northern Asphalt Construction, Inc was awarded Bid No. 14-153B, in the amount of \$1,333,286 for the 2014 Roads Paving Project, with multiple project numbers.

On August 29, 2014 change order no. 1 was approved increasing the contract amount by \$24,554.40, bringing the contract total to \$1,357,840.40.

On December 1, 2014 change order no. 2 was approved decreased the contract amount by \$25,103.36, bringing the contract total to \$1,332,737.04.

At this time the Capital Projects Department and Public Works Department would like to add the following projects to the 2014/15 Roads Paving Project; Approval of change order no. 3 to Northern Asphalt Construction, Inc in the amount of \$786,800 adding Cruiser Street, Project No. 35442, Reliance Road, Project No. 35442, Northern Rose and Mollies Circle LID, Project No. 60104, Mountain Trails Road Project No. 75003 and Project No. 35187 and Ravenview Drive, Project No.35406, and South Central Regional Emergency Services Training Center Road Paving to the 2014/15 Roads Paving Project, Project No. 45268. These additional projects will increase the contract amount by \$786,800, bringing the total contract amount total to \$2,119,537.04.

**RECOMMENDATION OF ADMINISTRATION** Approval of change order no. 3 to Northern Asphalt Construction, Inc in the amount of \$786,800 adding Cruiser Street, Project No. 35442, Reliance Road, Project No. 35442, Northern Rose and Mollies Circle LID, Project No. 60104, Mountain Trails Road Project No. 75003 and Project No. 35187 and Ravenview Drive, Project No.35406, and South Central Regional Emergency Services Training Center Road Paving to the 2014/15 Roads Paving Project, Project No. 45268.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: April 7, 2015

SUBJECT Approval of change order no. 3 to Northern Asphalt Construction, Inc in the amount of \$786,800 adding Cruiser Street, Project No. 35442, Reliance Road, Project No. 35442, Northern Rose and Mollies Circle LID, Project No. 60104, Mountain Trails Road Project No. 75003 and Project No. 35187 and Ravenview Drive, Project No.35406, and South Central Regional Emergency Services Training Center Road Paving to the 2014/15 Roads Paving Project, Project No. 45268.

ORIGINATOR: Operations & Maintenance, Public Works

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED <b>\$ 786,800</b>	FUNDING SOURCE <i>Dust Control, AW; Spec Assess bonds</i>
FROM ACCOUNT # <i>410/490/430/405.000.000.7xx.7xx</i>	PROJECT # <i>35442/60104/75003/35406/45268/35187</i>
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baumgart</i>	CERTIFIED BY:
DATE: <i>3/25/15</i>	DATE:

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY11	FY12	FY13	FY2014	FY2015	FY2016
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>						

CAPITAL					<i>786.8</i>	
---------	--	--	--	--	--------------	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

General Fund	FY11	FY12	FY13	FY2014	FY2015	FY2016
State/Federal Funds						
Other					<i>786.8</i>	
<b>TOTAL</b>					<i>786.8</i>	

POSITIONS:

Full-Time	FY11	FY12	FY13	FY2014	FY2015	FY2016
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: *4/7/15*

**SUBJECT:** Award of RFP 15-087P, South-central Emergency Services Training Center Five Year Plan and Construction Documentation, to CRW Engineering Group, LLC in the amount of \$195,747.00

**AGENDA OF:** April <sup>21</sup> 7, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** \_\_\_\_\_

Route To:	Department/Individual	Initials	Remarks
	Originator	MB for RMK	3/24/15
	Capital Projects Director	MB	3/24/15
	Finance Director	Cy for TEL	
	Borough Attorney	NS	
	Borough Clerk	JMM	4/14/15

**ATTACHMENT (S):** Fiscal Note: Yes  X  No \_\_\_\_\_  
 Advertising: (1p)

**SUMMARY STATEMENT:** On December 22, 2014, the Matanuska-Susitna Borough issued solicitation 15-087P requesting proposals from qualified firms to provide site evaluation, conceptual plan review, five-year master plan development and construction documents for Phase III improvements. The five year plan for this site includes water system development, well rehabilitation, relocation of the fire training towers, electric utility upgrades, construction of a 10,000 square foot warehouse, placement of concrete pads at various locations for fire training, and site selection for a new fire station and training/educational building.

The advertising resulted in the Borough receiving four

proposals. Proposals were scored by a group of five MSB employees from the Capital Projects and Emergency Services Departments. The highest rated proposal was submitted by CRW Engineering Group, LLC.

The contract for this solicitation will be monitored and administered by the Capital Projects Department, Project Management Division. Work is expected to begin in April 2015 with design documentation delivered in July 2015.

**RECOMMENDATION OF ADMINISTRATION:** Award of PROPOSAL 15-087P, SOUTH-CENTRAL EMERGENCY SERVICES TRAINING CENTER FIVE YEAR MASTER PLAN AND CONSTRUCTION DOCUMENTATION, to CRW ENGINEERING GROUP, LLC for the contract amount of ONE HUNDRED NINETY FIVE THOUSAND SEVEN HUNDRED FORTY SEVEN AND NO/100 DOLLARS (\$195,747.00).

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: April 7, 2014

SUBJECT: Award of RFP 15-087P, South-central Emergency Services Training Center Five Year Plan and Construction Documentation, to CRW Engineering Group, LLC in the amount of \$195,747.00

ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED \$195,747	FUNDING SOURCE Service Area Budget Approp
FROM ACCOUNT # 405.000.000.4XX, 5XX	PROJECT # 45268 - 6600 - 6601
TO ACCOUNT :	PROJECT #
VERIFIED BY: Barbara Baumgart	CERTIFIED BY:
DATE: 3/25/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL		195.7				
---------	--	-------	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		195.7				
TOTAL		195.7				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: Cherianne Heald for EC PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: 3/20/15  
 APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**MATANUSKA-SUSITNA BOROUGH  
350 East Dahlia  
Palmer, Alaska 99645**

**A D V E R T I S E M E N T**

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Alaska Dispatch News		MATA 0070	December 29, 2014
Frontiersman		CONTRACT	December 30, 2014
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH  
#15-087P  
SOUTHCENTRAL REGIONAL EMERGENCY SERVICES TRAINING CENTER  
FIVE YEAR MASTER PLAN AND CONSTRUCTION DOCUMENTS**

The Matanuska-Susitna Borough is seeking proposals from qualified firms to provide sit evaluation, conceptual plan review, five year master plan development and construction documents for Phase III improvements.

Proposal documents are available **beginning DECEMBER 22, 2014** in the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, AK 99645. Info: (907) 861-8601, Fax (907) 861-8617, e-mail [purchasing@matsugov.us](mailto:purchasing@matsugov.us). A document fee of \$5.00 will be charged for materials picked-up and \$10.00 for materials mailed. This proposal document may be available on the internet at [www.matsugov.us](http://www.matsugov.us).

Proposal closing: **JANUARY 23, 2015 at 2:00 PM in the Purchasing Section**

Proposals must be received in the Purchasing Division prior to the time fixed for closing of the RFP to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8404.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all proposals, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Date: December 22, 2014	Requested by: Signature on File	Approved by: Signature on File
----------------------------	------------------------------------	-----------------------------------

*Am15-037*

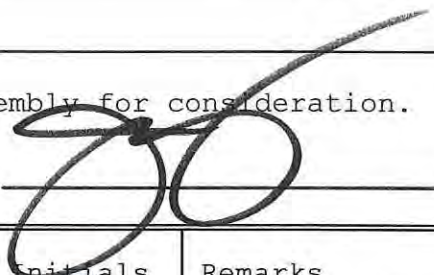
**SUBJECT:** ELIMINATE AND MODIFIY THE 30' WIDE DRAINAGE AND UTILITY EASEMENT WITHIN LOT 4, BLOCK 1, POLKA DOT ACRES, PLAT NO. 71-90, LOCATED IN SECTION 16, TOWNSHIP 17 NORTH, RANGE 02 WEST, SEWARD MERIDIAN, ALASKA. ASSEMBLY DISTRICT 7: VERN HALTER


**AGENDA:** APRIL 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:**



Route To:	Department/Individual	Initials	Remarks
	Originator	JP	
	Planning Director	EP	
	Borough Attorney	NS	
	Borough Clerk	JAM	4/14/15 

**ATTACHMENT (S) :** Fiscal Note: Yes \_\_\_\_\_ No X  
 Minutes (2 pages)  
 Notification of Action (2 pages)  
 Vicinity Map (2 pages)  
 As-Built (1 page)

**REASON FOR REQUEST:** *The request is to eliminate and modify the 30' wide utility and drainage easement within Lot 4, Block 1, Polka Dot Acres. This easement is unused for utilities or drainage and a structure encroaches into the easement. An equal and alternate drainage and utility easement will be granted overlaying the actual drainage pathway.*

**SUMMARY STATEMENT:** On March 25, 2015 (written decision March 26, 2015), the Platting Officer approved the elimination and modification of the 30' wide drainage and utility easement, as equal and alternate is being granted, and no objections have received from the utility companies or the borough department in charge of roads and drainage.

**RECOMMENDATION OF ADMINISTRATION:** Staff recommends the Assembly approve the elimination and modification of the 30' wide utility and drainage easement as the Platting Officer's decision is consistent with MSB 43.15.032.

**MATANUSKA-SUSITNA BOROUGH  
PUBLIC HEARING  
ABBREVIATED PLAT  
MARCH 25, 2015**

The Platting Officer's meeting for the abbreviated plat was called to order at 8:30 A.M. in Conference Room 110 of the Matanuska-Susitna Borough by the Platting Officer.

Present representing the Planning Department, Platting Division, Paul Hulbert, Platting Officer and Sloan Von Gunten, Administrative Secretary.

**STEMPER ESTATES**

Sloan Von Gunten stated the case was continued from March 11, 2015, and that 57 public hearing notices were mailed out on February 19, 2015 and to this date there have been 4 returns, no objections, no non-objections, and no concerns.

Paul Hulbert (Platting Officer)

- Gave an overview of the case.
- Opened the public hearing and asked any members of the public wishing to speak to come forward.

Lisa Donnally (Owner of Tract A12, Township 17 North, Range 02 West, Section 32)

- Concerned on the road construction.
- Asked if Daybreak Road will be updated. The Platting Officer answered her question saying yes, Daybreak Road will be updated to a pioneer standard roadway under the conditions for the plat to be recorded.
- Talked about road standards with the platting officer as she has growing concerns still on the roadway.
- Discussed with the platting officer utility lines, gas lines, and access use to them.

Paul Hulbert (Platting Officer)

- Closed the public hearing.

The Petitioner and/or the Petitioner's Representative were not present.

Mr. Paul Hulbert, Platting Officer, approved **STEMPER ESTATES** with 10 conditions. There are 6 Findings.

**POLKA DOT ACRES B/1 L/4 (DRAINAGE EASEMENT)**

Sloan Von Gunten stated that 99 public hearing notices were mailed out on March 5, 2015 and to this date there have been 4 return, no objections, no non-objections, and no concerns.

Paul Hulbert (Platting Officer)

- Gave an overview of the case.
- Opened the public hearing and asked any members of the public wishing to speak to come forward. Seeing and hearing no one come forward, closed the public hearing.

10F2

Pio Cottini (Petitioner's Representative)

- Will be updating the maps for recordation
- Agrees with all the recommendations.

Mr. Paul Hulbert, Platting Officer, approved POLKA DOT ACRES B/1 L/4 (DRAINAGE EASEMENT) with 4 conditions. There are 9 Findings.

ARRC #1 RSB B/13 L/7-9

Sloan Von Gunten stated that 173 public hearing notices were mailed out on March 5, 2015 and to this date there have been 2 returns, no objections, no non-objections, and no concerns.

Paul Hulbert (Platting Officer)

- Gave an overview of the case.
- Opened the public hearing and asked any members of the public wishing to speak to come forward. Seeing and hearing no one come forward, closed the public hearing.

Craig Hanson (Petitioner's Representative)

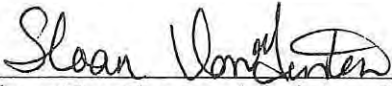
- Asked for Clarification on recommendation # 2
- Agrees with all the recommendations.

Mr. Paul Hulbert, Platting Officer, approved ARRC #1 RSB B/13 L/7-9 with 7 conditions. There are 9 Findings.

CD (Total time: 40:08 minutes/seconds)

Meeting adjourned at 9:13 A.M.

Attest:

  
Sloan Von Gunten, Administrative Secretary

  
Paul Hulbert, Platting Officer

2072



# MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Platting Division

350 East Dahlia Avenue • Palmer AK 99645

Phone (907) 861-7874 • Fax (907) 861-8407

March 26, 2015

## NOTIFICATION OF ACTION

Norman & Brenda Coon  
9730 W. Jay J. Street  
Wasilla, AK 99623

**RE: POLKA DOT AC B/1 L/4 (DRAINAGE ESMT)**

**CASE: 2015-036**

Action taken by the Platting Officer on March 25, 2015 is as follows:

THE VACATION AND MODIFICATION OF THE DRAINAGE AND UTILITY EASEMENT FOR POLKA DOT ACRES B/1 L/4 WAS APPROVED, CONTINGENT UPON THE FOLLOWING CONDITIONS / REASONS (see attached).

ALL DECISIONS AS TO APPROVAL OR DISAPPROVAL OF A PLATTING OFFICER DECISION SHALL BE FINAL UNLESS APPEALED TO THE PLATTING BOARD UNDER MSB (43.35.003).

If this is in reference to a plat application, recordation at the appropriate District Recorder's Office of the plat is required before any transfer of title can occur. Should you have any questions or require a copy of the minutes of the meeting, please feel free to contact this office.

Kindest Regards,

Paul Hulbert  
Platting Officer

cc:  
DCP/ENG

Cottini land Surveying  
PO Box 2748  
Palmer, AK 99645

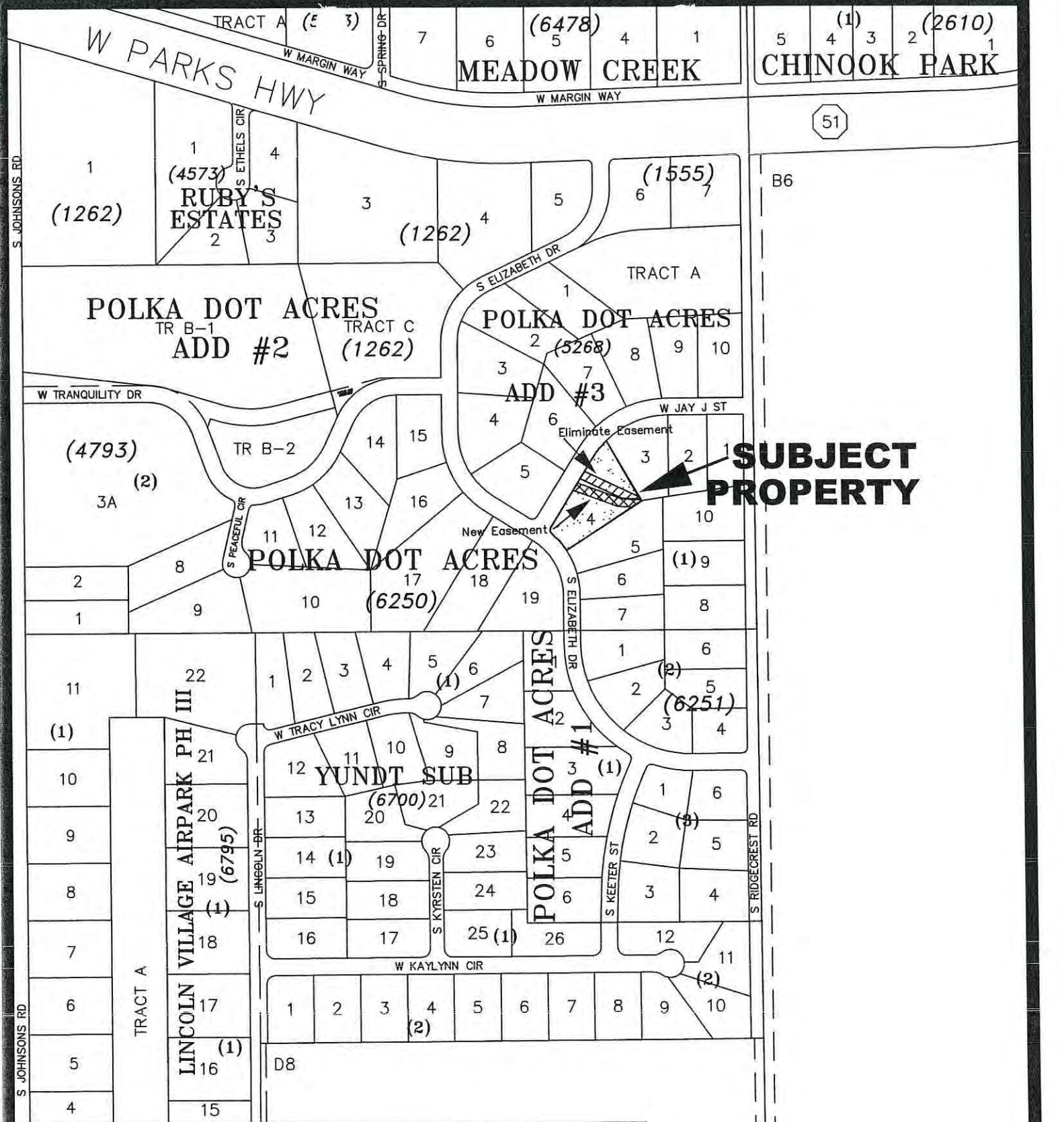
**CONDITIONS of APPROVAL:**

The Platting Officer approved the Vacation and Modification of the Drainage and Utility Easement for Polka Dot Acres B/1 L/4, contingent upon the following:

1. Obtain approval of the vacation from the Assembly within 30 days of written notification of Platting Board action.
2. Submit recording fee payable to State of Alaska, Department of Natural Resources (SOA/DNR).
3. Provide drawing showing vacated easement and replacement easement for recording, in full compliance with Title 43.15.032(A)(3).
4. Platting staff to provide vacation resolution for recording.

**FINDINGS for ELIMINATION/MODIFICATION OF EASEMENT:**

1. The request for modification of the drainage and utility easement of Polka Dot Acres Lot 4, Block 1 is pursuant to AS 29.40.120 through AS 29.40.150 and MSB 43.15.032 Elimination or Modification of Utility, Drainage, Sanitation, and Screening Easements.
2. A Petition for Elimination or Modification of Utility, Drainage, Sanitation, and Screening Easements was submitted in accordance with MSB 43.15.032.
3. There were no objections to the plat from any federal or state agencies or borough departments.
4. All utilities responded with no objection to the modification.
5. There were no objections from the general public in response to the Notice of Public Hearing.
6. At the time of staff report write-up, there were no responses to the Request for Comments (RFC) from US Army Corps of Engineers; Meadow Lakes Community Council; Road Service Area #27 Meadow Lakes; or MSB Assessments and Pre-Design Division.
7. The existing 30' wide utility and drainage easement runs through the house. A replacement easement is being granted that fits the actual drainage pathway.
8. There are no utilities constructed within easement being vacated.
9. The vacation is consistent with MSB 43.15.032 as an equal and alternate easement is being provided.



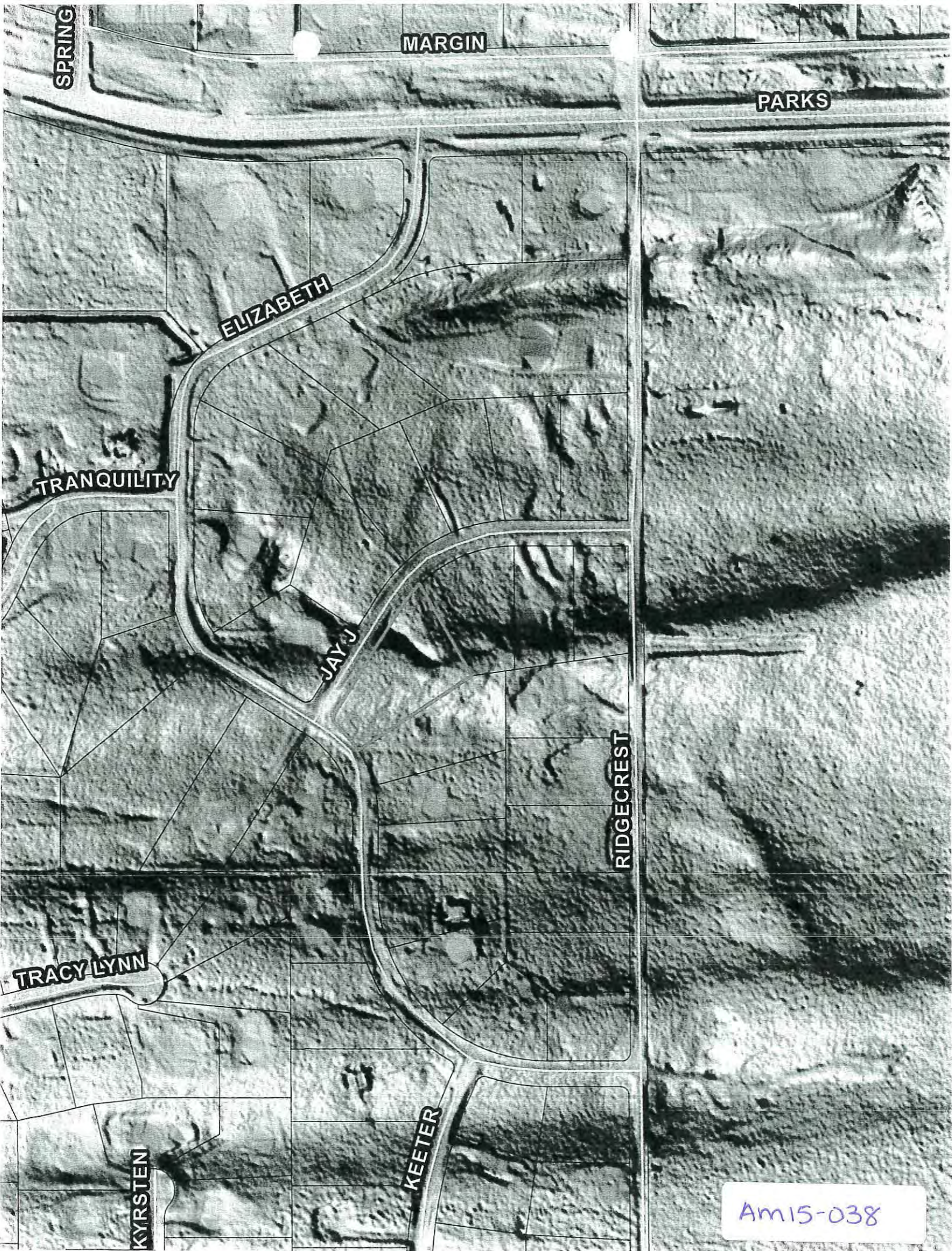
**VICINITY MAP**

POLKA DOT AC B/1 L/4 DRAINAGE ESMT  
 LOCATED WITHIN  
 SECTION 18, T17N, R02W, SEWARD MERIDIAN,  
 ALASKA

HOUSTON 10 MAP

D2  
 D4

18 17 Am15-038



Am15-038

RECEIVED

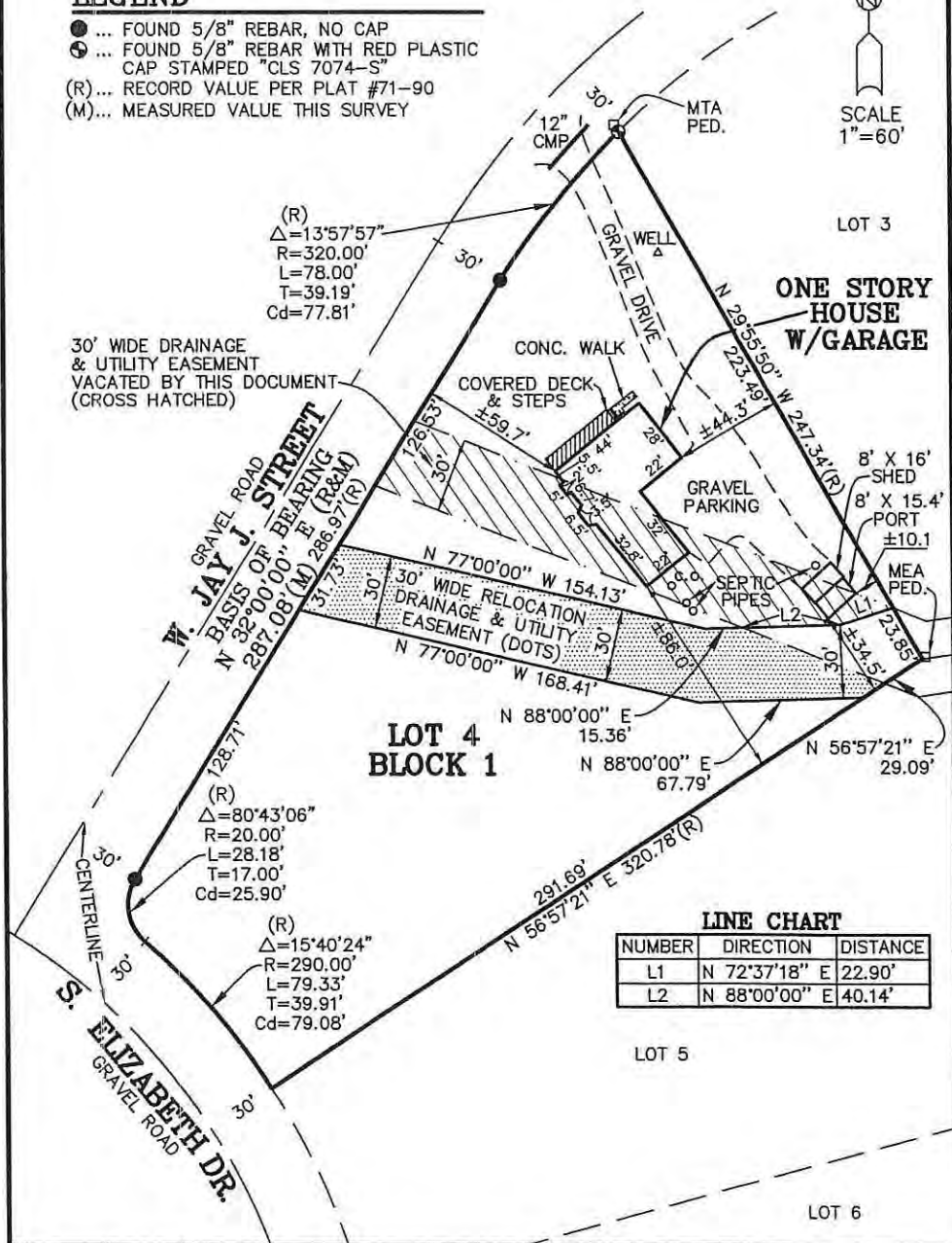
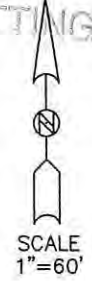
FEB 25 2015

# EXHIBIT "A"

## PLATTING

### LEGEND

- ... FOUND 5/8" REBAR, NO CAP
- ⊙ ... FOUND 5/8" REBAR WITH RED PLASTIC CAP STAMPED "CLS 7074-S"
- (R)... RECORD VALUE PER PLAT #71-90
- (M)... MEASURED VALUE THIS SURVEY



30' WIDE DRAINAGE & UTILITY EASEMENT VACATED BY THIS DOCUMENT (CROSS HATCHED)

(R)  
 $\Delta=13^{\circ}57'57''$   
 $R=320.00'$   
 $L=78.00'$   
 $T=39.19'$   
 $Cd=77.81'$

(R)  
 $\Delta=80^{\circ}43'06''$   
 $R=20.00'$   
 $L=28.18'$   
 $T=17.00'$   
 $Cd=25.90'$

(R)  
 $\Delta=15^{\circ}40'24''$   
 $R=290.00'$   
 $L=79.33'$   
 $T=39.91'$   
 $Cd=79.08'$

**LINE CHART**

NUMBER	DIRECTION	DISTANCE
L1	N 72°37'18" E	22.90'
L2	N 88°00'00" E	40.14'



NOTES: THE LOT SHOWN ABOVE IS; LOT 4, BLOCK 1, POLKA DOT ACRES PER PLAT #71-90, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, ALASKA.  
 A COMPLETE TITLE SEARCH WAS NOT PERFORMED FOR THIS EASEMENT VACATION AND EASEMENT RELOCATION SURVEY, OTHER RECORD TITLE INTERESTS MAY AFFECT THIS PROPERTY.

W.O. 15-10 F.B. 14-07 DATE: 2/24/2015 SCALE: 1"=60'

**COTTINI LAND SURVEYING**  
 P.O. BOX 2748, PALMER, ALASKA 99645 745-1188 OR 745-3658

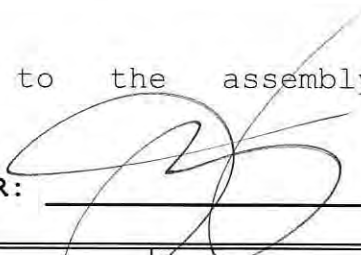
Am15-038

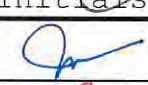

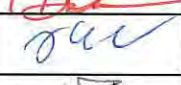

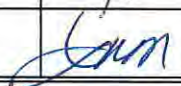

**SUBJECT:** Award of Proposal 15-090P, Design of Three Bridge Replacements across Bodenbug Creek, to DOWL in the contract amount of \$157,625.00.

**AGENDA OF:** April 21, 2014

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
	Originator		
	Public Works Director		6 APR 15
	Finance Director		4/7/15
	Borough Attorney		
	Borough Clerk		4/14/15 

**ATTACHMENT (S) :** Fiscal Note: Yes  No   
 Advertising: (1 p)

**SUMMARY STATEMENT:** On December 29, 2014, the Matanuska-Susitna Borough issued solicitation 15-090P seeking proposals from professional firms to design three replacement bridges across Bodenbug Creek. The three crossings in consideration are Bridge 1812 at E Northridge Rd, Bridge 1714 at E. Elk Road, and Bridge 1935 at E. Back Acres Avenue.

In response to the advertising, the Borough received three proposals which were scored by a team of five Borough employees from the Capital Projects and Public Works Departments. DOWL received the highest score of the three firms.

RECOMMENDATION OF ADMINISTRATION: Award of PROPOSAL 15-090P,  
DESIGN OF THREE BRIDGES ACROSS BODENBURG CREEK to DOWL in the  
contract amount of ONE HUNDRED FIFTY SEVEN THOUSAND SIX HUNDRED  
TWENTY FIVE AND NO/100 DOLLARS (\$157,625.00) .

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: April 21, 2015

SUBJECT: Award of Proposal 15-090P, Design of Three Bridge Replacements across Bodenbug Creek, to DOWL in the contract amount of \$157,625.00.

ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED \$ 157,625	FUNDING SOURCE State Legislative Grant
FROM ACCOUNT # 410.000.000.4XX,XXX	PROJECT # 36071.9000.9202
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baemgen</i>	CERTIFIED BY:
DATE: 4/6/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL		157.6				
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
State/Federal Funds		157.6				
Other						
TOTAL		157.6				

POSITIONS:

Full-Time	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: 4/7/15

**MATANUSKA-SUSITNA BOROUGH**  
**350 East Dahlia**  
**Palmer, Alaska 99645**

**A D V E R T I S E M E N T**

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Alaska Dispatch News		MATA 0070	DECEMBER 30, 2014
Frontiersman		CONTRACT	JANUARY 4, 2015
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH**  
**#15-090P**  
**DESIGN OF THREE BRIDGE REPLACEMENTS ACROSS BODENBURG CREEK**

The Matanuska-Susitna Borough is seeking proposals for a qualified design firm to develop and perform all related tasks needed for a full design to replace three bridges along Bodenbug Creek. The three crossings in consideration are E. Northbridge Rd. (Bridge No. 1812), E. Elk Rd. (Bridge No. 1714), and E. Back Acres Ave. (Bridge No. 1935).

Proposal documents are available beginning **DECEMBER 29, 2014** in the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, AK 99645. Info: (907) 861-8601, Fax (907) 861-8617, e-mail [purchasing@matsugov.us](mailto:purchasing@matsugov.us). A document fee of \$5.00 will be charged for materials picked-up and \$10.00 for materials mailed. This proposal document may be available on the internet at [www.matsugov.us](http://www.matsugov.us).

Proposal closing: **JANUARY 21, 2015 @ 2 PM in the Purchasing Division**

Proposals must be received in the Purchasing Division prior to the time fixed for closing of the RFP to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8404.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all proposals, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Date : December 23, 2014	Requested by: Signature on File	Approved by: Signature on File
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DEPARTMENT ACCOUNT NO.: 410.000.000.462.210 ~ 30071-9000-9202

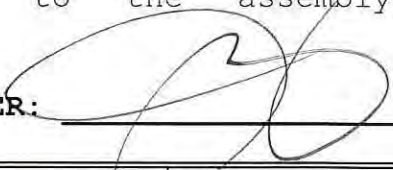
AM15-039



**SUBJECT:** Award of Bid 15-108B, Iditarod Elementary School Construction, to Collins Construction Inc. in the contract amount of \$17,345,602.00.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
	Originator		
	Capital Projects Director	MB	4/6/15
	Finance Director	JWC	4/7/15
	Borough Attorney	NS	
	Borough Clerk	JAM	4/14/15 

**ATTACHMENT (S):** Fiscal Note: Yes X No \_\_\_\_\_  
 Advertising: (1 p)  
 Bid Analysis: (1 P)

**SUMMARY STATEMENT:** On February 24, 2015, the Matanuska-Susitna Borough issued solicitation 15-108B requesting bids from contractors interested in constructing the new Iditarod Elementary School, an approximately 50,600 square foot facility located at 1001 N Fishhook Road. The advertising resulted in six bids being received with the low bid being from Collins Construction Inc.

This contract will be administered and monitored by the Department of Capital Projects, Project Management Division. The contract is anticipated to begin by May 1, 2015 with completion slated for July, 2016.

In accordance with MSB Code 3.08.170.c.4, Administration seeks Contract Amendment authority of ten percent.

**RECOMMENDATION OF ADMINISTRATION:** Award of ITB 15-108B, IDITAROD ELEMENTARY SCHOOL CONSTRUCTION, to COLLINS CONSTRUCTION INC. for the contract amount of SEVENTEEN MILLION THREE HUNDRED FORTY FIVE THOUSAND SIX HUNDRED TWO AND NO/100 DOLLARS (\$17,345,602.00).

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: April 21, 2015

SUBJECT: Award of Bid 15-108B, Iditarod Elementary School Construction, to Collins Construction Inc. in the contract amount of \$17,345,602.00.

ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED \$ 17,345,602 *	FUNDING SOURCE Bonds
FROM ACCOUNT # 400.000.000.4XX.XXX	PROJECT # 40191
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baumgartner</i>	CERTIFIED BY:
DATE: 4/6/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants. Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL		17,345 *				
---------	--	----------	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		17,345 *				
TOTAL		17,345 *				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) \*Award is subject to adoption of Ordinance 15-047.

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED BY: *[Signature]* DATE: 4/7/15

**MATANUSKA-SUSITNA BOROUGH  
350 East Dahlia  
Palmer, Alaska 99645**

**ADVERTISEMENT**

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Alaska Dispatch News		MATA 0070	FEBRUARY 25 & MARCH 4, 2015
Frontiersman		CONTRACT	FEBRUARY 27, 2015
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH  
BID #15-108B  
IDITAROD ELEMENTARY SCHOOL CONSTRUCTION**

The Matanuska-Susitna Borough is soliciting bids for the construction of Iditarod Elementary School, an approximately 50,600 square foot facility to be constructed at 1001 N. Fishhook Road, Wasilla, AK.

Bid documents are available **beginning FEBRUARY 24, 2015** from the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer AK 99645. For information call (907) 861-8601, Fax (907) 861-8617. This bid document may be available on the internet at [www.matsugov.us](http://www.matsugov.us). Cost of bid documents picked up \$5.00; if mailed, \$10.00.

Bids open: **MARCH 25, 2015 at 3:00 PM in the Purchasing Division**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8687.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Date: February 23, 2015	Requested by: Signature on File	Approved by: Signature on File
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DEPARTMENT ACCOUNT NO.: 100.180.181.422.000

*Am.15-040*

BID TABULATION							
BID #15-108B							
March 25, 2015 @ 3:00 PM							
BIDDER		Collins	Hickel	F-E Cont	Unit	Denali Gen	Neeser
Item #	Pay Item Description	TOTAL PRICE	TOTAL PRICE	TOTAL PRICE	TOTAL PRICE	TOTAL PRICE	TOTAL PRICE
	Base Bid	\$16,140,000.00	\$16,594,000.00	\$17,828,000.00	\$17,100,100.00	\$17,480,000.00	\$18,200,000.00
	Allowance 1	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00
	Allowance 2	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
	Allowance 3	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
	Allowance 4 - Enstar	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
		\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00
	<b>TOTAL BASE</b>	\$16,490,000.00	\$16,944,000.00	\$18,178,000.00	\$17,450,100.00	\$17,830,000.00	\$18,550,000.00
	Additive Alt 1	\$148,156.00	\$112,000.00	\$191,012.00	\$200,000.00	\$110,092.00	\$165,727.00
	Additive Alt 2	\$62,406.00	\$120,000.00	\$42,886.00	\$70,000.00	\$65,000.00	\$119,164.00
	Additive Alt 3	\$134,295.00	\$122,000.00	\$134,589.00	\$143,000.00	\$115,000.00	\$121,411.00
	Additive Alt 4	\$56,950.00	\$63,000.00	\$51,358.00	\$44,000.00	\$40,000.00	\$37,735.00
	Additive Alt 5	\$34,800.00	\$21,000.00	\$25,446.00	\$30,000.00	\$11,000.00	\$102,607.00
	Additive Alt 6	\$321,000.00	\$166,000.00	\$317,678.00	\$307,000.00	\$275,000.00	\$407,726.00
	Additive Alt 7	\$56,752.00	\$55,000.00	\$48,320.00	\$55,000.00	\$60,000.00	\$59,492.00
	Additive Alt 8	\$89,756.00	\$41,000.00	\$112,371.00	\$125,000.00	\$95,000.00	\$108,684.00
	Additive Alt 9	\$92,384.00	\$53,000.00	\$115,582.00	\$94,000.00	\$75,000.00	\$97,696.00
	Additive Alt 10	\$28,240.00	\$27,000.00	\$26,727.00	\$28,000.00	\$30,000.00	\$27,985.00
	Additive Alt 11	\$6,913.00	\$6,200.00	\$8,154.00	\$7,000.00	\$7,500.00	\$11,936.00
	Additive Alt 12	\$4,950.00	\$19,000.00	\$6,883.00	\$16,000.00	\$17,500.00	\$56,865.00
	Additive Alt 13	\$140,000.00	\$136,000.00	\$137,660.00	\$138,000.00	\$165,000.00	\$111,113.00
	Total with Add Alts	\$17,666,602.00	\$17,885,200.00	\$19,396,666.00	\$18,707,100.00	\$18,896,092.00	\$19,978,141.00
	minus alt 6	\$17,345,602.00	\$17,719,200.00	\$19,078,988.00	\$18,400,100.00	\$18,621,092.00	\$19,570,415.00

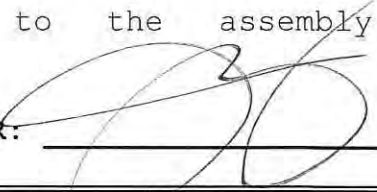
Am 15-04D



**SUBJECT:** Award of Bid 15-112B, Trapper Creek Elementary Protection System, to Wolverine Supply, Inc. in the contract amount of \$247,000.00

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
	Originator		
	Capital Projects Director	MB 4/6/15	
	Finance Director	JCC	4/7/15
	Borough Attorney	NS	
	Borough Clerk	JM	4/14/15 

**ATTACHMENT (S):** Fiscal Note: Yes X No \_\_\_\_\_  
 Advertising: (1 p)  
 Bid Analysis: (1 p)

**SUMMARY STATEMENT:** On March 5, 2015, the Matanuska-Susitna Borough issued solicitation 15-112B seeking bids for upgrading the roof fire suppression system of the Trapper Creek Elementary School. As a result of the advertising, the Borough received a single bid from Wolverine Supply, Inc.

This contract will be monitored and administered by the Department of Capital Projects, Project Management Division. Work is expected to begin in May, 2015 and be complete with a 50 day period.

**RECOMMENDATION OF ADMINISTRATION:** Award of **BID 15-112B**, TRAPPER CREEK ELEMENTARY PROTECTION SYSTEM, to **WOLVERINE SUPPLY, INC.** for the contract amount of **TWO HUNDRED FORTY SEVEN THOUSAND AND NO/100 DOLLARS (\$247,000.00)**.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: April 21, 2015  
 SUBJECT: Award of Bid 15-112B, Trapper Creek Elementary Protection System to Wolverine Supply, Inc. in the contract amount of \$247,000.00

ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED <b>\$247,000</b>	FUNDING SOURCE <b>Bonds</b>
FROM ACCOUNT # <b>400.000.000.4XX.XXX</b>	PROJECT # <b>40177</b>
TO ACCOUNT:	PROJECT #
VERIFIED BY: <i>Barbara Baumgart</i>	CERTIFIED BY:
DATE: <b>4/7/15</b>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>						

CAPITAL		<b>247</b>				
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REVENUE						
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FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		<b>247</b>				
<b>TOTAL</b>		<b>247</b>				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: **4/7/15**

AM No. 15-041

**MATANUSKA-SUSITNA BOROUGH  
350 East Dahlia  
Palmer, Alaska 99645**

**ADVERTISEMENT**

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Alaska Dispatch News		MATA 0070	MARCH 5 & 11, 2015
Frontiersman		CONTRACT	March 6, 2015
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH  
BID #15-112B  
TRAPPER CREEK ELEMENTARY PROTECTION SYSTEM**

The Matanuska-Susitna Borough is soliciting bids for upgrading the roof fire suppression system of the Trapper Creek Elementary School. Trapper Creek Elementary School is located at 6742 East Petersville Road Trapper Creek, Alaska.

Bid documents are available **beginning MARCH 5, 2015** from the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer AK 99645. For information call (907) 861-8601, Fax (907) 861-8617. This bid document may be available on the internet at [www.matsugov.us](http://www.matsugov.us). Cost of bid documents picked up \$5.00; if mailed, \$10.00.

Bids open: **MARCH 20, 2015 at 2:30 PM in the Purchasing Division**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8687.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Date: March 4, 2015	Requested by: Signature on File	Approved by: Signature on File
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DEPARTMENT ACCOUNT NO.: 400.000.000.463.9940 ~ 40177-1000-1004

**MATANUSKA-SUSITNA BOROUGH**  
**BID #15-112B**  
**Trapper Creek Elementary Protection System**

**ANALYSIS SHEET**

<b>BIDDER</b>		Wohlerwe Supply		
Signed Bid Form		OK		
Receipt of Addendum (ONE)		OK		
Bid Guarantee		B/B		
Other items as required in Instructions to Bidders and Specifications/Scope of work		/		
<b>LINE ITEM</b>	<b>DESCRIPTION</b>	<b>BID PRICE</b>	<b>BID PRICE</b>	<b>BID PRICE</b>
1.	All work to complete Trapper Creek Elementary Protection System per bid specifications.	247,000.00		

**RECOMMENDATION:** Bid Taken under advisement

\_\_\_\_\_  
 PURCHASING OFFICER  
 3/27/15  
 \_\_\_\_\_  
 DATE

\_\_\_\_\_  
 ASST PURCHASING OFFICER  
 \_\_\_\_\_  
 WITNESS

\_\_\_\_\_  
 BUYER  
 \_\_\_\_\_  
 WITNESS

\_\_\_\_\_  
 CONST PROCUREMENT SPECIALIST  
 \_\_\_\_\_  
 WITNESS

AM15-041

**SUBJECT:** Approval of contract Amendment No. two (2) in the amount of \$51,236 to PND Engineers, Inc. for Bridge 2161, Oilwell Road Over Kroto Creek, Project No. 35014, MSB contract No. 13-141P.

**AGENDA OF: April 14, 2015**

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** \_\_\_\_\_

Route To:	Department/Individual	Initials	Remarks
	Originator	HK	
	Public Works Director	<del>TDC</del>	1 APR 15
	Purchasing Officer	On	
	Finance Director	JEL	4/7/15
	Borough Attorney	KS	
	Borough Clerk	JAM	4/14/15

**ATTACHMENT(S):** Fiscal Note: Yes  X  No \_\_\_\_\_

**SUMMARY STATEMENT:** In AM 13-127, dated September 17, 2013, the Assembly awarded a contract to PND Engineers, Inc. in the amount of \$151,426 for the design of Bridge No. 2161, Oilwell Road Over Kroto Creek, Project No. 35014.

On September 10, 2014, contract Amendment No. one (1) extended this contract to October 31, 2015. The contract total did not change.

Proposed contract amendment No. two (2), in the amount of \$51,236 if approved, will provide construction administration and inspection services for Bridge #2161. The new contract total will be \$202,662.

Administration is seeking approval to add a total of \$51,236 from the following sources:

- 35014.9002 - SB46 (2012) Legislative Grant  
Substandard Roads and Bridge R&R (#12-DC-403) \$1,209.50
- 35014.9202 - SB18 (2014) Legislative Grant  
Substandard Roads and Bridges (#14-DC-095) \$ 572.34
- 35014.9302 - SB119 (2015) Legislative Grant  
Substandard Roads and Bridges (#15-DC-095) \$49,454.16

**RECOMMENDATION OF ADMINISTRATION:** Approval of contract Amendment No. two (2) in the amount of \$51,236 to PND Engineers, Inc. for Bridge 2161, Oilwell Road Over Kroto Creek, Project No. 35014, MSB contract No. 13-141P.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: April 14, 2015

SUBJECT: Approval of contract amendment no. two (2) in the amount of \$51,236 to PND Engineers, Inc. for Bridge 2161, Oilwell Road Over Kroto Creek, project no. 35014, MSB contract no. 13-141P.

ORIGINATOR: Operations & Maintenance, Public Works

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED \$51,236	FUNDING SOURCE State Legislative Grants
FROM ACCOUNT # 430.000.000.4xx.xx	PROJECT # 35014
TO ACCOUNT :	PROJECT #
VERIFIED BY: Barbara Baumgartner	CERTIFIED BY:
DATE: 4/2/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>						

CAPITAL		51.2				
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REVENUE						
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FUNDING: (Thousands of Dollars)

General Fund	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
State/Federal Funds		51.2				
Other						
<b>TOTAL</b>		51.2				

POSITIONS:

Full-Time	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: \_\_\_\_\_ DATE: 4/7/15


AM No. 15-042


**SUBJECT:** Award of Invitation to Bid 15-110B, Provide Crack Sealing Services, to D & S Road Services in the amount of \$250,425.00.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
	Originator	JM RMK	
	Public Works Director	<del>TDL</del>	7 APR 15
	Finance Director	JW	4/9/15
	Borough Attorney	NS	
	Borough Clerk	JM	4/14/15 

**ATTACHMENT (S):** Fiscal Note: Yes  X  No    
 Advertising: 1 (p)  
 Bid Analysis: 2 (pp)

**SUMMARY STATEMENT:** On March 6, 2015 the Matanuska-Susitna Borough issued a solicitation requesting bids from qualified contractors to perform crack sealing services throughout the Borough Road Service Areas (RSA's).

The work also includes, but is not limited to: cleaning, air blasting, and/or heating of cracks to prepare the joint for installing the sealant. The Borough will provide the crack sealant.

The initial contract period will run from contract execution through August 31, 2015. RSA's #9 Midway, #14 Fairview, #16 South Colony and #25 Bogard are scheduled to be serviced during

this period. These RSA's are located in Assembly Districts 1,2,3,5 and 6. Upon mutual written agreement by both parties the contract may be renewed for two (2) additional one (1) year periods, contingent upon annual appropriations by the Borough Assembly.

In response to the advertisement, four (4) bids were received, however two (2) were deemed nonresponsive. The award recommendation is being made to the lowest responsive and responsible bidder.

**RECOMMENDATION OF ADMINISTRATION:** Award of **BID 15-110B, PROVIDE CRACK SEALING SERVICES to D & S ROAD SERVICES** for the contract amount of **TWO HUNDRED FIFTY THOUSAND FOUR HUNDRED TWENTY FIVE AND NO/100 DOLLARS (\$250,425.00)**.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: April 21, 2015

SUBJECT: Award of Invitation to Bid 15-110B, Provide Crack Sealing Services, to D & S Road Services in the amount of \$250,425.00.

ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED \$ 250,425	FUNDING SOURCE RSA funds 270/271/273/279
FROM ACCOUNT # 410.000.000.4xx.xxx	PROJECT # 30036/30037/30039/30040/30045
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baumgartner</i>	CERTIFIED BY:
DATE: 4/9/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL	250.4					
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REVENUE						
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FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other	250.4					
TOTAL	250.4					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: 4/9/15

**MATANUSKA-SUSITNA BOROUGH**  
**350 East Dahlia Ave.**  
**Palmer, Alaska 99645**  
**ADVERTISEMENT**

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Anchorage Daily News		MATA 0070	March 6, 2015
Frontiersman		CONTRACT	March 8, 2015
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH**  
**BID #15-110B**  
**PROVIDE CRACK SEALING SERVICES**

The Matanuska-Susitna Borough is soliciting bids from qualified contractors to provide crack sealing services for various paved roads within the Matanuska-Susitna Borough.

Bid documents are available beginning **March 6, 2015** from the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, AK 99645. For information call (907) 861-8601, Fax (907) 861-8617, or e-mail [Purchasing@matsugov.us](mailto:Purchasing@matsugov.us). This bid document may be available on the internet under [www.matsugov.us](http://www.matsugov.us). A document fee of \$5.00 will be charged for materials picked-up and \$10.00 for materials mailed.

Pre-Bid: **No Pre-Bid has been scheduled at this time**

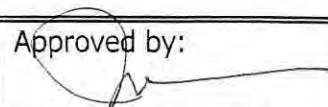
Bids open: **March 30, 2015 @ 3:00 PM in the Purchasing Division**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Each sealed bid must be received before the date and time due and must be marked with the appropriate Bid Number to be considered.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8404.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

3/5/15	Requested by: <i>Feb 3/4/15</i>	Approved by: 
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DEPARTMENT ACCOUNT NUMBER: **410.000.000.462.940 ~ 30036/6600/6672 (20%)**  
 " **30037/6600/6649 (20%)**  
 " **30039/6600/6686 (20%)**  
 " **30040/6600/6673 (20%)**  
 " **30045/6600/6660 (20%)**

*Am15-043*

**MATANUSKA-SUSITNA BOROUGH**  
**BID #15-110B**  
**Provide Crack Sealing Services**  
**ANALYSIS SHEET**

BIDDER		TEWS INC			ALASKA Quality SEAL COAT		
Signed Bid Form		OK			OK		
Bid Guarantee		NO			OK CD		
Receipt of Addendum (2)		OK			OK		
Equipment list, operation, traffic control & safety plan, crew qualifications		NO -			NO		
BID ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	BID PRICE	ESTIMATED QUANTITY	UNIT PRICE	BID PRICE
1.	Apply Owner Provided Asphalt Crack Sealant per Scope of Work and Bid Documents RSA 9	7,000	1.39	9,730.00	7,000	1.49	10,430.00
2.	Apply Owner Provided Asphalt Crack Sealant per Scope of Work and Bid Documents RSA 14	6,300	1.39	8,757.00	6,300	1.49	9,387.00
3.	Apply Owner Provided Asphalt Crack Sealant per Scope of Work and Bid Documents RSA 16	87,700	1.39	121,903.00	87,700	1.49	130,673.00
4.	Apply Owner Provided Asphalt Crack Sealant per Scope of Work and Bid Documents RSA 25	56,500	1.39	78,535.00	56,500	1.49	84,185.00
		<b>Total Bid Price</b>		<b>218,925.00</b>	<b>Total Bid Price</b>		<b>234,675.00</b>

RECOMMENDATION: ALL BIDS TAKEN WITH NO ADVISORY

PURCHASING OFFICER: \_\_\_\_\_ ASST PURCHASING OFFICER: [Signature]  
 BUYER: [Signature] CONST PROCUREMENT SPECIALIST: \_\_\_\_\_  
 DATE: 3/31/18 WITNESS: [Signature] WITNESS: \_\_\_\_\_  
 WITNESS: [Signature] WITNESS: \_\_\_\_\_

Am15-043

MSB-PURCH/15MR31 PM0302

**MATANUSKA-SUSITNA BOROUGH  
 BID #15-110B  
 Provide Crack Sealing Services  
 ANALYSIS SHEET**

BIDDER		ALASKA SURE SEAL			A+S ROAD SERVICE		
Signed Bid Form		OKg			OKg		
Bid Guarantee		B.B.			B.B.		
Receipt of Addendum (2)		OKg			OKg		
Equipment list, operation, traffic control & safety plan, crew qualifications		OKg			OKg		
BID ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	BID PRICE	ESTIMATED QUANTITY	UNIT PRICE	BID PRICE
1.	Apply Owner Provided Asphalt Crack Sealant per Scope of Work and Bid Documents RSA 9	7,000	1.69	11,830.00	7,000	1.59	11,130.00
2.	Apply Owner Provided Asphalt Crack Sealant per Scope of Work and Bid Documents RSA 14	6,300	1.69	10,647.00	6,300	1.59	10,017.00
3.	Apply Owner Provided Asphalt Crack Sealant per Scope of Work and Bid Documents RSA 16	87,700	1.69	148,213.00	87,700	1.59	139,443.00
4.	Apply Owner Provided Asphalt Crack Sealant per Scope of Work and Bid Documents RSA 25	56,500	1.69	95,485.00	56,500	1.59	89,835.00
		<b>Total Bid Price</b>		<b>266,175.00</b>	<b>Total Bid Price</b>		<b>250,425.00</b>

RECOMMENDATION: ALL BIDS TAKEN UNDER ADVISORIAL

PURCHASING OFFICER \_\_\_\_\_ ASST PURCHASING OFFICER [Signature] BUYER [Signature] CONST PROCUREMENT SPECIALIST \_\_\_\_\_  
 DATE 3/31/15 WITNESS \_\_\_\_\_ WITNESS \_\_\_\_\_ WITNESS \_\_\_\_\_

Am15-043


**SUBJECT:** Approve utility relocation costs of \$135,490.88 to Matanuska Telephone Association for Mariann Pl, Redwood Ln, Elderberry Dr, Willow Ln, Project 30036.

**AGENDA OF: April 21, 2015**

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** \_\_\_\_\_

Route To:	Department/Individual	Initials	Remarks
	Originator	HK	
	Public Works Director	<i>TDO</i>	7 APR 15
	Purchasing Officer	<i>glw</i>	4/7/15
	Finance Director	<i>NS</i>	
	Borough Attorney		
	Borough Clerk	<i>jam</i>	4/14/15 

**ATTACHMENT (S) :** Fiscal Note: Yes  No

**SUMMARY STATEMENT:** On December 16, 2014 the assembly approved the Capital Projects List with AM 14-152. Included in the Road Maintenance and Repair Capital Projects - Summer 2015 was the Mariann Place, Redwood Lane, Elderberry Dr, Willow Lane Design and Utility Relocate and Upgrade Project, Project No. 30036.

An estimate was received from Matanuska Telephone Association for relocation of telephone facilities in the amount of \$135,775.95. MSB 3.08.161 requires assembly approval of any contract award over \$100,000.

**RECOMMENDATION OF ADMINISTRATION** Approve utility relocation costs of \$135,490.88 to Matanuska Telephone Association for Mariann Pl, Redwood Ln, Elderberry Dr, Willow Ln, Project 30036.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: April 21, 2015

SUBJECT: Approve utility relocation costs of \$135,490.88 to Matanuska Telephone Association for Mariann Pl, Redwood Ln, Elderberry Dr, Willow Ln, Project 30036.

ORIGINATOR: Dept of Public Works, Operations & Maintenance

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
AMOUNT REQUESTED \$ 135,490.88	FUNDING SOURCE Service Area Budget Approp.
FROM ACCOUNT # 410.000.000.4xx,xxx	PROJECT # 30036.6600.6686
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Saenger</i>	CERTIFIED BY:
DATE: 4/6/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY14	FY15	FY16	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL		135.4				
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REVENUE						
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FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		135.4				
TOTAL		135.4				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: 4/7/15

**SUBJECT:** Award of Bid No. 15-098B, Central Landfill Cell 2A Closure 2015 to Southcentral Construction, Inc for the contract amount of \$2,415,085.00.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY BOROUGH MANAGER:** \_\_\_\_\_

Route To:	Department/Individual	Initials	Remarks
	Purchasing	RMK	
	Capital Projects Director	LB 4/6/15	
	Finance Director	JCL 4/7/15	
	Borough Attorney	NS	
	Borough Clerk	JMM	4/14/15

**ATTACHMENT (S) :** Fiscal Note: Yes X No \_\_\_\_\_  
Advertisement (1p)  
Analysis Sheet (2pp)

**SUMMARY STATEMENT:** On February 25, 2015, the Matanuska-Susitna Borough issued a solicitation requesting bids from qualified contractors to provide labor, equipment, materials, tools and incidentals for the closure of Cell 2A at the Central Landfill. This project will provide approximately 13 acres of landfill cell 2A final closure. To include installation of a line cover system, ventilation system, drainage system and topsoil and seeding for stabilization and erosion control. In response to the advertisement, seven (7) bids were received.

Award recommendation is being made to Southcentral Construction, Inc. with their bid being responsive and responsible for all line items. Capital Project Department will provide the project management and contract administration. The Contractor shall have substantial completion done by September 30, 2015 with the final completion date of October 30, 2015.

In accordance with MSB Code 3.08.170.C.4, Administration seeks Contract Amendment authority of \$250,000.00.

**RECOMMENDATION OF ADMINISTRATION:** Award of **BID NO. 15-098B, CENTRAL LANDFILL CELL 2A CLOSURE 2015** to **SOUTHCENTRAL CONSTRUCTION, INC.** for the contract amount of **TWO MILLION FOUR HUNDRED FIFTEEN THOUSAND EIGHTY FIVE AND NO/100 DOLLARS (\$2,415,085.00)**.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

AGENDA DATE: April 21, 2015  
 SUBJECT: Award of Bid No. 15-098B, Central Landfill Cell 2A Closure 2015 to Southcentral Construction, Inc. for the contract amount of \$2,415,085.00.  
 ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED \$2,415,085	FUNDING SOURCE DEC ACWF Loan, Entp Funds
FROM ACCOUNT # 420.000.000.4XX.XXX	PROJECT # 25052
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baumgardt</i>	CERTIFIED BY:
DATE: 4/7/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL	2,415	—————>				
---------	-------	--------	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other	2,415	—————>				
TOTAL	2,415	—————>				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: 4/7/15

**MATANUSKA-SUSITNA BOROUGH**  
**350 East Dahlia**  
**Palmer, Alaska 99645**

**ADVERTISEMENT**

<b>VENDOR</b>		<b>ACCOUNT #</b>	<b>DATE FOR ADVERTISEMENT</b>
Alaska Dispatch News		MATA 0070	February 25, 2015
Frontiersman		CONTRACT	February 27, 2015
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH**  
**BID #15-098B**  
***Central Landfill Cell 2A Closure 2015***

The Matanuska-Susitna Borough is soliciting bids from qualified contractors to supply labor, materials, equipment, and supplies the closure of Cell 2A at the Central Landfill per specifications. The Cell 2A Closure Project consists of closing approximately 13.4 acres of the Matanuska Susitna Borough (MSB) Central Landfill, owned by the MSB and located near Milepost 3 of the Palmer-Wasilla Highway at the Southern end of North 49<sup>th</sup> State Street. Cell 2A is an unlined waste disposal area within the Central Landfill, a Class I Municipal Solid Waste (MSW) landfill.

Bid documents are available **February 25, 2015** in the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, AK 99645. For Information: (907) 861-8601, Facsimile: (907) 861-8617, e-mail [purchasing@matsugov.us](mailto:purchasing@matsugov.us). This bid document may be available on the internet at [www.matsugov.us](http://www.matsugov.us). A document fee of \$5.00 will be charged for materials picked-up and \$10.00 for materials mailed.

Pre-bid: **March 3, 2015 @ 11AM in the Landfill Conference Room, located at 1201 N 49<sup>th</sup> State Street, Palmer, Alaska**

Bids open: **March 20, 2015 @ 3PM in the Purchasing Division**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8687.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Page 1 of 1	Requested by: <b>Signature on File</b>	Approved by: <b>Signature on File</b>
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DEPARTMENT ACCOUNT NO.: **420.000.000.463.940 ~ 25052/0401/5101/7501**

**BID TABULATION**  
**BID #15-0988**  
**Central Landfill Cell 2A Closure**  
**March 27, 2015 3PM**

BIDDER				Southcentral Const		Bristol Const		Tutka, LLC		Western Construction		Ancor, Inc		Cruz Construction			
Pay Item Number	Pay Item Description	Pay Unit	Quantity	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Project Administration and Controls	LS	All		\$56,000.00		\$145,000.00		\$54,000.00		\$40,000.00		\$18,980.00		\$225,000.00		\$44,000.00
2	Temporary Facilities and Controls	LS	All		\$155,000.00		\$30,000.00		\$63,000.00		\$30,000.00		\$3,500.00		\$30,000.00		\$3,500.00
3	Mobilization and Demobilization	LS	All		\$30,000.00		\$14,000.00		\$15,000.00		\$25,000.00		\$15,920.00		\$100,000.00		\$38,500.00
4	Construction Surveys	LS	All		\$45,000.00		\$72,000.00		\$89,000.00		\$75,000.00		\$41,100.00		\$41,000.00		\$46,000.00
5	Final Cleanup and Contract Closeout	LS	All		\$4,000.00		\$1,650.00		\$6,500.00		\$5,000.00		\$1,700.00		\$25,000.00		\$3,300.00
6	Clearing and Grubbing	Acre	0.2	\$30,000.00	\$6,000.00	\$11,000.00	\$2,200.00	\$14,000.00	\$2,800.00	\$50,000.00	\$10,000.00	\$16,650.00	\$3,330.00	\$14,000.00	\$2,800.00	\$25,000.00	\$5,000.00
7	Subgrade preparation	Acre	13.4	\$700.00	\$9,380.00	\$1,000.00	\$13,400.00	\$434.00	\$5,815.60	\$3,000.00	\$40,200.00	\$240.00	\$3,216.00	\$3,350.00	\$44,890.00	\$3,500.00	\$46,900.00
8	Cushion Layer	CY	11,300	\$12.00	\$135,600.00	\$12.00	\$135,600.00	\$15.40	\$174,020.00	\$22.00	\$248,600.00	\$10.92	\$123,396.00	\$17.25	\$194,925.00	\$15.25	\$172,325.00
9	Cover Layer	CY	33,800	\$11.25	\$380,250.00	\$13.25	\$447,850.00	\$19.50	\$659,100.00	\$20.00	\$676,000.00	\$11.98	\$404,924.00	\$11.25	\$380,250.00	\$11.00	\$371,800.00
10	General Fill	CY	12,000	\$9.90	\$118,800.00	\$6.00	\$72,000.00	\$13.00	\$156,000.00	\$19.00	\$228,000.00	\$5.21	\$62,520.00	\$6.00	\$72,000.00	\$4.75	\$57,000.00
11	Excavation	CY	400	\$15.00	\$6,000.00	\$11.00	\$4,400.00	\$20.00	\$8,000.00	\$18.00	\$7,200.00	\$9.29	\$3,716.00	\$8.75	\$3,500.00	\$4.25	\$1,700.00
12	4 inch HDPE Intercept Pipe	LF	9,000	\$5.50	\$49,500.00	\$6.00	\$54,000.00	\$4.84	\$43,560.00	\$11.00	\$99,000.00	\$6.39	\$57,510.00	\$10.50	\$94,500.00	\$9.00	\$81,000.00
13	6 inch HDPE Collection Pipe	LF	2,400	\$8.90	\$21,360.00	\$10.00	\$24,000.00	\$8.08	\$19,392.00	\$20.00	\$48,000.00	\$10.28	\$24,672.00	\$15.00	\$36,000.00	\$12.00	\$28,800.00
14	24 inch CMP Pipe	LS	All		\$8,250.00		\$14,500.00		\$6,500.00		\$17,500.00		\$11,320.00		\$15,000.00		\$10,275.00
15	Rock Lined Ditch	LF	2,325	\$12.00	\$27,900.00	\$15.00	\$34,875.00	\$14.84	\$34,503.00	\$25.00	\$58,125.00	\$22.61	\$52,568.25	\$50.00	\$116,250.00	\$11.25	\$26,156.25
16	Monitoring Well Adjustment	LS	All		\$2,800.00		\$4,500.00		\$1,500.00		\$15,000.00		\$7,960.00		\$5,500.00		\$5,400.00
17	LFG Trench Excavation and Pea Gravel Backfill	LF	7,750	\$5.60	\$43,400.00	\$9.50	\$73,625.00	\$4.82	\$37,355.00	\$16.00	\$124,000.00	\$7.44	\$57,660.00	\$6.75	\$52,312.50	\$3.50	\$27,125.00
18	Landfill Gas Vent	EA	7	\$3,600.00	\$25,200.00	\$4,200.00	\$29,400.00	\$2,020.00	\$14,140.00	\$3,000.00	\$21,000.00	\$2,480.00	\$17,360.00	\$2,500.00	\$17,500.00	\$3,700.00	\$25,900.00
19	4 inch HDPE LFG Pipe	LF	6,950	\$2.60	\$18,070.00	\$6.00	\$41,700.00	\$5.58	\$38,781.00	\$12.50	\$86,875.00	\$5.46	\$37,947.00	\$9.00	\$62,550.00	\$8.75	\$60,812.50
20	6 inch HDPE LFG Pipe	LF	800	\$9.10	\$7,280.00	\$12.00	\$9,600.00	\$14.48	\$11,584.00	\$30.00	\$24,000.00	\$27.94	\$22,352.00	\$21.00	\$16,800.00	\$11.35	\$9,080.00
21	Geocomposite Drainage Net	SF	583,700	\$0.85	\$496,145.00	\$0.93	\$542,841.00	\$0.97	\$566,189.00	\$0.95	\$554,515.00	\$0.86	\$501,982.00	\$0.85	\$496,145.00	\$1.00	\$583,700.00
22	Geosynthetic Clay Liner	SF	583,700	\$0.80	\$466,960.00	\$0.93	\$542,841.00	\$0.94	\$548,678.00	\$1.00	\$583,700.00	\$0.91	\$531,167.00	\$1.00	\$583,700.00	\$1.00	\$583,700.00
23	Topsoil	SY	64,900	\$3.50	\$227,150.00	\$4.00	\$259,600.00	\$3.01	\$195,349.00	\$4.50	\$292,050.00	\$6.02	\$390,698.00	\$3.25	\$210,925.00	\$4.50	\$292,050.00
24	Seeding	Acre	13.4	\$5,600.00	\$75,040.00	\$6,700.00	\$89,780.00	\$5,350.00	\$71,690.00	\$5,500.00	\$73,700.00	\$5,519.00	\$73,954.60	\$5,200.00	\$69,680.00	\$5,800.00	\$77,720.00
<b>TOTAL BASE BID</b>					<b>\$2,415,085.00</b>		<b>\$2,659,362.00</b>		<b>\$2,822,456.60</b>		<b>\$3,382,465.00</b>		<b>\$2,469,452.85</b>		<b>\$2,896,227.50</b>		<b>\$2,601,743.75</b>


Am15-045


**SUBJECT:** Award of Bid No. 15-097B, Athletic Field Improvements Construction to Prosser-Dagg Construction Co., LLC for the contract amount of \$3,902,375.00.

**AGENDA OF: April 21, 2015**

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
	Purchasing	<i>MB</i>	
	Capital Projects Director	<i>MB 4/6/15</i>	
	Finance Director	<i>MB</i>	<i>4/7/15</i>
	Borough Attorney	<i>MB</i>	
	Borough Clerk	<i>JM</i>	<i>4/14/15</i> 

**ATTACHMENT (S):** Fiscal Note: Yes  No   
 Advertisement (1p)  
 Analysis Sheet (2pp)

**SUMMARY STATEMENT:** On February 4, 2015, the Matanuska-Susitna Borough issued a solicitation requesting bids from qualified contractors to provide labor, equipment, materials, tools and incidentals to complete athletic field improvements at multiple locations to include a running track at Su Valley HS, running track at Palmer JMS, Iditarod softball field upgrades, ice rink improvements at Glacier View ES, and Miscellaneous drainage, fencing, and ADA access improvements. In response to the advertisement, five (5) bids were received.

Award recommendation is being made to Prosser-Dagg Construction Co., LLC with their bid being responsive and responsible for all line items. Capital Project Department will provide the project management and contract administration. The Contractor shall have a final completion date of December 1, 2015.

In accordance with MSB Code 3.08.170.C.4, Administration seeks Contract Amendment authority of \$500,000.00.

RECOMMENDATION OF ADMINISTRATION: Award of BID NO. 15-0978B, ATHLETIC FIELD IMPROVEMENTS to PROSSER-DAGG CONSTRUCTION CO., LLC for the contract amount of THREE MILLION NINE HUNDRED TWO THOUSAND THREE HUNDRED SEVENTY FIVE AND NO/100 DOLLARS (\$3,902,375.00).

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

AGENDA DATE: April 21, 2015  
 SUBJECT: Award of Bid No. 15-097B, Athletic Field Improvements Construction to Prosser-Dagg Construction Co., LLC for the contract amount of \$3,902,375.00.  
 ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED \$3,902,375 *	FUNDING SOURCE Bonds
FROM ACCOUNT # 400.000.000.4XX.XXX	PROJECT # 40197
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baumgart</i>	CERTIFIED BY:
DATE: 4/7/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL	3,902	→				
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REVENUE						
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FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other	3,902	→				
TOTAL	3,902	→				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) \* Award is subject to adoption of Ord 15-047.

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: 4/7/15

**MATANUSKA-SUSITNA BOROUGH  
350 East Dahlia  
Palmer, Alaska 99645**

**A D V E R T I S E M E N T**

<b>VENDOR</b>		<b>ACCOUNT #</b>	<b>DATE FOR ADVERTISEMENT</b>
Alaska Dispatch News		MATA 0070	February 3, 2015
Frontiersman		CONTRACT	February 6, 2015
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH  
BID #15-097B  
*Athletic Field Improvements Construction***

The Matanuska-Susitna Borough requests bids from general contractors to construct improvements to athletic facilities at four schools. 1. Glacier View School: Renovate the multi-sport rink and court. 2. Palmer Junior Middle School: Reconstruct track facility. 3. Susitna-Valley High School: Reconstruct track facility. 4. Iditarod Elementary School: Reconstruct ball fields. Construction work must meet the project design and specifications and the School District Facility Design Criteria Manual. Work must be substantially complete by December 1, 2015. This project has seven additive alternates including: construction of field throwing event venues, bleachers, artificial turf sport fields and scoreboard.

Bid documents are available beginning **February 4, 2015** from the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer AK 99645. For information call (907) 861-8601, Fax (907) 861-8617, or e-mail [purchasing@matsugov.us](mailto:purchasing@matsugov.us). This bid document may be available on the internet at [www.matsugov.us](http://www.matsugov.us). Cost of bid documents picked up \$5.00; if mailed, \$10.00.

Pre-bid: **February 12, 2015 @ 10AM in Purchasing Division P2 Conference Room**

Bids open: **February 27, 2015 @ 3PM in the Purchasing Division**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8687.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Page 1 of 1	Requested by: <b>Signature on File</b>	Approved by: <b>Signature on File</b>
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DEPARTMENT ACCOUNT NO.: **400.000.000.461.940 ~ 40197/1000/1004**

**MATANUSKA-SUSITNA BOROUGH**  
**BID #15-097B**  
**Athletic Field Improvements Construction**

**PRELIMINARY RESULTS**

**ANALYSIS SHEET**

BIDDER		COLLINS	TUTKA	PROSSER DAVE
Signed Bid Form		OK	OK	OK
Receipt of Addendum (ONE)		OK	OK	OK
Bid Guarantee		B.B.	B.B.	B.B.
Other items as required in Instructions to Bidders and Specifications/Scope of work				
LINE ITEM	DESCRIPTION	BID PRICE	BID PRICE	BID PRICE
Base Bid	All work to complete Glacier View, Palmer Jr. Middle, Su Valley and Iditarod Schools per bid specifications.	\$ 3,757,000.00	\$ 2,790,000.00	\$ 2,625,000.00
Add Alt #G-1	Reconstruct Water Line	\$ 110,000.00	\$ 55,000.00	\$ 85,000.00
Add Alt #P-1	Remove and Replace Bleachers	\$ 190,000.00	\$ 180,000.00	\$ 200,000.00
Add Alt #S-1	Construction Multi-Sport Artificial Turf Field	\$ 1,880,000.00	\$ 1,400,000.00	\$ 1,350,000.00
Add Alt #S-2	Construct Throwing Event Venues	\$ 40,000.00	\$ 28,000.00	\$ 35,000.00
Add Alt #S-3	Construct Exterior Track Curb	\$ 64,000.00	\$ 66,000.00	\$ 67,000.00
<b>Unit Price #S-4</b>	<b>Silt Excavation and Backfill at Susitna Valley High School, basis of bid 500 CY</b>	\$ 20.00/CY \$ 10,000.00	\$ 46.00/CY \$ 23,000.00	\$ 45.25/CY \$ 22,625.00
Add Alt #I-1	Construct Artificial Turf Softball and Baseball Infields	\$ 1,324,000.00	\$ 750,000.00	\$ 800,000.00
Add Alt #I-2	Construct Scoreboard at Softball Field	\$ 24,000.00	\$ 20,000.00	\$ 18,000.00
<b>Unit Price #I-3</b>	<b>Silt Excavation and Backfill at Iditarod Elementary School, basis of bid 1000 CY</b>	\$ 20.00/CY \$ 20,000.00	\$ 43.00/CY \$ 43,000.00	\$ 49.75/CY \$ 49,750.00

**RECOMMENDATION:** ALL BIDS TAKEN UNDER ADVISORY

\_\_\_\_\_  
 PURCHASING OFFICER  
 3/2/15  
 DATE

\_\_\_\_\_  
 ASST PURCHASING OFFICER  
 Annette Wright  
 WITNESS

\_\_\_\_\_  
 BUYER  
 Heather M. Solomon  
 WITNESS

\_\_\_\_\_  
 CONST PROCUREMENT SPECIALIST  
 P.S. [Signature]  
 WITNESS

AM 15-046

**MATANUSKA-SUSITNA BOROUGH**  
**BID #15-097B**  
**Athletic Field Improvements Construction**

**PRELIMINARY RESULTS**

**ANALYSIS SHEET**

BIDDER		Roger Hickel	Davis Const.	
Signed Bid Form		OK	OK	
Receipt of Addendum (ONE)		OK	OK	
Bid Guarantee		B.B.	B.B.	
Other items as required in Instructions to Bidders and Specifications/Scope of work				
LINE ITEM	DESCRIPTION	BID PRICE		BID PRICE
Base Bid	All work to complete Glacier View, Palmer Jr. Middle, Su Valley and Iditarod Schools per bid specifications.	\$ 3,335,777.00	\$ 3,477,173.00	\$
Add Alt #G-1	Reconstruct Water Line	\$ 118,000.00	\$ 66,586.00	\$
Add Alt #P-1	Remove and Replace Bleachers	\$ 227,000.00	\$ 220,382.00	\$
Add Alt #S-1	Construction Multi-Sport Artificial Turf Field	\$ 1,475,000.00	\$ 1,366,132.00	\$
Add Alt #S-2	Construct Throwing Event Venues	\$ 35,000.00	\$ 57,111.00	\$
Add Alt #S-3	Construct Exterior Track Curb	\$ 62,000.00	\$ 87,690.00	\$
<b>Unit Price #S-4</b>	<b>Silt Excavation and Backfill at Susitna Valley High School, basis of bid 500 CY</b>	\$ 65.00 /CY \$ 32,500.00	\$ 725 /CY \$ 3,625.00	\$ /CY \$
Add Alt #I-1	Construct Artificial Turf Softball and Baseball Infields	\$ 780,000.00	\$ 797,724.00	\$
Add Alt #I-2	Construct Scoreboard at Softball Field	\$ 29,000.00	\$ 24,171.00	\$
<b>Unit Price #I-3</b>	<b>Silt Excavation and Backfill at Iditarod Elementary School, basis of bid 1000 CY</b>	\$ 58.00 /CY \$ 58,000.00	\$ 7.25 /CY \$ 7,250.00	\$ /CY \$

**RECOMMENDATION:** \_\_\_\_\_

\_\_\_\_\_  
PURCHASING OFFICER

\_\_\_\_\_  
ASST PURCHASING OFFICER

\_\_\_\_\_  
BUYER

\_\_\_\_\_  
CONST PROCUREMENT SPECIALIST

\_\_\_\_\_  
DATE

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
WITNESS

AM15-040

**SUBJECT:** Award of Bid No. 15-101B, Marianns Place, Redwood Lane, Elderberry Drive, and Willow Lane to Valley General Construction, LLC for the contract amount of \$344,480.00.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED** *for* BY JOHN MOOSEY BOROUGH MANAGER: *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Purchasing	<i>RMK</i>	
	Public Works Director	<i>TDL</i>	<i>6 APR 15</i>
	Finance Director	<i>JW</i>	<i>4/9/15</i>
	Borough Attorney	<i>NS</i>	
	Borough Clerk	<i>JM</i>	<i>4/14/15</i>

**ATTACHMENT (S):** Fiscal Note: Yes  No   
 Advertisement (1p)  
 Analysis Sheet (1p)

**SUMMARY STATEMENT:** On March 6, 2015, the Matanuska-Susitna Borough issued a solicitation requesting bids from qualified contractors to provide labor, equipment, materials, tools and incidentals to reconstruct approximately 3,722 linear feet of Marianns Place, Redwood Lane, Elderberry Drive and Willow Lane off of the Seward Meridian Road in Wasilla, Alaska. This project will upgrade the existing gravel roadways to MSB residential road standards. This work will involve, but is not limited to 1 Acre clearing and 2.5 Acres grubbing, 3,394 CY Unclassified Excavation, 2,869 CY Borrow, Type B, and 1,247 CY Borrow, Type IIA, Additional items include drainage improvements, signage, topsoil and seeding. The Public Works Department, Operation and Maintenance Division will be administering the contract. In response to the advertisement, eight (8) bids were received.

Award recommendation is being made to Valley General Construction, LLC with their bid being responsive and responsible for all line items. The Contractor shall complete the work by August 31, 2015.

**RECOMMENDATION OF ADMINISTRATION:** Award of **BID NO. 15-101B, MARIANNA PLACE, REDWOOD LANE, ELDERBERRY DRIVE, AND WILLOW LANE** to **VALLEY GENERAL CONSTRUCTION, LLC** for the contract amount of **THREE HUNDRED FORTY FOUR THOUSAND FOUR HUNDRED EIGHTY AND NO/100 DOLLARS (\$344,480.00)**.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

AGENDA DATE: April 21, 2015  
 SUBJECT: Award of Bid No. 15-101B, Marianns Place, redwood Lane, Elderberry Drive, and Willow Lane to Valley General Construction, LLC for the contract amount of \$344,480.00.  
 ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED \$ 344,480	FUNDING SOURCE Fund bal approp - RSA Midway
FROM ACCOUNT # 410.000.000.4xx.xxx	PROJECT # 30036
TO ACCOUNT :	PROJECT #
VERIFIED BY: Barbara Baumann	CERTIFIED BY:
DATE: 4/7/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL	344.4					
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REVENUE						
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FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other	344.4					
TOTAL	344.4					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY:  DATE: 4/9/15

**MATANUSKA-SUSITNA BOROUGH**  
**350 East Dahlia**  
**Palmer, Alaska 99645**

**A D V E R T I S E M E N T**

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Alaska Dispatch News		MATA 0070	March 6 , 2015
Frontiersman		CONTRACT	March 8, 2015
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH**  
**BID #15-101B**  
***Marianns Place, Redwood Lane, Elderberry Drive, and Willow Lane***

The Matanuska-Susitna Borough is soliciting bids from qualified contractors to provide labor, equipment and material to reconstruct approximately 3,722 linear feet of Marianns Place, Redwood Lane, Elderberry Drive and Willow Lane off of the Seward Meridian Road in Wasilla, Alaska. This project will upgrade the existing gravel roadways to MSB residential road standards. This work will involve, but is not limited to 1 Acre clearing and 2.5 Acres grubbing, 3,394 CY Unclassified Excavation, 2,869 CY Borrow, Type B, and 1,247 CY Borrow, Type IIA, Additional items include drainage improvements, signage, topsoil and seeding.

Bid documents are available **March 6, 2015** in the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, AK 99645. For Information: (907) 861-8601, Facsimile: (907) 861-8617, e-mail [purchasing@matsugov.us](mailto:purchasing@matsugov.us). This bid document may be available on the internet at [www.matsugov.us](http://www.matsugov.us). A document fee of \$5.00 will be charged for materials picked-up and \$10.00 for materials mailed.

Pre-bid: **March 12, 2015 @ 10AM in Purchasing Division P2 Conference Room**

Bids open: **March 26, 2015 @ 3PM in the Purchasing Division**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8687.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Page 1 of 1	Requested by: <b>Signature on File</b>	Approved by: <b>Signature on File</b>
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DEPARTMENT ACCOUNT NO.: **410.000.000.462.940 ~ 30036/6680/2120**

BID TABULATION																			
BID #15-101B																			
Marianns Place, Redwood Lane, Elderberry Drive and Willow Lane																			
March 27, 2015 @ 3:30PM																			
BIDDER				Norise Alaska		Valley General		Tutka LLC		D & S Road Services		Ahtna Construction		Jim Psenak Const		Alaska Excavating, LLC		Western Construction & Equip	
Pay Item Number	Pay Item Description	Pay Unit	Quantity	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
201(1A)	Cleaning	Acre	1	\$5,000.00	\$5,000.00	\$6,900.00	\$6,900.00	\$6,000.00	\$6,000.00	\$6,200.00	\$6,200.00	\$5,500.00	\$5,500.00	\$5,600.00	\$5,600.00	\$5,600.00	\$5,600.00	\$5,000.00	\$5,000.00
201(2A)	Grubbing	Acre	2.5	\$6,400.00	\$16,000.00	\$3,900.00	\$8,750.00	\$5,800.00	\$14,500.00	\$6,776.00	\$16,940.00	\$5,600.00	\$14,000.00	\$2,500.00	\$6,250.00	\$6,500.00	\$16,250.00	\$2,000.00	\$5,000.00
202(4)	Removal of Culvert Pipe	Linear Foot	384	\$16.35	\$6,276.40	\$12.50	\$4,800.00	\$6.00	\$2,304.00	\$15.48	\$5,944.32	\$3.75	\$1,440.00	\$4.25	\$1,632.00	\$13.00	\$4,992.00	\$10.00	\$3,840.00
203(3)	Unclassified Excavation	Cubic Yard	3,394	\$9.03	\$30,647.82	\$6.00	\$27,152.00	\$10.00	\$33,940.00	\$10.54	\$35,772.76	\$18.00	\$61,092.00	\$7.50	\$25,455.00	\$9.00	\$30,546.00	\$8.00	\$27,152.00
203(5B)	Borrow, Type B	Cubic Yard	2,869	\$13.00	\$37,297.00	\$12.00	\$34,428.00	\$12.50	\$35,862.50	\$16.00	\$45,904.00	\$14.00	\$40,166.00	\$12.75	\$36,579.75	\$19.00	\$54,511.00	\$12.00	\$34,428.00
203(9)	Obliteration of Roadway	Square Yard	109	\$10.00	\$1,090.00	\$7.00	\$763.00	\$7.50	\$817.50	\$9.00	\$981.00	\$5.00	\$545.00	\$3.00	\$327.00	\$27.00	\$2,943.00	\$5.00	\$545.00
203(19)	Borrow, Type IIA	Cubic Yard	1,247	\$16.28	\$20,301.16	\$17.00	\$21,199.00	\$24.00	\$29,928.00	\$31.00	\$38,657.00	\$54.50	\$67,961.50	\$15.75	\$19,640.25	\$22.00	\$27,434.00	\$17.00	\$21,199.00
301(3)	Ditch Linear Grading	Station	5	\$380.00	\$1,900.00	\$135.00	\$675.00	\$1,200.00	\$6,000.00	\$248.00	\$1,240.00	\$450.00	\$2,250.00	\$300.00	\$1,500.00	\$160.00	\$800.00	\$350.00	\$1,750.00
603(1-12)	12 Inch CSP	Linear Foot	723	\$40.66	\$29,397.18	\$28.00	\$20,244.00	\$27.00	\$19,521.00	\$20.00	\$14,460.00	\$28.00	\$20,244.00	\$25.00	\$18,075.00	\$65.00	\$46,995.00	\$30.00	\$21,690.00
603(1-18)	18 Inch CSP	Linear Foot	115	\$65.87	\$7,575.05	\$35.00	\$4,025.00	\$53.00	\$6,095.00	\$30.00	\$3,450.00	\$35.00	\$4,025.00	\$28.00	\$3,220.00	\$75.00	\$8,625.00	\$55.00	\$6,325.00
618(2)	Seeding	Pound	25	\$224.25	\$5,606.25	\$102.00	\$2,550.00	\$188.00	\$4,700.00	\$125.83	\$3,145.75	\$38.00	\$2,450.00	\$116.00	\$2,900.00	\$120.00	\$3,000.00	\$110.00	\$2,750.00
620(1)	Topsoil	Square Yard	2700	\$5.67	\$15,309.00	\$2.75	\$7,425.00	\$2.80	\$7,560.00	\$3.20	\$8,640.00	\$6.50	\$17,550.00	\$3.75	\$10,125.00	\$3.90	\$10,530.00	\$2.50	\$6,750.00
639(1)	Residence Driveway	Each	39	\$371.00	\$14,469.00	\$183.00	\$7,137.00	\$188.00	\$7,332.00	\$383.00	\$14,937.00	\$185.00	\$7,215.00	\$225.00	\$8,775.00	\$300.00	\$11,700.00	\$200.00	\$7,800.00
640(1)	Mobilization and Demobilization	Lump Sum	All Required		\$5,000.00		\$14,000.00		\$15,000.00		\$7,200.00		\$14,145.00		\$10,000.00		\$28,000.00		\$25,000.00
641(1)	Erosion and Pollution Control Administration	Lump Sum	All Required		\$3,000.00		\$1,000.00		\$2,800.00		\$7,500.00		\$8,000.00		\$3,500.00		\$6,000.00		\$4,000.00
641(3)	Temporary Erosion and Pollution Control	Lump Sum	All Required		\$3,000.00		\$600.00		\$1,100.00		\$4,000.00		\$8,000.00		\$600.00		\$8,600.00		\$2,000.00
642(1)	Construction Surveying	Lump Sum	All Required		\$10,384.00		\$5,000.00		\$17,000.00		\$17,500.00		\$21,900.00		\$10,900.00		\$14,900.00		\$20,000.00
642(2)	Two Person Survey Party	Hour	8	\$275.00	\$2,200.00	\$0.25	\$2.00	\$225.00	\$1,800.00	\$250.00	\$2,000.00	\$243.75	\$1,950.00	\$325.00	\$2,600.00	\$250.00	\$2,000.00	\$225.00	\$1,800.00
643(1)	Traffic Maintenance	Lump Sum	All Required		\$5,000.00		\$700.00		\$2,200.00		\$22,000.00		\$10,000.00		\$3,200.00		\$8,900.00		\$2,500.00
643(2)	Permanent Construction Signs	Lump Sum	All Required		\$8,000.00		\$850.00		\$4,000.00		\$3,500.00		\$5,000.00		\$1,500.00		\$3,500.00		\$2,500.00
800(1)	Interim Work Authorization	Contingent Sum	All Required		\$25,000.00		\$25,000.00		\$25,000.00		\$25,000.00		\$25,000.00		\$25,000.00		\$25,000.00		\$25,000.00
<b>TOTAL BASE BID</b>					<b>\$253,454.86</b>		<b>\$196,200.00</b>		<b>\$243,460.00</b>		<b>\$284,971.83</b>		<b>\$338,433.50</b>		<b>\$197,379.00</b>		<b>\$320,826.00</b>		<b>\$227,029.00</b>
BIDDER				Norise Alaska		Valley General		Tutka LLC		D & S Road Services		Ahtna Construction		Jim Psenak Const		Alaska Excavating, LLC		Western Construction & Equip	
Pay Item Number	Pay Item Description	Pay Unit	Quantity	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
301(2)	Aggregate Base Course Grading D-1	CY	692	\$50.00	\$34,600.00	\$42.00	\$29,064.00	\$48.00	\$33,316.00	\$49.10	\$33,977.20	\$41.25	\$28,545.00	\$26.00	\$17,992.00	\$31.00	\$21,452.00	\$35.00	\$24,290.00
301(4)	Aggregate Surface Course, Grading E-1	CY	84	\$26.79	\$2,249.32	\$20.00	\$1,680.00	\$25.00	\$2,100.00	\$26.04	\$2,199.36	\$25.50	\$2,142.00	\$15.75	\$1,323.00	\$29.00	\$2,436.00	\$20.00	\$1,680.00
401(1)	Asphalt Concrete, Type II, Class B	Ton	1034	\$108.00	\$111,672.00	\$104.00	\$107,536.00	\$112.00	\$115,808.00	\$129.58	\$133,985.72	\$111.30	\$115,084.20	\$118.10	\$122,115.40	\$115.00	\$118,910.00	\$103.00	\$106,502.00
800(1)	Interim Work Authorization	Contingent Sum	All Required		\$10,000.00		\$10,000.00		\$10,000.00		\$10,000.00		\$10,000.00		\$10,000.00		\$10,000.00		\$10,000.00
<b>TOTAL ADD ALT</b>					<b>\$158,521.52</b>		<b>\$148,280.00</b>		<b>\$161,124.00</b>		<b>\$180,986.92</b>		<b>\$158,291.20</b>		<b>\$151,430.40</b>		<b>\$152,798.00</b>		<b>\$142,402.00</b>
<b>TOTAL BASE BID &amp; ADD ALT</b>					<b>\$411,976.38</b>		<b>\$344,480.00</b>		<b>\$404,584.00</b>		<b>\$465,958.75</b>		<b>\$496,724.70</b>		<b>\$348,809.40</b>		<b>\$473,624.00</b>		<b>\$369,431.00</b>

AM15-047

**SUBJECT:** Award of RFP 15-083P, Regional Aviation System Plan Study, Phase II, to DOWL in the contract amount of \$457,170.00.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** \_\_\_\_\_

Route To:	Department/Individual	Initials	Remarks
	Originator		
	Capital Projects Director	MB	4/7/15
	Finance Director	JLU	4/7/15
	Borough Attorney	NS	Form only
	Borough Clerk	JLM	4/14/15

**ATTACHMENT(S):** Fiscal Note: Yes  No   
 Advertising: (1p)

**SUMMARY STATEMENT:** On December 12, 2014, the Matanuska-Susitna Borough issued solicitation 15-083P requesting proposals from qualified firms to provide an overall assessment of economic impacts of aviation activities in the Matanuska-Susitna Borough, considering current aviation-related employment, impacts to visitors to the Borough using air transportation, and other factors.

In response to the advertising, the Borough received three (3) proposals. Proposals were scored by a team of five individuals, from the MSB Aviation Advisory Board, Planning Department and Capital Projects Department. The highest scoring proposal was submitted by DOWL.

The resulting contract will be monitored and administered by the Department of Capital Projects, Pre-Design and Engineering Division. The final draft report is expected to be complete in February 2016.

**RECOMMENDATION OF ADMINISTRATION:** Award of **PROPOSAL 15-083P, REGIONAL AVIATION SYSTEM PLAN STUDE, PHASE II,** to **DOWL** in the contract amount of **FOUR HUNDRED FIFTY SEVEN THOUSAND ONE HUNDRED SEVENTY AND NO/100 DOLLARS (\$457,170.00)** .

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: April 21, 2014

SUBJECT: Award of RFP 15-083P, Regional Aviation System Plan Study, Phase II, to DOWL in the contract amount of \$457,170.00.

ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED <b>\$457,170</b>	FUNDING SOURCE <b>OS DOT, AW Budget Approp</b>
FROM ACCOUNT # <b>480.000.000.4xx.xxx</b>	PROJECT # <b>20338</b>
TO ACCOUNT:	PROJECT #
VERIFIED BY: <i>Barbara Bauengate</i>	CERTIFIED BY:
DATE: <b>4/7/15</b>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
State/Federal Funds		<b>4.34.3</b>				
Other		<b>22.8</b>				
TOTAL		<b>457.1</b>				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: **4/7/15**

**MATANUSKA-SUSITNA BOROUGH**  
**350 East Dahlia**  
**Palmer, Alaska 99645**

**A D V E R T I S E M E N T**

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Alaska Dispatch News		MATA 0070	December 12, 2014
Frontiersman		CONTRACT	December 12, 2014
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH**  
**#15-083P**  
**REGIONAL AVIATION SYSTEM PLAN STUDY, PHASE II**

The Matanuska-Susitna Borough is seeking proposals from qualified firms to provide an overall assessment of economic impacts of aviation activity in the Matanuska-Susitna Borough, considering current aviation-related employment, impacts to visitors to the Borough using air transportation, and other factors.

Proposal documents are available **beginning DECEMBER 12, 2014** in the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, AK 99645. Info: (907) 861-8601, Fax (907) 861-8617, e-mail [purchasing@matsugov.us](mailto:purchasing@matsugov.us). A document fee of \$5.00 will be charged for materials picked-up and \$10.00 for materials mailed. This proposal document may be available on the internet at [www.matsugov.us](http://www.matsugov.us).

Proposal closing: **January 9, 2015 at 2:00 PM in the Purchasing Division**

Proposals must be received in the Purchasing Division prior to the time fixed for closing of the RFP to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8404.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all proposals, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Date: Dec. 10, 2014	Requested by: Signature on File	Approved by: Signature on File
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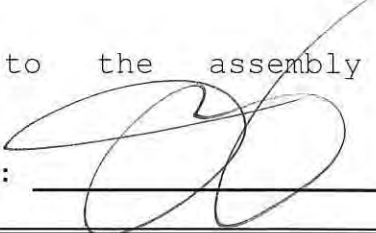
DEPARTMENT ACCOUNT NO.: 480.000.000.422.000 ~ 20338-7100-7102 95%  
480.000.000.422.000 ~ 20338-1800-1801 5%

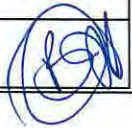
**SUBJECT:** Award of Bid 15-049, District-wide ADA Upgrades, to Orion Construction, Inc. in the contract amount of \$1,049,500.00.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
	Originator		
	Capital Projects Director	MB	4/1/15
	Finance Director	DL	4/7/15
	Borough Attorney	AS	
	Borough Clerk	JMM	4/14/15 

**ATTACHMENT (S):** Fiscal Note: Yes  No   
 Advertising: (1p)  
 Bid Analysis: (1p)

**SUMMARY STATEMENT:** On March 16, 2015, the Matanuska-Susitna Borough issued solicitation 15-114B requesting bids from interested general contractors to construct ADA upgrades at multiple middle and high schools throughout the Mat-Su School District. Work involves, but is not limited to, both interior and exterior upgrades such as restrooms, countertops, signage, doors, ramps and ADA parking. The schools include Palmer Junior Middle School, Palmer High School, Colony Middle School, Colony High School, Teeland Middle School, Wasilla Middle School, Wasilla High School, Burchell High School, Houston Middle School, and Houston High School.

In response to the advertising, the Borough received one bid

which was within the architect's estimate and the budget for this work.

The contract will be monitored and administered by the Capital Project Department, Project Management Division. Work is expected to begin in May and final completion is expected late August 2015.

**RECOMMENDATION OF ADMINISTRATION:** Award of **BID 15-114B, DISTRICT-WIDE ADA UPGRADES** to **ORION CONSTRUCTION, INC.** in the contract amount of **ONE MILLION FORTY NINE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$1,049,500.00)**.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: April 21, 2015

SUBJECT: Award of Bid 15-049, District-wide ADA Upgrades, to Orion Construction, Inc. in the contract amount of \$1,049,500.00.

ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED \$1,049,500	FUNDING SOURCE Bonds
FROM ACCOUNT # 400,000.000.4xx,xxx	PROJECT # 40196
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baumgart</i>	CERTIFIED BY:
DATE: 4/7/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL		1,049.5				
---------	--	---------	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		1049.5				
TOTAL		1049.5				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: *[Signature]* PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: 4/7/15  
 APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**MATANUSKA-SUSITNA BOROUGH**  
**350 East Dahlia**  
**Palmer, Alaska 99645**

**A D V E R T I S E M E N T**

<b>VENDOR</b>		<b>ACCOUNT #</b>	<b>DATE FOR ADVERTISEMENT</b>
Alaska Dispatch News		MATA 0070	MARCH 16 & 25, 2015
Frontiersman		CONTRACT	MARCH 17, 2015
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH**  
**BID #15-114B**  
**DISTRICT-WIDE ADA UPGRADES**

The Matanuska-Susitna Borough (MSB) requests bids from interested general contractors to construct ADA upgrades at multiple middle and high school throughout the Mat-Su school district. Work involves but is not limited to both interior and exterior upgrades such as restrooms, countertops, signage, doors, ramps, and ADA parking per the drawings and specifications provided in the bid documents

Bid documents are available **beginning MARCH 16, 2015** from the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer AK 99645. For information call (907) 861-8601, Fax (907) 861-8617. This bid document may be available on the internet at [www.matsugov.us](http://www.matsugov.us). Cost of bid documents picked up \$10.00; if mailed, \$15.00.

Bids open: **APRIL 6, 2015 at 2:30 PM in the Purchasing Division**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8687.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Date: March 12, 2013	Requested by: Signature on File	Approved by: Signature on File
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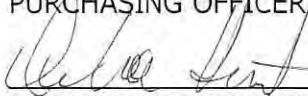

DEPARTMENT ACCOUNT NO.: 400.000.000.463.940 ~ 40196-1000-1004

Am15-049

**MATANUSKA-SUSITNA BOROUGH  
 BID #15-114B  
 DISTRICT-WIDE ADA UPGRADES  
 ANALYSIS SHEET**

<b>BIDDER</b>		Orion Const.		
Signed Bid Form		✓		
Receipt of Addendum ONE (#1)		✓		
Bid Guarantee		BB		
Other items as required in Instructions to Bidders and Specifications/Scope of work				
<b>LINE ITEM</b>	<b>DESCRIPTION</b>	<b>BID PRICE</b>	<b>BID PRICE</b>	<b>BID PRICE</b>
1.	Base Bid- Per drawings and specifications	\$ 323,000.00		
2.	Add Alt #1	\$ 100,500.00		
3.	Add Alt #2	\$ 55,000.00		
4.	Add Alt #3	\$ 130,000.00		
5.	Add Alt #4	\$ 7,000.00		
6.	Add Alt #5	\$ 20,000.00		
7.	Add Alt #6	\$ 85,000.00		
8.	Add Alt #7	\$ 18,000.00		
9.	Add Alt #8	\$ 106,000.00		
10.	Add Alt #9	\$ 103,000.00		
11.	Add Alt #10	\$ 96,000.00		

**RECOMMENDATION:** All bids taken under advisement


_____ PURCHASING OFFICER	 ASST PURCHASING OFFICER	_____ BUYER
 CONST PROCUREMENT SPECIALIST	_____ WITNESS	 WITNESS
_____ WITNESS	_____ WITNESS	4/6/15 DATE


**SUBJECT:** Award of Bid 15-104B, MSB Dorothy Swanda Jones Building Rooftop Unit Connection and Fireproofing to TB Inc., doing business as TBI Construction Co., in the contract amount of \$746,989.00.

**AGENDA OF: April 21, 2015**

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
	Originator	<i>DMC for RMK</i>	
	Capital Projects Director	<i>WJ 4/7/15</i>	
	Finance Director	<i>JAL</i>	<i>4/7/15</i>
	Borough Attorney	<i>NS</i>	
	Borough Clerk	<i>JAM</i>	<i>4/14/15</i> 

**ATTACHMENT (S) :** Fiscal Note: Yes X No \_\_\_\_\_  
 Advertising: (1p)  
 Bid Analysis: (1p)

**SUMMARY STATEMENT:** On February 19, 2015, the Matanuska-Susitna Borough issued solicitation 15-104B seeking bids from interested contractors to install duct work, control points and associated infrastructure to place an existing rooftop unit (RTU), which was installed as part of the addition project, into service. A portion of this work also entails the installation of gyp board to comply with fire code, moving of personnel, and demolition. In response to the advertising, the Borough received three (3) bids with the low responsible and responsible bidder being TBI Construction Co.

This contract will be administered and monitored by the

Department of Capital Projects, Project Management Division.  
The project is expected to begin in May 2015, and be completed  
by April 30, 2016.

**RECOMMENDATION OF ADMINISTRATION:** Award of BID 15-104B, MSB  
DOROTHY SWANDA JONES BUILDING ROOFTOP UNIT CONNECTION AND  
FIREPROOFING to TB INC., DOING BUSINESS AS TBI CONSTRUCTION CO.,  
in the contract amount of SEVEN HUNDRED FORTY SIX THOUSAND NINE  
HUNDRED EIGHTY NINE AND NO/100 DOLLARS (\$746,989.00).

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: April 21, 2015

SUBJECT: Award of Bid 15-104B, MSB Dorothy Swanda Jones Building Rooftop Unit Connection and Fireproofing to TB Inc., doing business as TBI Construction Co., in the contract amount of \$746,989.00.

ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED \$ 746,989	FUNDING SOURCE AW Budget Appro
FROM ACCOUNT # 435.000.000.4xx.xxx	PROJECT # 10057.
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baumgartner</i>	CERTIFIED BY:
DATE: 4/7/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL		746.9				
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		746.9				
TOTAL		746.9				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *J. E. C. G.* DATE: 4/7/15

AM No. 15-050

**MATANUSKA-SUSITNA BOROUGH  
 BID #15-104B  
 MSB Dorthy Swanda Jones Building Roof Top Unit Connection and Fireproofing  
 ANALYSIS SHEET**

BIDDER		TBI Const.	Wirtanen	Wolverine Supply
Signed Bid Form		✓	✓	✓
Receipt of Addendum SEVEN (#7)		✓	✓	✓
Bid Guarantee		BB	BB	BB
Other items as required in Instructions to Bidders and Specifications/Scope of work				
LINE ITEM	DESCRIPTION	BID PRICE	BID PRICE	BID PRICE
1.	Base Bid	\$ 746,989.00	\$ 998,950.00	\$ 1,037,000.00
2.	Add Alt #1	\$ 684,048.00	\$ 984,500.00	\$ 917,000.00
3.	Add Alt #2	\$ 445,254.00	\$ 467,500.00	\$ 417,000.00
4.	Add Alt #3	\$ 220,588.00	\$ 0	\$ 0

**RECOMMENDATION:** All bids taken under advisement

\_\_\_\_\_  
 PURCHASING OFFICER  
*Debra Hunt*  
 CONST PROCUREMENT SPECIALIST

\_\_\_\_\_  
 WITNESS

\_\_\_\_\_  
 ASST PURCHASING OFFICER

\_\_\_\_\_  
 WITNESS

4/7/15

\_\_\_\_\_  
 DATE

\_\_\_\_\_  
 BUYER

\_\_\_\_\_  
 WITNESS

PM15-050

The following item is not included in the packet and will be provided at the Assembly meeting:

**Ordinance Serial No. 15-015:** An Ordinance Appropriating Monies From The Central Treasury For The Borough Operating Funds, Enterprise Funds, Education Operating Fund, And Capital Funds, Establishing The Rate Of Levy For All Borough Functions For The Fiscal Year Beginning July 1, 2015, And Ending June 30, 2016, And Setting The Surcharge Rate For The Wireline And Wireless Enhanced 911 Systems For The Period Of July 1, 2015, Through June 30, 2016.


**SUBJECT:** APPLICATION BY MOUNTAIN VIEW ESTATES HOMEOWNERS ASSOCIATION FOR A LONG-TERM MANAGEMENT AGREEMENT BETWEEN MATANUSKA-SUSITNA BOROUGH AND THE HOMEOWNERS ASSOCIATION (HOA) ALLOWING THE HOA TO PLACE A GATE AND GUARDRAILS ON BOROUGH LAND AND CREATION OF PEDESTRIAN ADA ACCESS FROM BOROUGH-OWNED PARCELS AND RIGHT-OF-WAY THAT ADJOIN HOMEOWNER ASSOCIATION PROPERTY WITH ACCESS TO THE MATANUSKA RIVER. (MSB006950)

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** \_\_\_\_\_

Route To:	Department/Individual	Initials	Remarks
	Originator	OS	
	Community Development Director	JS	
	Borough Attorney	NS	Review Pending
	Borough Clerk	Jgm	4/13/15 

**ATTACHMENT(S):** Fiscal Note: NO X YES      
 Best Interest Finding and Public Comments (25 pp)  
 Ordinance 98-002 (3 pp)  
 Encroachment Permit and Pictures (13 pp)  
 Right of Entry and Map (2 pp)  
 Management Agreement and Exhibits (17 pp)  
 Ordinance Serial No. 15-051 (2 pp)

**SUMMARY STATEMENT:**

Application has been submitted pursuant to MSB 23.05.030(E)(6) for a management agreement of borough-owned property by the Mountain View Estates Homeowners Association to place a locked gate on borough property that would restrict access between the subdivision and a trail on private property. The stated purpose of the application is to combine borough-owned property

dedicated to public purpose with property owned by the homeowners association for management purposes.

Options for this application, as discussed in more detail in the Best Interest Finding, include:

Options for this application include:

1. Deny the application. Management agreements as a whole require significant staff time for monitoring, reports, renewals, etc., with no monetary payment to the Borough to ameliorate the costs. If the Borough does not enter into a management agreement for the properties, they would continue to be dedicated for a public purpose and the current homeowner association activities would fall under the encroachment permit. Stipulations in the encroachment permit could be challenged with regard to locks and signage. Insurance on the part of the homeowners association is not a requirement of the encroachment permit and might leave the Borough open to liability for structures on borough-owned property.

2. Enter into a management agreement for maintenance of the area that does not allow a locked gate on Borough property that prevents access to private property and requires removal of the no trespassing and no parking signs from borough-owned property in view of current Borough policy and current public comment. The Borough has other trails and pioneer roads with gates; however, instructions have been given not to lock or authorize others to lock the gates pursuant to Borough policy.

3. Enter into the management agreement, allowing private use of borough-owned property to members and guests of the Mountain View Estates Homeowners Association only, including the locked gate and posted signage on Borough property.

A management agreement would provide liability protection to the borough through the insurance requirement; however, a management agreement that supports or authorizes a locked gate on Borough property dedicated to public purpose would be in conflict with asset management policy on other Borough property at this time and would create a privileged group of users.

#### **DISCUSSION:**

Several properties in the Mountain View Estates subdivision were obtained by the Borough through Clerk's Deed. Adjacent owners purchased some of the lots from the Borough. Assembly action on January 6, 1998, Ordinance Serial No. 98-002, dedicated 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L019 to public purpose, to remain in borough ownership, as open space, to serve as a buffer to reduce natural and manmade erosion hazards, and

to protect the public's health, safety, and welfare, as recorded in the Palmer Recording District, Book 0932, Pages 050 - 055.

Pictures are provided, as part of the encroachment permit that depicts the posts and cables that were replaced with guard rail for safety purposes. The original intent of the application for the encroachment permit was to clean up the property, to remove the unsightly and unsafe posts, and cable and block the public access by installing a gate that would be locked.

A copy of the issued encroachment permit is included with this management agreement legislation. The permit requires a pedestrian ADA access to be left at the location of the prior break in the cabling and requires the access to be 36-inches in width under current federal ADA requirements. The permit does not grant the permittee exclusive use of the area encroached upon or the platted right-of-way beyond the encroachment. The gate is to be maintained and remain in good repair with the permit notation if any Agency, Emergency Services Agencies, or Utilities request needed access through the gate, access shall be granted.

That permit also states if any new owners, adjacent to the platted right of way of Kay Marie Drive require access to their property through the gate or if other members of the public make a complaint to the Borough about the existence of the gate and show a need for access to the Borough right-of-way, they will be given access to ensure we do not violate the law by granting exclusive use of public lands to a select group.

By virtue of granting the application for a locked gate on borough land between two private pieces of property, with keys only available to members of the homeowners association, it would appear the borough is granting exclusive use of public lands to a select group. The property at the end of Kaye Marie Drive provides access to private property that is between the subdivision and the Matanuska River. The private property owner has not requested closure of the access through a venue at the Borough and contact was made with the private landowner in this regard. A map is included that shows the exit from Kaye Marie Drive onto the private property, and the roads/trails across said private property to the river.

To determine what impact, if any, this action would have on the private property owner and to obtain the perspective of this owner, a meeting was scheduled and a site visit made. The private property owner allows members of the public to park in his gravel pit free of charge, when no work is being done, and access the Matanuska River from his property on Outer Springer. Although, the gravel pit is not visible from the road, word of

mouth from those who are using the gravel pit might result in more requests for usage if the gate at the end of Kaye Marie is locked. We visited the gravel pit/staging area and then drove around to the Kaye Marie side. The private property owner said he would prefer the gate not be locked but that he did volunteer his own time and excavator to help install the gate when the homeowner association representative requested his assistance to place the gate on borough property.

While driving down Kaye Marie to the MSB owned properties, we met two four-wheeler riders with an ATV trailer full of gravel driving on the road in the opposite direction away from the gated trail. It was the impression of this adjudicator, from the description provided, that a vehicle gate was intended to be placed, thus allowing access to this road/trail in the case of emergency needs; however, the drive gate is located on 1969B03L019 with a posted no trespassing sign. This MSB property does not access the private property. The gate to the river access is obviously wide enough for a four wheeler but not likely to allow access to a large emergency vehicle should the need arise; however, the gate was not locked at the time of this site visit contrary to instructions on the gate to keep it locked. No parking signs have also been placed at the end of Kaye Marie, on borough property, which would seemingly limit even pedestrian use of this access to homeowner association members since visitors would not have a place to park. As we left the subdivision, the four wheelers and ATV trailer were noted in a private driveway in the Mountain View Estates and the gravel was being placed to repair the driveway.

The properties owned by the Borough are only 20,000 +/- square feet each and are located in an area close to the Matanuska Susitna River that may or may not flood. The Borough acquired additional lots in Block 3 that are now owned by an adjacent property owner. Significant amounts of property were lost to flooding of the Matanuska River when it was predominantly traveling along the bank adjacent to this private property and the Mountain View Estates subdivision.

As the Valley has grown and matured over the last several decades, large public and private properties that included different motorized and non-motorized trails have been sold into private ownership and/or developed into subdivisions without regard to continued use of the trails or subjecting the property to legal easements for the trails. This has been recognized by the Borough and addressed, to a degree, in the Matanuska-Susitna Borough Recreational Trails Plan in conjunction with the desires of Borough residents. To this end, the Borough is working in cooperation with the State of Alaska, local community councils, cities, businesses, property owners, and trail advocacy groups

to provide a system of trails throughout the Borough to enable the public to engage in motorized and non-motorized outdoor recreation activities and to ensure the future preservation of trails.

Authority:

MSB 23.05.020(A) governs all acquisitions, disposals, and management of borough-owned real property or any interest in real property by the borough.

MSB 23.05.030(E)(6) authorizes agreements by application provided in code.

MSB 23.05.030(G) requires that a Best Interest Finding shall be completed when disposing of, exchanging, or otherwise conveying an interest in real property at less than fair market value.

MSB 23.10.160(E) management agreement shall be for a period not to exceed five years unless otherwise expressly approved by the assembly by ordinance.

**RECOMMENDATION OF LAND AND RESOURCE MANAGEMENT STAFF:**

1. Enter into a Management Agreement with the Mountain View Homeowners Association for maintenance and upkeep that does not provide special privilege for HOA members from Borough-owned properties dedicated to public purpose.
  - a. The requested agreement and a locked gate would close access to a long-used motorized trail on private property accessed via Kaye Marie Drive, a borough-accepted and maintained road, with the only access being available to HOA members who purchase a key.
  - b. No parking signs, no trespassing signs, and any locks should be removed from borough-owned property dedicated to public purpose and any gate should be available for access to any member of the public.
  - c. The Homeowners Association could petition the private landowner to place a gate on private property that would close the public access across private land.
  
2. Amend the MSB-issued Encroachment Permit, issued prior to the land use application, to not allow the gate to be locked as part of the management agreement with access only by Homeowner Association members who pay a monetary deposit for the key.

**RECOMMENDATION OF ADMINISTRATION:** Enter into a management agreement for weed control, safety maintenance of the area, and upkeep of guardrails; denying the request for a locked gate and requiring removal of the no parking and no trespassing signs on borough-owned property dedicated to public purpose.

**BEST INTEREST FINDING**  
**For the**  
**Disposition of Borough-owned Land**

**I. Summary of Proposed Action**

Management agreement between Matanuska Susitna Borough and Mountain View Estates Homeowners Association for the borough-owned property outlined below in the legal description. This management agreement proposed by the Homeowners Association would allow a gate placed on borough-owned property dedicated to public purpose. This gate would be locked to block access of any type across private property, not belonging to the home owners association, to the Matanuska River.

Three options are available, on Pages 5 and 6 of the best interest finding. If a management agreement is put into place, staff recommends Option No. 2 -- Enter into a management agreement for maintenance of the area that does not allow a locked gate on Borough property that prevents access to private property and requires removal of the no trespassing and no parking signs from borough-owned property in view of current Borough policy and current public comment. The Borough has other trails and pioneer roads with gates; however, instructions have been given not to lock or authorize others to lock the gates pursuant to Borough policy.

**II. Property Site Factors**

- A. **Location:** 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L019
- B. **Legal Descriptions:** Lot 19, Block 3, Mountain View Estates Phase III, containing 21,406 square feet, more or less, according to Mountain View Estates Phase III, a resubdivision of Tract A-1 of Mountain View Estates Addition No. 1, filed in the Palmer Recording District on August 14, 1980 as Plat 80-76; and  
Lot 17, Block 4, Mountain View Estates Phase III, containing 20,060 square feet, more or less, according to Mountain View Estates Phase III, a resubdivision of Tract A-1 of Mountain View Estates Addition No. 1, filed in the Palmer Recording District on August 14, 1980 as Plat 80-76; and  
Lot 18, Block 4, Mountain View Estates Phase III, containing 20,255 square feet, more or less, according to Mountain View Estates Phase III, a resubdivision of Tract A-1 of Mountain View Estates Addition No. 1, filed in the Palmer Recording District on August 14, 1980 as Plat 80-76; and  
Lot 19, Block 4, Mountain View Estates Phase III, containing 20,192 square feet, more or less, according to Mountain View Estates Phase III, a resubdivision of Tract A-1 of Mountain View Estates Addition No. 1, filed in the Palmer Recording District on August 14, 1980 as Plat 80-76;  
Aggregating 81,913 square feet, more or less.  
Subject to any and all existing rights-of-way and easements of record.

C. **Land Status:**

1. Clerk's Deed to Matanuska Susitna Borough, Case No. 3PA-87-199 CV
2. Clerk's Deed to Matanuska Susitna Borough, Case No. 90-400

D. **Restrictions:**

1. Land Classification – January 6, 1998, Ordinance Serial No. 98-002, dedicated the above referenced lots to public purpose, to remain in borough ownership, as open space, to serve as a buffer to reduce natural and manmade erosion hazards, and to protect the public's health, safety, and welfare. Recorded in the Palmer Recording District, Book 0932, Pages 050 – 055.
2. Land Use Plans – This property is covered by the Matanuska-Susitna Borough Core Area Comprehensive Plan. In analyzing this plan, there is nothing that would impact this management agreement.  
The property is also covered in the State Susitna Matanuska Area Plan. According to that plan, as noted in Chapter 3, most state lands will be managed for multiple uses. Exceptions are lands that will be offered for private lease or ownership, recreation sites that are less than 640 acres, and certain other areas that have unique habitat or public recreation values. Two specific areas are mentioned including an experimental forest managed by the Palmer Soil and Water Conservation District and the Plant Materials Center property managed by Division of Agriculture.
3. Title Restrictions –  
Federal patent reserves from the lands granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States and a right-of-way for the construction of railroads, telegraph, and telephone lines in accordance with the Act of March 12, 1914.  
State patent is subject to valid existing trails, roads, and easements, reservation of a 50-foot wide perpetual public access easement along each body of water. State patent further reserves all oils, gases, coal, ores, minerals, fissionable materials, and fossils of every name, kind or description, and which may be in or upon said lands and the right to explore the same for such oils, gases, coal, ores, minerals, fissionable materials and fossils, right of entry for the same.
4. Covenants – Dedicated to public purpose.
5. Zoning – None.
6. Easements & Other Reservations – None.

E. **Current Land Use:** Currently vacant land with some trailhead and trail use.

F. **Surrounding Land Use:** Residential and recreation.

- G. **Existing Infrastructure:** South Kaye Marie Drive.
- H. **Soils & Terrain:** Utilizing the NRCS web soil survey and the NRCS prime and important farm land matrix for Mat-Su, the property includes a mixture of Yensus silt loam, farmland of local importance (3c), Knik silt loam, and Cryods. Yensus is approximately 50% of the soil of the parcels; however, as this is a residential subdivision, the property would not likely be classified as agricultural.
- I. **Coastal Management:** Not required at this time.
- J. **Resources:** 1969B03L019 has a temporary turnaround on the subdivision plat. The guard rails replaced the post and wire that were a potential safety hazard. The Association has placed a locked gate at the end of South Kaye Marie Drive in the area of the platted temporary turnaround, placed another gate on borough property with a no trespassing sign, and placed no parking signs on borough property.
- K. **Assessment:** The 2014 assessed value of the subject parcels is \$300.00 for 2300 South Kaye Marie Drive, \$500 for 2280 S Kaye Marie Drive, \$0.00 for 2320 S Kaye Marie Drive, and \$0.00 for 2341 S Kaye Marie Drive, for a total of \$800 in assessed value.

**III. Public and Board and Commission Comments**

Public notice under MSB 23.05.025 was placed in the Frontiersman, on the MSB web site, and mailed out based on addresses obtained from the Borough property database. Following this, one member of the public stated he lived in the subdivision and had not received public notice in the mail. Further, less specific search was done, and 22 additional public notices were mailed where the subdivision abbreviation was such it was not picked up in the first Govern run of addresses.

All comments are included in the packet as part of the best interest finding. Four (4) comments were received in support of the management and gate closure at the end of Kaye Marie Drive. Thirteen (13) comments were received opposed particularly to the gate. In addition to opposing the gate, one opposed the ADA pedestrian access stating the entrance at this time is not ADA compliant and thought compliance could be a large expense to the homeowners association.

Mr. Storey, a resident on Outer Springer Loop, called in his comment stating that the road extending from Kaye Marie, which is now gated, was built by the Corps of Engineers to access the river. He did not state what year this was done but did say it has been used as a motorized and non-motorized recreational trail since that time.

Fish and Game Habitat commented that they have no objection.

**IV. Analysis & Discussion**

Title to real property is held subject to matters of record, which usually include reservations and exceptions in federal and state patents and easements plus liens and encumbrances, if any.

Review of matters of record for this property include federal and state title restrictions, the state Susitna Matanuska Area Plan, Matanuska Borough Core Area Plan, and the MSB Recreational Trails Plan.

The State of Alaska classified all of this property in this area as resource management in 1977. Some acreage has since been conveyed out of state ownership but all remaining state-owned property is still classified resource management.

The use of the Borough property specified in the application should have started with a land use application for a management agreement; however, it started with an encroachment permit issued to the Mountain View Estates Homeowners Association for gate placement, cable replacement, and guard rail placement. The description of the project allowed with a right of entry was similar but not the same as visualized during an on-the-ground visit. The gate is located on borough-owned property dedicated to public use and prevents access from a borough maintained road onto private property (Loyer) with a trail that leads to the Matanuska River. The gate, at this time, is closed and has a chain to be locked with a requirement that only HOA members may obtain a key with a monetary deposit. The HOA plan does not include keys or vehicular access to anyone other than a member of the homeowners association even though this access and trail have been open to public motorized and pedestrian access in the past.

Borough authorization of this action on borough-owned lands dedicated to public purpose would seem open to question in light of other trails and pioneer roads on Borough property, created in trespass, which Land Management has gated but been told that the gate will not be locked. Consideration might also be given to potential liability on the part of the Borough should someone suffer an injury requiring emergency services and this access to the Matanuska River is gated and locked.

A copy of the issued encroachment permit is included with this management agreement application. The permit requires an ADA access to be left at the location of a break in the cabling and requires the access to be 36-inches in width. The permit does not grant the permittee exclusive use of the area encroached upon or the platted right of way beyond the encroachment. The gate is to be maintained and remain in good repair with the permit notation if any Agency, Emergency Services Agencies, or Utilities request needed access to the public area, access shall be granted.

That encroachment permit also states if any new owners, adjacent to the platted right of way of Kay Marie Drive require access to their property through the gate or if other members of the public make a complaint to the Borough about the existence of the gate and show a need for access to the Borough right-of-way, they will be given access to ensure we do not violate the law by granting exclusive use of public lands to a select group.

The property at the end of Kaye Marie Drive provides access to private property that is between the subdivision and the Matanuska River. The private property owner has not requested gating of the access through a venue at the Borough nor did the property owner submit a comment to the public notice. A map is included that shows the exit from Kaye Marie Drive onto the private property and the roads/trails across said private property to the river.

To determine what impact, if any, this action would have on the private property owner and to obtain the perspective of this owner, a meeting was scheduled and a site visit made. The private property owner allows members of the public to park in his gravel pit free of charge, when no work is being done, and access the Matanuska River from his property on Outer Springer. Although, the gravel pit is not visible from the road, word of mouth from those who are using the gravel pit might result in more requests for usage if the gate at the end of Kaye Marie is locked. We visited the gravel pit/staging area and then drove around to the Kaye Marie side. The private property owner said he would prefer the gate not be locked but that he did volunteer his own time and excavator to help install the gate when the homeowner association representative requested this.

While driving down Kaye Marie to the MSB owned properties, we met two four-wheeler riders with an ATV trailer full of gravel driving on the road in the opposite direction. It was the impression of this adjudicator, from the description provided, that a vehicle gate was intended to be placed, thus allowing access to this road in the case of emergency needs; however, the drive gate is located on 1969B03L019 with a posted no trespassing sign. This MSB property does not access the private property. The gate to the river access is obviously wide enough for a four wheeler but not likely to allow access to a large emergency vehicle should the need arise; however, the gate was not locked at the time of this site visit. No parking signs have also been placed at the end of Kaye Marie, which would seemingly limit even pedestrian use of this access to homeowner association members since visitors would not have a place to park. As we left the subdivision, the four wheelers and ATV trailer were noted in a private driveway in the Mountain View Estates and the gravel was being placed to repair the driveway.

The properties owned by the Borough are only 20,000 +/- square feet each and are located in an area close to the Matanuska Susitna River that may or may not flood. The Borough acquired additional lots in Block 3 that are now owned by an adjacent property owner. Significant amounts of those properties were lost to flooding of the Matanuska River when it was predominantly traveling along the west bank adjacent to this private property and the Mountain View Estates subdivision.

As the Valley has grown and matured over the last several decades, large public and private properties that included different motorized and nonmotorized trails have been sold into private ownership and/or developed into subdivisions without regard to continued use of the trails or subjecting the property to legal easements for the trails. This has been recognized by the Borough and addressed, to a degree, in the Matanuska-Susitna Borough Recreational Trails Plan in conjunction with the desires of Borough residents. To this end, the Borough is working in cooperation with the State of Alaska, local community councils, cities, businesses, property owners, and trail advocacy groups to provide a system of trails throughout the Borough to enable the public to engage in motorized and non-motorized outdoor recreation activities and to ensure the future preservation of trails.

Options for this application include:

1. Deny the application. Management agreements as a whole require significant staff time for monitoring, reports, renewals, etc., with no monetary payment to the Borough to ameliorate the costs. If the Borough does not enter into a management agreement for the properties, they would continue to be dedicated for a public purpose and the current homeowner association activities would fall under the encroachment permit. Stipulations in the encroachment permit could be challenged with regard to locks and signage. Insurance on the part of the homeowners association is not a requirement of the encroachment permit and might leave the Borough open to liability for structures on borough-owned property.
2. Enter into a management agreement for maintenance of the area that does not allow a locked gate on Borough property that prevents access to private property and requires removal of the no trespassing and no parking signs from borough-owned property in view of current Borough policy and current public comment. The Borough has other trails and pioneer roads with gates; however, instructions have been given not to lock or authorize others to lock the gates pursuant to Borough policy.
3. Enter into the management agreement, allowing private use of borough-owned property to members and guests of the Mountain View Estates Homeowners Association only, including the locked gate and posted signage on Borough property.

**V. Staff Recommendation**

Land and Resource Management staff would recommend Option 2. A management agreement with regard to the borough-owned property and use of the property dedicated to public purpose by a prior Assembly. A management agreement would provide liability protection to the borough through the insurance requirement on the part of the Homeowners Association. Option 2 would allow a gate to remain, which could be closed, but would not allow it to be locked with access only by members of the homeowners association. If the private owner whose property is being blocked had desired to prevent use of his property, a locked gate could have been installed on 17N02E17D013 rather than publically dedicated property.

To: Glenda Smith

ref: MSB006950

Our community recognized the need to fix the old cable in the poles that had been installed 30 years ago. A huge community effort where **all** materials, time, labor & equipment was **donated** ensued.



Old Cable that was removed



Replacing cable with guardrails.

What we have now is a safer neighborhood.

We request that this assembly allow this community project to remain.

Mt. View HOA, Vice president and resident..  
VickieLee Fenster  
1969B04L002

Im15-039  
DR15-051

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**From:** doug\_carpenter\_jacobs [mailto:doug\_carpenter\_jacobs@yahoo.com]

**Sent:** Thursday, August 28, 2014 10:48 AM

**To:** Vickie Lee Fenster

**Subject:** Mountain View Estates gate

Prior to moving into are house at the corner of Katie Marie & Nissen I and had no idea how bad the 4 wheeler traffic was in the development. A average day is between 30 to 40 4 wheelers coming through the development using the access to go into the river bed. Between the noise level the excess speeds and the lack of care for the home owners the development it was just about unbelievable . Since the guard rail and gate has been installed . The only 4 wheeler traffic is that of home owners and the noise level is only from normal vehicle traffic and has definitely returned the development to the its original status. When I first lived here.

Sent from Samsung Mobile

2

IM15-039  
RS15-051

## Glenda Smith

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**From:** Vickie Lee Fenster  
**Sent:** Wednesday, February 18, 2015 10:17 AM  
**To:** Glenda Smith  
**Subject:** FW: Public Notice on gate

### **Vickielee Fenster, CFM**

Permit Center  
Mat-Su Borough  
907-861-8507  
vfenster@matsugov.us

May you have warmth in your igloo,  
oil in your lamp,  
and peace in your heart...*Eskimo Saying*

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**From:** Tammy morck [mailto:toklatgrizz@hotmail.com]  
**Sent:** Thursday, August 28, 2014 10:10 AM  
**To:** Vickie Lee Fenster  
**Subject:** RE: Public Notice on gate

**Excellent job Vickie. I know for a fact it has cut down on traffic alot. Being at the end of Kaye Marie we would hear 4 wheeler's as early as 3-4 am coming down the road not just a few of them it would be 10 to 15 one right after another. Now with the gate being up I think we have heard just a few. Makes it safer for children and adults also.**

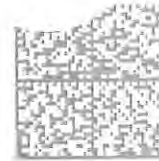
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From: [VickieLee.Fenster@matsugov.us](mailto:VickieLee.Fenster@matsugov.us)  
To: [VickieLee.Fenster@matsugov.us](mailto:VickieLee.Fenster@matsugov.us); [akthermalimaging@yahoo.com](mailto:akthermalimaging@yahoo.com); [richa@mtaonline.net](mailto:richa@mtaonline.net); [dlbrown@mtaonline.net](mailto:dlbrown@mtaonline.net); [pbryan@mtaonline.net](mailto:pbryan@mtaonline.net); [doug carpenter jacobs@yahoo.com](mailto:doug_carpenter_jacobs@yahoo.com); [jsc@gci.net](mailto:jsc@gci.net); [dj@gci.net](mailto:dj@gci.net); [alauraclark89@gmail.com](mailto:alauraclark89@gmail.com); [laynelarsoncollins@yahoo.com](mailto:laynelarsoncollins@yahoo.com); [timothy.davey1@us.army.mil](mailto:timothy.davey1@us.army.mil); [sduncan\\_213@yahoo.com](mailto:sduncan_213@yahoo.com); [karry923@yahoo.com](mailto:karry923@yahoo.com); [bastardbarbie@hotmail.com](mailto:bastardbarbie@hotmail.com); [jukejeem@mtaonline.net](mailto:jukejeem@mtaonline.net); [redkty@gmail.com](mailto:redkty@gmail.com); [galeryak@ak.net](mailto:galeryak@ak.net); [kgabel@mtaonline.net](mailto:kgabel@mtaonline.net); [terigardino@gmail.com](mailto:terigardino@gmail.com); [sgilmore@mtaonline.net](mailto:sgilmore@mtaonline.net); [dgoble@mtaonline.net](mailto:dgoble@mtaonline.net); [guyclair@mtaonline.net](mailto:guyclair@mtaonline.net); [purpledebbie@hotmail.com](mailto:purpledebbie@hotmail.com); [edajarman@aol.com](mailto:edajarman@aol.com); [newliver04@yahoo.com](mailto:newliver04@yahoo.com); [snookums@mtaonline.net](mailto:snookums@mtaonline.net); [skrueger@mtaonline.net](mailto:skrueger@mtaonline.net); [dlacasse@gci.net](mailto:dlacasse@gci.net); [toklatgrizz@hotmail.com](mailto:toklatgrizz@hotmail.com); [kathien@mtaonline.net](mailto:kathien@mtaonline.net); [polaris@mtaonline.net](mailto:polaris@mtaonline.net); [kel@alaskanseafood.com](mailto:kel@alaskanseafood.com); [rogersthomas@hotmail.com](mailto:rogersthomas@hotmail.com); [johnrozzi@gmail.com](mailto:johnrozzi@gmail.com); [pshiflea@yahoo.com](mailto:pshiflea@yahoo.com); [cshults@hotmail.com](mailto:cshults@hotmail.com); [shults53@hotmail.com](mailto:shults53@hotmail.com); [kevinshults23@gmail.com](mailto:kevinshults23@gmail.com); [cindy.shults@alaska.gov](mailto:cindy.shults@alaska.gov); [finerthings\\_76@hotmail.com](mailto:finerthings_76@hotmail.com); [jackjudy@mtaonline.net](mailto:jackjudy@mtaonline.net); [larryswift@hotmail.com](mailto:larryswift@hotmail.com); [april3@mtaonline.net](mailto:april3@mtaonline.net); [akmuddy@gmail.com](mailto:akmuddy@gmail.com)  
CC: [palmerguy@mtaonline.net](mailto:palmerguy@mtaonline.net)  
Subject: RE: Public Notice on gate  
Date: Thu, 28 Aug 2014 17:55:15 +0000

Cindy pointed out I was speaking government and asked I clarify.... Thanks Cindy



MATANUSKA-SUSITNA BOROUGH  
 Community Development  
 Land Management Division  
 350 East Dahlia Avenue  
 Palmer, Alaska 99645



U.S. POSTAGE >>> PITNEY BOWES  
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 STAHANCYK JUDY E  
 PO BOX 671871  
 CHUGIAK, AK 99567-1871

FIRST CLASS

# PUBLIC NOTICE

MATANUSKA-SUSITNA BOROUGH  
 99567-1871  
 PUBLIC NOTICE

Type: Management Agreement (MSB006950)  
 Tax ID: 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L017

TAX MAP: PA12

The Matanuska-Susitna Borough (MSB), Land & Resource Management Division, has received an application from Mountain View Estates Homeowners Association (HOA) for a management agreement that would include the above four borough-owned parcels with a current project that includes HOA property. The above properties are substandard size for building and the Assembly has previously dedicated them to public purpose. MSB Planning Department has issued an Encroachment Permit E014003 to HOA for gate and cable replacement for public safety and trespass complaints.

A long-term management agreement between MSB and the HOA would provide a mechanism for maintenance, upkeep, and management and creation by the HOA of ADA accessible access. Future plans include public education and protection of salmon rearing habitat on private HOA property accessible from the Management Agreement area including the publically dedicated parcels.

Supporting material is available for public inspection during normal business hours on the 2<sup>nd</sup> floor of the Matanuska-Susitna Borough building in the Land Management Division. Public comment is invited on this request. If you have any comments please mail or deliver them to the borough offices at the address indicated above, no later than **September 25, 2014**. If you have questions about this request: call Glenda Smith at 861-7864 between 8:00-5:00 or you can send an e-mail to: [glenda.smith@matsugov.us](mailto:glenda.smith@matsugov.us) (PLEASE REFER TO MSB006950 WHEN SUBMITTING COMMENTS).

Comments: *Thank you! Thank you! for closing off the river access at the end of Kane Marie blv. at Chis at the end - it was like on Friday of 4-wheeler + dirt bikes - I can now sleep @ night with out the lights and noise. Thank you!*

Signature: *Judy Stahancyk* Phone: *746-4870*

(If you need more space for comments please attach a separate sheet of paper.)

For assistance with your property location, tax or assessment matters please call 745-4801.



MATANUSKA-SUSITNA BOROUGH  
 Community Development  
 Land Management Division  
 350 East Dahlia Avenue  
 Palmer, Alaska 99645

Place Stamp Here

*IM15-039  
 OR15-051*

## Glenda Smith

---

**From:** Zafian, Holly K (DFG) <holly.zafian@alaska.gov>  
**Sent:** Wednesday, October 29, 2014 4:41 PM  
**To:** Glenda Smith  
**Cc:** Meehan, Joe (DFG); Bethe, Michael L (DFG); Fink, Mark J (DFG)  
**Subject:** FW: Matansuka River HOA and MatSu Borough Management Agreement

Good afternoon,

The Alaska Department of Fish and Game (ADF&G) has reviewed the application from the Mountain View Estates Homeowners Association (HOA) to lease borough-owned land in order to maintain a guardrail and gate in order to restrict ATV access but continue to allow ADA accessible pedestrian access to trails. The trails crosses through a borough-owned parcel and leads into HOA-owned lands and to the state-owned lands and waters of the Matanuska River.

While it is unusual that motorized access would be restricted on publicly owned land that is dedicated for public purpose in order to prevent trespass on adjacent privately owned land, ADF&G does not object to the issuance of this lease. It appears that non-motorized public access to the Matanuska River is still available. Thank you for the opportunity to review and comment on this application. If you have any questions or if you would like to discuss our comments, please feel free to call or email me.

Holly Zafian  
Habitat Biologist  
Access Defense Program  
Alaska Department of Fish and Game  
333 Raspberry Road  
Anchorage, Alaska 99518  
Phone 907-267-2292  
Fax 907-267-2859  
Email [holly.zafian@alaska.gov](mailto:holly.zafian@alaska.gov)



MATANUSKA-SUSITNA BOROUGH  
 Community Development  
 Land Management Division  
 350 East Dahlia Avenue  
 Palmer, Alaska 99645

HD 4  
 PERMIT CENTER - INFO ONLY

FIRST CLASS

# PUBLIC NOTICE

## MATANUSKA-SUSITNA BOROUGH PUBLIC NOTICE

Type: Management Agreement (MSB006950)  
 Tax ID: 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L017

TAX MAP: PA12

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Comments: I DID NOT RECEIVE A PUBLIC NOTICE BY MAIL FROM THE MAT-SU BOROUGH. OTHERS DID NOT AS WELL. THE GATE IS NOT ADA ACCESSIBLE. BEING ADA ACCESSIBLE COULD PRESENT A LARGE FINANCIAL BURDEN TO HOMEOWNERS. WE NEED A PUBLIC MEETING & MORE TRANSPARENCY.

Signature: David A. Jenkins Phone: 745-0701  
12701 E. ERIN CR

(If you need more space for comments please attach a separate sheet of paper.)

For assistance with your property location, tax or assessment matters please call 745-4801.

Place  
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MATANUSKA-SUSITNA BOROUGH  
 Community Development  
 Land Management Division  
 350 East Dahlia Avenue  
 Palmer, Alaska 99645

\*This public notice & request for comments is in compliance with MSB Code 23.05.025  
 PLEASE TAPE CLOSED ON BOTTOM AND RIGHT OF STAMP

IM15-039  
 OR15-051



MATANUSKA-SUSITNA BOROUGH  
 Community Development  
 Land Management Division  
 350 East Dahlia Avenue  
 Palmer, Alaska 99645

HD 4  
 PERMIT CENTER - INFO ONLY

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# PUBLIC NOTICE

## MATANUSKA-SUSITNA BOROUGH PUBLIC NOTICE

Type: Management Agreement (MSB006950)  
 Tax ID: 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L017

TAX MAP: PA12

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Comments: I am against this application, it is a push by a couple home owners & has not been voted on by the individual homeowners. and the few home owners are just wanting to cut out public access to the River bed in general.

Signature: Janette Jenkins Phone: 841-8205

(If you need more space for comments please attach a separate sheet of paper.)  
 For assistance with your property location, tax or assessment matters please call 745-4801.

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MATANUSKA-SUSITNA BOROUGH  
 Community Development  
 Land Management Division  
 350 East Dahlia Avenue  
 Palmer, Alaska 99645

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 PLEASE TAPE CLOSED ON BOTTOM AND RIGHT OF STAMP

Im15-089  
 DR15-051

Dear Glanda

My name is Bill Brister. I live at 12270 east outer Springer loop. I bought my first house in Mountain View Estates in 1991 on Kay Marie drive and lived there for about 11 years. I then bought a house on Allison court in 2005 and sold it in the summer of 2011 and bought the house just down the road from Mountain View Estates about ¼ of a mile away. I have been using the river access on Kaye Marie drive ever since 1991 to go to the river bottom. The trail head is well established and is accessed from Kaye Marie drive. Kaye Marie Drive is a borough maintained road currently and I believe the gate that restricts the access to the state owned property is in violation of the law as I have been using the access point to ride my four wheeler and snow machine for almost 25 years. I along with many others have a solid case of adverse possession as I and many others have been using this access for more than 7 years. The area has long been a recreational area that we can access without driving out to the Butte. I don't agree with the home owners association and others that live in the area also don't agree with the HOA. I hope the Borough take the time and goes to the river and inspects the site and then you can clearly see that it has many years of use as an access point to the river. Thank you for your time and I hope you address my concerns to being denied access to the river after having used this location for local recreational activities. Thank You



Bill Brister

12270 east outer Springer loop

Palmer Alaska 99645

907-273-1111

FIRST CLASS

# PUBLIC NOTICE

99645 PALMER, ALASKA MATANUSKA-SUSITNA BOROUGH  
PUBLIC NOTICE

Type: Management Agreement (MSB008930)

Tax ID: 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L017

TAX MAP: PA12

The Matanuska-Susitna Borough (MSB), Land & Resource Management Division, has received an application from Mountain View Estates Homeowners Association (HOA) for a management agreement that would allow the HOA to build four borough-owned parcels with a current project that includes HOA property. The above properties are substandard size for building and the Assembly has previously dedicated them to public purpose. MSB Planning Department has issued an Encroachment Permit E014003 to HOA for gate and cable replacement for public safety and trespass complaints.

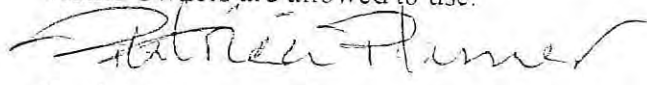
A long-term management agreement between MSB and the HOA would provide a mechanism for maintenance and protection of salmon rearing habitat on private HOA property accessible from the Management Agreement area dedicated parcels.

**INTRODUCTIONS**

Im15-039  
OR 15-051

Dear Glenda

My name is Patricia Plummer. I live at 12260 East Outer Springer Loop. In Replay to the MSB006950 the point of entry to the flats thought Mt. View Estates. In the last 25 years I have used this point for entry for fishing and other actives there. I did own a house in the subdivision up to 2012 when I moved up the road 1/2 mile away. The last 2 years every weekend up to last month when they put up a locked gate. Now I am told that the only point it entry the flats is up by the bridge to the Butte. I under stand that they are upset about the traffic that is up and down Kaye Marie Street. This happens on all the roads on the Outer Springer Loop. The borough owns the properties which the entry point is at. As for now ONLY Mt. View Home Owners are allowed to use.



Patricia Plummer  
12260 East Outer Springer Loop  
Palmer AK 99645  
746-4260

FIRST CLASS

# PUBLIC NOTICE

99645-9902 MATANUSKA-SUSITNA BOROUGH  
PUBLIC NOTICE

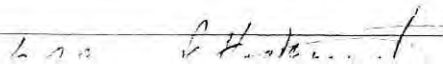
Type: Management Agreement (MSB006950)  
Tax ID: 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L017

TAX MAP: PA12

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Supporting material is available for public inspection during normal business hours on the 2<sup>nd</sup> floor of the Matanuska-Susitna Borough building in the Land Management Division. Public comment is invited on this request. If you have any comments please mail them to the Matanuska-Susitna Borough, Planning Department, 10000 25<sup>th</sup> Avenue, Palmer, Alaska 99645, or call on September 25, 2014. If you have questions about this request, call Glenda Smith at 861-7864 between 8:00-5:00 or you can send an e-mail to [glenda.smith@matsugov.us](mailto:glenda.smith@matsugov.us) (PLEASE REFER TO MSB006950 WHEN SUBMITTING COMMENTS).



# PUBLIC NOTICE

99645-9902 MATANUSKA-SUSITNA BOROUGH  
PUBLIC NOTICE

Type: Management Agreement (MSB006950)

Tax ID: 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L017

TAX MAP: PA12

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Comments: We used it for years and would like it open

Signature: CB Hunt

Phone: 907-746-5624

(If you need more space for comments please attach a separate sheet of paper.)

For assistance with your property location, tax or assessment matters please call 745-4801.

Place  
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Here

MATANUSKA-SUSITNA BOROUGH  
Community Development  
Land Management Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

\*This public notice & request for comments is in compliance with MSB Code 23.05.025  
PLEASE TAPE CLOSED ON BOTTOM AND RIGHT OF STAMP

RECEIVED  
SEP 25 2014  
Community Development  
Recreational Services

Im15-039  
0R15-051

# PUBLIC NOTICE

996454902 MATANUSKA-SUSITNA BOROUGH  
PUBLIC NOTICE

Type: Management Agreement (MSB006950)

TAX MAP: PA12

Tax ID: 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L017

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Comments:

*I have been using this access for years and don't want it cut off*

*Thank-you*

Signature:

*Jaydra Chapman*

Phone:

*745-4043*

(If you need more space for comments please attach a separate sheet of paper.)

For assistance with your property location, tax or assessment matters please call 745-4801.

Place  
Stamp  
Here

MATANUSKA-SUSITNA BOROUGH  
Community Development  
Land Management Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

\*This public notice & request for comments is in compliance with MSB Code 23.05.025  
PLEASE TAPE CLOSED ON BOTTOM AND RIGHT OF STAMP

RECEIVED  
SEP 25 2014  
Community Development  
Recreational Services

*IM15-039  
OR15-051*

# PUBLIC NOTICE

996458902 MATANUSKA-SUSITNA BOROUGH  
PUBLIC NOTICE

Type: Management Agreement (MSB006950)  
Tax ID: 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L017

TAX MAP: PA12

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Comments: I have used this access since I was a youth. Now at 58 yrs of age they no longer have access.

Signature: Carl Scheidt Phone: 907-746-3067  
12205 E. Outer Springer Loop

(If you need more space for comments please attach a separate sheet of paper.)

For assistance with your property location, tax or assessment matters please call 745-4801.

Place  
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Community Development  
Land Management Division  
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Community Development  
Recreational Services

Im15-039  
ORIS-051

51969B03L007 25  
JAUSORO TERRY D & LAURA S  
12825 E ALLISON CT  
PALMER AK 99645-9024

FIRST CLASS

# PUBLIC NOTICE

99645-9024 MATANUSKA-SUSITNA BOROUGH  
PUBLIC NOTICE

Type: Management Agreement (MSB006950)  
Tax ID: 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L017

TAX MAP: PA12

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Comments: *This has been public access to many individuals in the surrounding area for many many years. I'm afraid that they will cut further access to the river because people at the end of the road don't want people using it. The Mountain View Homeowner Estates installed the gate blocking access unless we were never notified of installation.*

Signature: *[Handwritten Signature]* Phone: *907-746-5295*

(If you need more space for comments please attach a separate sheet of paper.)  
For assistance with your property location, tax or assessment matters please call 745-4801.

*→ This gate only benefits the privacy of the homeowners at the end of the road.*

Place  
Stamp  
Here

MATANUSKA-SUSITNA BOROUGH  
Community Development  
Land Management Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

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SEP 25 2014  
Community Development  
Recreational Services

*Im15-039  
OR15-051*

# PUBLIC NOTICE

996453902 MATANUSKA-SUSITNA BOROUGH  
PUBLIC NOTICE

Type: Management Agreement (MSB006950)

Tax ID: 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L017

TAX MAP: PA12

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Comments: I have used this trail on a weekend and weekdays with my daughters and friends. We accessed the trail by walking - Bicycle - and 3-4 wheelers. We enjoyed exploring the creeks, ponds, and seeing the Moose - Eagles and the fish. Also the old old cabin behind the Bar-el/Pits  
Signature: Edward Koch Phone: 907-745-3777

(If you need more space for comments please attach a separate sheet of paper.)  
For assistance with your property location, tax or assessment matters please call 745-4801.

Place  
Stamp  
Here

MATANUSKA-SUSITNA BOROUGH  
Community Development  
Land Management Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

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SEP 25 2014  
Community Development  
Recreational Services

Im 15-039  
OR 15-051

# PUBLIC NOTICE

9964539024 FAX MATANUSKA-SUSITNA BOROUGH  
PUBLIC NOTICE

Type: Management Agreement (MSB006950)  
Tax ID: 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L017

TAX MAP: PA12

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Comments: I come to my friends to go riding with them on the Mat-su trails and we planned to go riding the trail was blocked off by the people that live in that neighborhood. I also go riding to go fishing down at the creeks.  
Signature: [Handwritten Signature] Phone: 907-764-4885

(If you need more space for comments please attach a separate sheet of paper.)  
For assistance with your property location, tax or assessment matters please call 745-4801.

MATANUSKA-SUSITNA BOROUGH  
Community Development  
Land Management Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

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SEP 25 2014  
Community Development  
Recreational Services

IM15-039  
OR15-051

# PUBLIC NOTICE

99645002 MATANUSKA-SUSITNA BOROUGH  
PUBLIC NOTICE

Type: Management Agreement (MSB006950)  
Tax ID: 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L017

TAX MAP: PA12

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Comments: I dont want this access closed cause I use it year round for trail riding, hunting & fishing.

Signature: *Craig Christensen* Phone: \_\_\_\_\_

(If you need more space for comments please attach a separate sheet of paper.)  
For assistance with your property location, tax or assessment matters please call 745-4801.

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Community Development  
Land Management Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

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SEP 25 2014  
Community Development  
Recreational Services

IM15-039  
OR15-051 500

# PUBLIC NOTICE

99645-9902 MATANUSKA-SUSITNA BOROUGH

## PUBLIC NOTICE

Type: Management Agreement (MSB006950)

TAX MAP: PA12

Tax ID: 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L017

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Comments: I am a life long Alaskan of 71 years. I am opposed to closing access to the River area from Kay Marie's

Signature: Keith A. Dodson Phone: 907-745-3127

(If you need more space for comments please attach a separate sheet of paper.)

For assistance with your property location, tax or assessment matters please call 745-4801.

Place  
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Im 15-039  
OR 15-051501

Matanuska-Susitna Borough

# PUBLIC NOTICE

SEP 25 2014

99645#902 MATANUSKA-SUSITNA BOROUGH PUBLIC NOTICE RECEIVED

Type: Management Agreement (MSB006950)

TAX MAP: PA12

Tax ID: 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L017

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Comments: this was a Public trail a long time ago before the subdivision was there, it should stay open as a public easement

Signature: Tony Nolin Phone: 232-6462

(If you need more space for comments please attach a separate sheet of paper.)

For assistance with your property location, tax or assessment matters please call 745-4801.

Place Stamp Here

MATANUSKA-SUSITNA BOROUGH  
Community Development  
Land Management Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

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RECEIVED  
SEP 25 2014  
Community Development  
Recreational Services

Im15-039  
OR15-061

NON-CODE ORDINANCE

By: D. Moore  
Introduced: 12/16/97  
Public Hearing: 1/6/98  
Adopted: 1/6/98

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 98-002**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY DEDICATING TO PUBLIC PURPOSE PROPERTIES ACQUIRED THROUGH TAX FORECLOSURE WITHIN MOUNTAIN VIEW ESTATES, PHASE III, PALMER/SPRINGER AREA.

WHEREAS, the Matanuska-Susitna Borough has acquired title to Lot 19, Block 3, and Lots 17, 18, and 19, Block 4, Mountain View Estates, Phase III, through a judicial clerk's deed due to the failure of the former record owners of the properties to pay the borough's property taxes; and

WHEREAS, the properties being dedicated are all within Mountain View Estates Subdivision, Phase III, in the Palmer/Springer area and are listed as follows:

Lot 19, Block 3, Mountain View Estates, Phase III  
Former record owner - James Hunt, Jr.  
4511 Laurel Street #6E  
Anchorage, Alaska 99507

Lot 17, Block 4, Mountain View Estates, Phase III  
Former record owner - Solo Development Ltd., Inc.  
724 E. 15th Avenue  
Anchorage, Alaska 99501

Lots 18 and 19, Block 4, Mountain View Estates, Phase III  
Former record owner - James Hunt, Jr.  
4511 Laurel Street #6E  
Anchorage, Alaska 99507

WHEREAS, pursuant to Alaska Statutes 29.45.460 (a) and (c) lands conveyed to a municipality by tax foreclosure that are to be held for a public purpose shall be reserved by ordinance; and

WHEREAS, as a result of one of the Matanuska River's frequent channel movements the majority of these lots were washed away; and

WHEREAS, the land left by the river is bluff or riverbed and in its present condition is no longer usable; and

WHEREAS, the public's use of the property to access the river contributes to further erosion of the bluff; and

WHEREAS, the borough is concerned that private property is at risk if man-made erosion continues; and

WHEREAS, in order to discourage further man-made erosion these properties will be dedicated to a public purpose with specific language limiting use.


BE IT ENACTED:

- \* Section 1. Classification. This is a non-code ordinance.
- \* Section 2. Dedication to public purpose. Pursuant to Alaska Statutes 29.45.460 (a) and (c) the Matanuska-Susitna Borough Assembly dedicates Lot 19, Block 3, and Lots 17, 18, and 19, Block 4, Mountain View Estates, Phase III, to public purpose.
- \* Section 3. Specific dedication language. These properties are to remain in borough ownership as open space; to

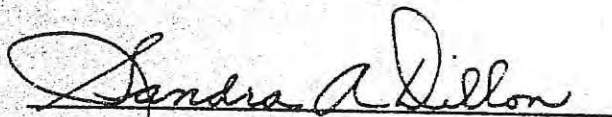
serve as a buffer to reduce natural and manmade erosion hazards;  
and to protect the public's health safety and welfare.

\* Section 4. Effective date. Ordinance Serial No. 98-002  
shall take effect upon adoption by the Matanuska-Susitna Borough  
Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this 6th day  
of January, 1998.

  
DARCIE K. SALMON, Borough Mayor

ATTEST:

  
SANDRA A. DILLON, Borough Clerk

(Seal)



## MATANUSKA-SUSITNA BOROUGH

### Development Services Division

### Permitting Services

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 745-9822 • Fax (907) 746-7407

www.matsugov.us

## ENCROACHMENT PERMIT E014003 Gate Placement and Cable Replacement to Guard Rail Placement

THIS PERMIT, is issued this 11<sup>th</sup> day of June, 2014, by the MATANUSKA-SUSITNA BOROUGH, to:

Mountain View Estates Home Owners Association, Inc.  
P.O. Box 85  
Palmer, AK 99645

Phone #: N/A  
Fax# N/A

WITNESSETH: The Borough does hereby grant an Encroachment Permit in the following described Public Right of Way or Easement Area to Wit: **within Section 17, T17N, R2E, Seward Meridian, Alaska, as shown on the attached maps. Adjacent to Tax Parcel Tax ID: #1969B04L017 (MSB)**

The encroachment hereby authorized is described as and limited to the following: **Place a two bar gate with reflective identification within the platted right of way of South Kaye Marie Drive to block motorized traffic. Replace cable attached to posts with guard rail and identify better to motorists. An ADA access is to be left at current location of break in cabling where pedestrian trail goes out of right of way on the south side or in a suitable location near there. Because of the change in construction the 2010 design rules on ADA minimum width of 36" has to be used at cabling pedestrian entrance. So a post or two may need to be moved or relocated. This permit shall be the responsibility of the Owners Association and shall attach to the owner of Tax Parcel 1969000T00A-2, subject to the following conditions:**

Special Conditions:

- 1) This Permit shall run with the property and shall be acknowledged in writing to the Borough by new owners, assignees, or lessees of the above described property. Failure to acknowledge and accept the permit conditions shall render this permit null and void.
- 2) It is the responsibility of the Permittee to correctly locate the Encroachment within the right-of- way.
- 3) The Matanuska-Susitna Borough or the State of Alaska and its Contractors shall not be held liable for damage to the encroachments while upgrading, improving, removing, or performing road maintenance and snow removal operations.

*Providing Outstanding Borough Services to the Matanuska-Susitna Community.*



**MATANUSKA-SUSITNA BOROUGH**  
**Development Services Division**  
**Permitting Services**

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www.matsugov.us

- 4) This Encroachment Permit does not grant the Permittee exclusive use of the area encroached upon or the platted right of way beyond the encroachment.
- 5) No additional encroachments may be placed within the platted easements without the Borough's authorization in the form of an additional Encroachment Permit.
- 6) The gate shall be maintained and remain in good repair throughout the time of its existence at this location. If any Agency, Emergency Services Agencies, or Utility requests any needed access to the public area, access shall be granted by providing combination for the duration of the need.
- 7) If an Agency or the Department of Natural Resources determines that the right of way of Kaye Marie Drive has overlapping or is adjacent to public lands or created or existing public easements this Encroachment Permit shall automatically be revoked and the Permittee shall be responsible for removal of the encroachments placed by this permit that are within the right of way of Kaye Marie Drive at the permittee's sole expense.
- 8) When or if the gate needs removal please contact the Permit Center at 861-7822.
- 9) When placement of the gate and improvements has been made, please call the Permitting Office, Harry Hartung at 355-2391 or Andy Dean at 861-7803, to notify them of the completion.
- 10) If any new owner's, adjacent to the platted right of way of Kaye Marie Drive and where access is needed to their property through the gate, or if other members of the public make a complaint to the Borough about the existence of the gate and show a need for access to the Borough right of way, they will be given the gate combination for access. This will ensure we do not violate the law by granting exclusive use of public lands to select groups.

In consideration for this permit, the Permittee shall indemnify, defend, and hold and save the Borough, its elected officers, agents and employees, harmless from any and all claims, demands, suits, or liability of any nature, kind or character, including costs, expenses, and attorney's fees. The permittee shall be responsible under this clause for any and all legal actions or claims of any character resulting from injuries, death, economic loss, damages, violation of statutes, ordinances, constitutions or other laws, rules or regulations, contractual claims, or any other kind of loss, tangible or intangible, sustained by any person, or property arising from Permittee's construction,

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**Development Services Division**  
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www.matsugov.us

alteration or maintenance and existence of the above described encroachment or for any damages whatsoever arising out of the granting of this permit.

The Borough reserves the right to revoke this permit upon twenty (20) days written notice to the Permittee. The Permittee, agrees upon said notice of revocation, to immediately remove said encroachment from the easement, street, or public right of way at the permittee's sole expense. Should the Permittee refuse or fail to comply with said written notice, the Borough, may without further notice to the Permittee, remove or cause to be removed the encroachment and the Permittee hereby agrees to reimburse the Borough for all costs incidental to the repair thereof.

PERMITTEE

Mountain View Estates Home  
Owners Association, Inc.  
Representative

MATANUSKA-SUSITNA BOROUGH

John Moosey  
Borough Manager

*Providing Outstanding Borough Services to the Matanuska-Susitna Community.*



OR15-051 Im15-039  
WHAT WE ARE REPLACING



OR15-051 Im15-038

INTRODUCTIONS



Im15-039 OR15-051



**WHAT WE ARE REPLACING  
TO MAKE AN ADA ACCESS**



KAYE MARIE

GUARD RAIL

GATE

WALKING ACCESS ADA

Im15-039 OR 15-051





Im15-039  
0215-051









PROJECT NAME: Mountain View Homeowners Association/MSB Safety and Trespass Agreement

RIGHT OF ENTRY

The undersigned is the owner ("Owner") of the property, premises, or easement (the "Property") described as follows:

Tax ID: 1969B04L017, 1969B04L018, 1969B04L019, 1969B03L019


Address: Mountain View Subdivision

Consent. The Owner does hereby grant permission to Mountain View Homeowners Association, and its agents, employees, consultants and representatives (herein individually and collectively referred to as "Mountain View HOA"), for a period of three hundred sixty-five (365) days from the date of this consent, to enter onto the Property and contiguous property owned controlled by the Owner for the purpose of performing an inspection, removing hazardous chain, installing guard rail, and other activities as Mountain View HOA may deem necessary, at the sole cost of Mountain View HOA. Mountain View HOA shall be solely responsible for the actions of its employees or contractors while on the Property. Permittee agrees to defend, indemnify, and hold Permitter harmless from any claims or damages that may arise out of such work on the Property, unless the same is occasioned by the negligence or actions of the Permitter, and/or Permitter's successors, consultants, assigns, licensees, or agents. It is understood and agreed that this permit does not create for the Permittee any possessory interest in or title to the above-described property except as herein provided for ingress, egress, and the activities described above.

This Right of Entry is provided to allow activities during the construction season and as volunteers are available. Mountain View HOA and MSB are in the process of establishing a Management Agreement for the above-referenced properties. This Right of Entry provides access and authority to maintain until such time as the Management Agreement is approved.

Authority. The individual executing this consent on behalf of the Owner represents to Mountain View HOA that such individual is authorized to do so by requisite action of the Owner.

OWNER: MATANUSKA SUSITNA BOROUGH

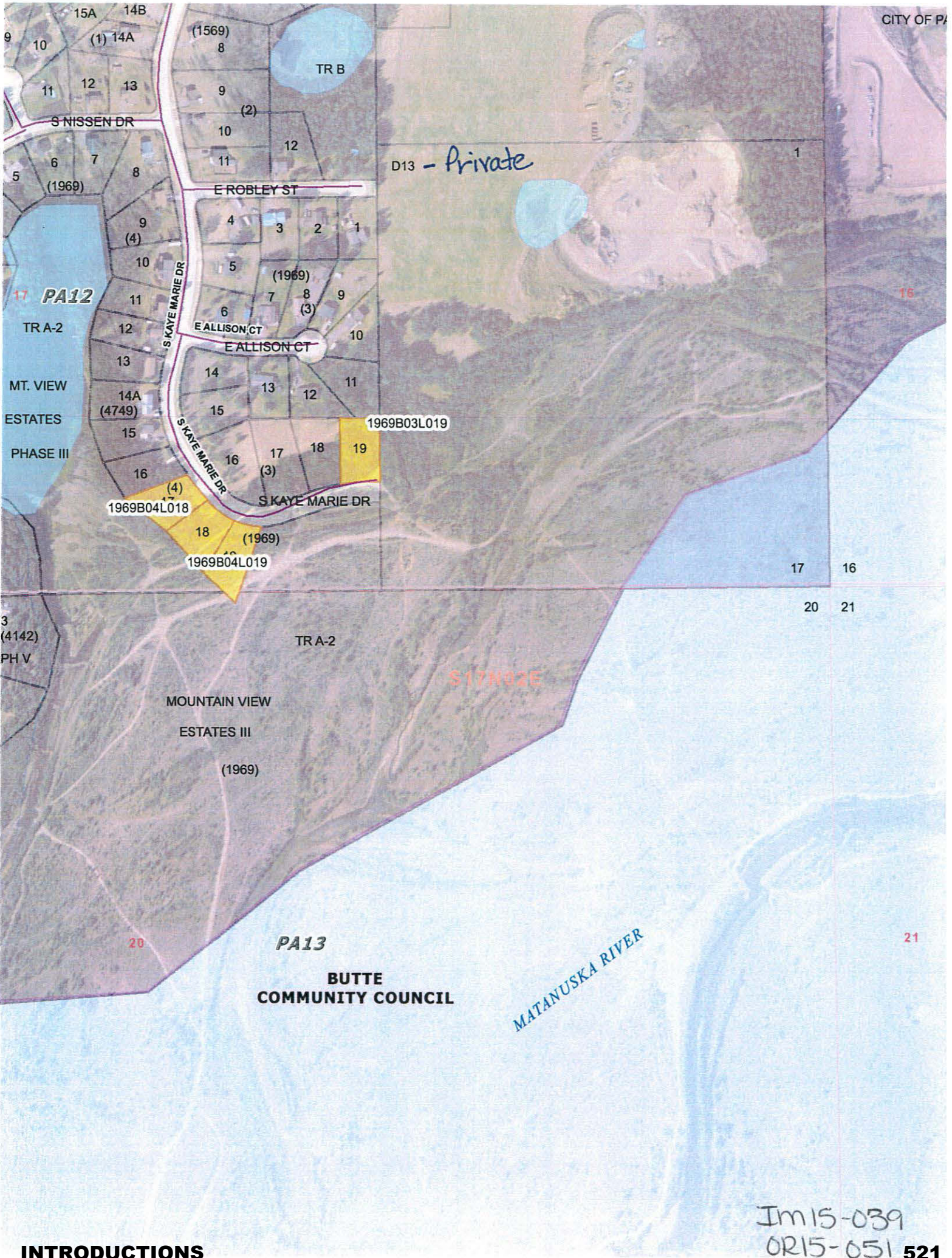
By:  \_\_\_\_\_

Eric Phillips  
Community Development Director

Date: 7/31/11

MSB006950

Right of Entry  
Im15-039  
OR15-051



D13 - Private

17 PA12

1969B03L019

1969B04L018

1969B04L019

S17N02E

PA13  
BUTTE  
COMMUNITY COUNCIL

MATANUSKA RIVER

Im15-039  
OR15-051 521

## MANAGEMENT AGREEMENT

This management agreement (hereinafter called "Agreement") is made and entered into on April 7, 2015 by and between the MATANUSKA-SUSITNA BOROUGH (hereinafter called "Borough") and MOUNTAIN VIEW ESTATES HOMEOWNERS ASSOCIATION (hereinafter called "ASSOCIATION").

Whereas, the Borough owns certain real property in Palmer, described in EXHIBIT A, and ASSOCIATION wishes to manage the described borough-owned lands as public recreation pursuant to the terms and conditions of this agreement, and subject to valid existing rights.

Now therefore, in consideration of the covenants and agreements contained herein, the Borough and ASSOCIATION agree as follows:

### Section 1. Description of property.

ASSOCIATION does hereby agree to manage, operate and maintain the borough-owned land within the areas as legally described in Exhibit A.

### Section 2. Term.

This Agreement shall be effective from May 5, 2015 through 11:59 PM May 4, 2035 ASSOCIATION shall perform those management services described herein for the full term subject to Section 26 (Termination).

### Section 3. Purpose.

This Agreement describes the ASSOCIATION's operation, management and maintenance of the borough-owned lands within the property.

A. The ASSOCIATION shall manage, operate, and maintain (hereinafter called "manage" or "management") property dedicated to public purpose through the term of the Agreement based on the Management Plan of Operation set forth in Section 6, and in the regular course of its management perform the duties specifically described as Scope of Work, EXHIBIT D. It is the intent of both parties that the ASSOCIATION shall be responsible for the daily operation and management of the areas, including the details necessary to manage, operate, and maintain the areas as a clean, safe, and sanitary public use area, while also initiating the action on plans to improve and enhance the areas in the future.

B. The ASSOCIATION's management of the borough-owned lands shall not be for profit.

Section 4. ASSOCIATION as an Independent Contractor.

The ASSOCIATION shall perform its obligations hereunder as an independent contractor of the Borough. The Borough may administer this Agreement and monitor ASSOCIATION's compliance with this Agreement but shall not supervise or otherwise direct the ASSOCIATION except to provide recommendations and to act on requests to approve or deny certain activities pursuant to the Agreement.

Section 5. Payment for Utilities and Other Services.

The ASSOCIATION shall pay all costs of installation and service by utilities, including electric, water, and solid waste and sewage disposal, and all costs to manage, maintain and operate services, if any, for the term of the agreement.

Section 6. Management Plan of Operation.

The Plan of Development (EXHIBIT B) and Scope of Work and Management Objectives (EXHIBIT D) together become the Management Plan of Operation. It is the responsibility of the ASSOCIATION to initiate and secure all sources of funding, including alternative funding to enhance or manage the property for the public. The approval of this agreement by the borough does not include approval of any funding from the Borough. The following specific conditions are also incorporated in to the Management Plan of Operation.

- A. Commercial uses and advertising within the property boundaries are prohibited.
- B. Overnight use on the borough land within the property will not be authorized by the borough.
- C. Clearing of live trees over six (6) inches DBH must be authorized by the borough in advance of the work being done.

Section 7. Alterations, Improvements and Capital Improvements.

Any alterations and improvements of a permanent nature of construction must be presented and approved by the borough in advance of work being accomplished. The borough will require review and acceptance by ASSOCIATION members as part of the process for approval.

Section 8. Warranty of Work.

ASSOCIATION expressly warrants that all materials used in construction, repairs and maintenance of the property will be of good quality and that all workmanship will meet accepted codes and standards of the trade.

ASSOCIATION shall undertake to correct workmanship of defect in materials found by the Borough to constitute a breach of the Agreement.

Section 9. Use and Operation.

Use and Operation of the borough-owned property shall provide for the maximum availability to the public. ASSOCIATION shall operate the areas as provided in the scope of work and plan of operation.

Section 10. Annual Performance and Accounting Report.

ASSOCIATION shall submit a report on or before June 30 of each year for the term of this Agreement. At a minimum the report shall include the following:

- A. A summary of the previous year's regularly scheduled and special use.
- B. A treasurer's report for the past year including a complete accounting of all receipts and disbursements related to the management, operation, and maintenance of the property areas.
- C. A summary of any improvement previously approved by the Borough that were completed during the year.
- D. Copies of all licenses, permits, authorizations, and insurance policies required under the terms of this Agreement.
- E. A request for approval by the Borough of proposed improvements, alterations, and construction to be accomplished in the upcoming year.
- F. Copies of any changes to the bylaws or corporation status of ASSOCIATION.
- G. Current list of all officers of the ASSOCIATION, with phone numbers and addresses.
- H. Designation of primary and alternate contact representatives for the upcoming year, with phone numbers and addresses, with a written explanation of the duties, authority and responsibility of each relative to this agreement.
- I. Amendments to the plan of operation describing how the various tasks necessary to execute this Agreement will be performed during the upcoming year, if different than now described.

Section 11. Waste.

ASSOCIATION, its volunteers, board member, members, employees, subcontractors, or anyone directly or indirectly employed by them, shall not commit waste on or injury to the property or improvements thereon, or allow third parties to commit such waste or injury. ASSOCIATION shall be liable for all damage and repair costs during the management term.

Section 12. Rights-of-Way.

Authority to grant or issue permits for easements and right-of-way is retained by the Borough.

Section 13. Assignment or Delegation of Duties.

ASSOCIATION may not assign any interest in this Agreement to any person, delegate any duties under this Agreement, nor enter into any contracts for commercial concession or vending on the premises without the prior written approval of the Borough. Any attempt by ASSOCIATION to assign any part of its interest or delegate duties under this Agreement shall give the Borough the right to immediately terminate this Agreement without any liability to the Borough for payment of work performed.

Section 14. Ownership of Improvements.

All improvements attached to the land will remain with the land and become the property of the Borough upon expiration of termination of this Agreement.

Section 15. Permits, Laws, and Taxes.

All activities authorized under this Agreement shall be conducted in compliance with applicable federal and state constitutions, federal, state, and local laws, regulations, and orders of governmental authorities having jurisdiction over the property in effect during the term of this Agreement. ASSOCIATION agrees to obtain the necessary approvals from all third party interest and obtain all permits or written authorization required by the applicable laws, rules, and regulations from governing authorities, which includes but is not limited to flood hazard area development permits for any excavation, fill, gravel work, or development proposed. ASSOCIATION agrees to provide documentation of all applicable licenses and permits to the Borough.

Section 16. Alcoholic Beverages.

There shall be no sale, service, or consumption of alcoholic beverages allowed on the property except as specifically authorized in writing by the borough manager.

Section 17. Non-Discrimination.

ASSOCIATION shall not discriminate against any person on the basis of race, religion, age, color, national origin, marital status, physical handicap, or status as a disabled veteran or veteran of the Vietnam era.

Section 18. Inspection or Premises.

Borough employees or representatives may at any time enter and inspect the borough-owned lands and improvements. Any unsatisfactory work/services performed or not performed, as the case may be, shall be remedied within a period established by the Borough. Such unsatisfactory or incomplete work shall be based upon the performance standard of workmanship and materials designated in Section 8, and as set forth in the Borough approved plan for improvements.

Section 19. Fuel Storage/Hazardous Material.

The storage of petroleum or toxic chemicals is prohibited on the property. Spills or contamination on the property will be controlled and recovered immediately by ASSOCIATION, at ASSOCIATION's expense, and reported to the State of Alaska, Department of Environmental Conservation and the Borough immediately. Nothing herein shall prohibit or prevent ASSOCIATION from seeking recovery of its expenses for such control and recovery from the responsible party.

Section 20. Safety.

ASSOCIATION is responsible for the safety of all persons entering the property including, but not limited to, visitors, park users, spectators, employees, contractors, vendors, members, volunteers, pedestrians, or any other person on the premises under this Agreement. ASSOCIATION agrees to provide visitors and park users with information regarding rules, safety regulations, and other information pertaining to the property and the Agreement.

Section 21. Defense and Indemnification.

ASSOCIATION agrees to indemnify, defend, and hold harmless the Borough, its elected and appointed officers, agents, and employees from any and all claims, demands, civil suits, or liability of any nature, kind, or character, including costs, expenses, and attorney's fees for or on account of any and all legal actions or claims of any Character. ASSOCIATION shall be responsible under this clause for any and all legal actions, or claims of any character resulting from injuries, death, economic loss, damages, violation of statutes, ordinances, constitutions or other laws, rules or regulation, deprivation of constitutional rights, contractual claims or any other kind of loss, tangible or intangible, sustained by any person, or property arising from ASSOCIATION or ASSOCIATION's officers, agents, employees, partners, attorney, suppliers, visitors, whether invited or not, licensees, guests, and subcontractors performance or failure to perform this Agreement in any way whatsoever. This defense and indemnification responsibility includes claims alleging acts or omissions by the Borough or its agents which are said to have contributed to the losses, failure, violations, or damage.

If any portion of this clause is voided by law or a court of competent jurisdiction the remainder of the clause shall remain enforceable.

Section 22. Insurance.

It is specifically agreed between the parties executing this Agreement that it is not intended by any of the provisions of the Agreement to create in the public or any member thereof a third party benefit hereunder, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement.

It is highly recommended that the ASSOCIATION confer with their respective insurance companies or brokers to determine if their insurance program complies with the Borough's Insurance requirements.

Section 23. Severability.

If any section or clause of the Agreement is held invalid by a court of competent jurisdiction, or is otherwise invalid under the law, the remainder of the Agreement shall remain in full force and effect.

Section 24. Jurisdiction: Choice of Law.

The interpretation and enforcement of the Agreement shall be governed by the laws of the State of Alaska. Any civil action arising from this Agreement shall be brought in the Alaska Superior Court, Third Judicial District of Palmer.

Section 25. Interpretation and Enforcement.

This Agreement has been jointly drafted by the parties following negotiations between them. It shall be construed according to the fair intent of the language as a whole, not for or against any party. The titles of sections in this Agreement are not to be construed as limitations or definitions but are for identification purposes only.

Section 26. Termination.

The Borough or ASSOCIATION may terminate this Agreement for their convenience thirty (30) days after notice of termination to the other party.

This Agreement may also be terminated by the Borough for any of the following reasons:

- A. Failure to comply with the terms and conditions of the Agreement, and if the breach is curable, failure to remedy any default in performance within thirty (30) days of written notice.
- B. Failure to actively maintain the property or the described purposes for the period of time of the management term.
- D. Abandonment of the property, which shall include failure to carry out necessary maintenance or repairs to the property areas.

Termination under this Section shall be by notice in writing stating the reason for termination and shall be effective thirty (30) days from the date of the notice. Any appeal must be written and formally presented to the Borough Manager within ten (10) days of receipt of notice.

Section 27. Cause beyond control.

In the event the ASSOCIATION is prevented by a cause or causes beyond its control from performing any obligation of the Agreement, nonperformance resulting from such cause or causes shall not be deemed to be a breach of this Agreement which will render ASSOCIATION liable for damages or give rights to the cancellation of the Agreement for cause. However, if and when such cause or causes cease to prevent performance, ASSOCIATION shall exercise all reasonable diligence to resume and complete performance of the obligation with the least possible delay. The phrase "cause or causes beyond control," as used in this section, means any one or more of the following causes which are not attributable to the fault or negligence of ASSOCIATION and which prevent the performance of the ASSOCIATION: fire, explosions, acts of God, war, order or law of duly constituted authorities, and other major uncontrollable and unavoidable events, all of the foregoing which must actually prevent ASSOCIATION from performing the terms of the Agreement as set forth herein. Events which are peculiar to ASSOCIATION and would not prevent another group of entity from performing, including, but not limited to financial difficulties, are not causes beyond the control of ASSOCIATION. The Borough will determine whether the event preventing WACO from performing is cause beyond ASSOCIATION's control.

Section 28. Modifications.

The parties may mutually agree to modify the terms of the Agreement. All modifications to the Agreement shall be incorporated by written amendments to the Agreement and be executed by both parties.

Section 29. Contract Administration.

The Matanuska-Susitna Borough, Community Development, Land and Resource Management Division will be the representative of the Borough administering this Agreement.

Reports, insurance certificates, permits, proposals, and plans for the property, and other daily management issues under this agreement, shall be submitted by ASSOCIATION to the Matanuska-Susitna Borough, Community Development Department, Land and Resource Management Division, Real Property Analyst, 350 E. Dahlia Avenue, Palmer, Alaska 99645.

It will be the responsibility of the Land and Resource Management Division to transmit reports and to seek any borough approvals required under the Management Agreement.

Section 30. Understanding.

ASSOCIATION acknowledges that ASSOCIATION has read and understands the terms of the Agreement, has had the opportunity to review the same with counsel of its choice, and is executing the Agreement of its free will and as authorized by its by laws.

Section 31. Notice.

All written notices required to enforce, modify, or terminate this agreement shall be sent to the parties as follows:

Matanuska-Susitna Borough  
Land and Resource Management Division  
Real Property Analyst  
350 E. Dahlia Avenue  
Palmer, Alaska 99645

Mountain View Estates Homeowners Association  
12847 E Robley Street  
Palmer, Alaska 99645

Section 32. Management Fee.

No management fee will be paid by the Borough.

Section 33. No Waiver.

That no assent, expressed or implied, by the Borough to any breach of any ASSOCIATION covenants shall be deemed to be waiver of any succeeding breach of the same covenant, nor shall any forbearance by the Borough to seek a remedy for any breach of ASSOCIATION be deemed a waiver by the Borough of the rights of remedies with respect to such breach.

Section 34. Integration and Entire Agreement

This document and all appendices and amendments hereto embody the entire Agreement of the parties. All negotiations, statements, representations, warranties, and assurance, whether oral or written, which are in any way related to the subject matter of the Agreement and the performance of either party hereto, are merged and integrated into the terms of this document. To the extent they are not inconsistent with the terms of this Agreement, the following documents are incorporated by reference into the Agreement as if fully set forth herein:

EXHIBIT A – Real Property Descriptions  
EXHIBIT B – Plans of Development

EXHIBIT C – Scope of Work and Management Objectives  
EXHIBIT D – Insurance Requirements

INWITNESS WHEREOF, the parties hereto executed this Agreement.

MATANUSKA SUSITNA BOROUGH

\_\_\_\_\_  
John Moosey  
Borough Manager

ACKNOWLEDGEMENTS

STATE OF ALASKA                    )  
  )ss.  
Third Judicial District            )

On the \_\_\_\_ day of May, 2015, John Moosey, Manager of the Matanuska-Susitna Borough, who is personally known to me, appeared and acknowledge to me that he signed the management agreement on behalf of the municipal corporation.

(SEAL)

\_\_\_\_\_  
Notary Public for State of Alaska  
My commission expires:\_\_\_\_\_

MOUNTAIN VIEW ESTATES HOMEOWNERS ASSOCIATION

\_\_\_\_\_  
VickieLee Fenster  
Authorized Representative

STATE OF ALASKA                    )  
  )ss.  
Third Judicial District            )

On the \_\_\_\_ day of May, 2015, VickieLee Fenster, authorized representative for Mountain View Estates Homeowners Association, personally appeared before me,

[check one]

- who is personally known to me
- whose identity I proved on the basis of \_\_\_\_\_.
- whose identity I proved on the oath/affirmation of \_\_\_\_\_, a credible witness

and acknowledged before me that she is authorized to sign the management agreement for the purposes stated therein on behalf of the Mountain View Estates Homeowners Association.

(SEAL)

\_\_\_\_\_  
Notary Public for State of Alaska  
My commission expires: \_\_\_\_\_

**EXHIBIT A**

The Management Agreement area is legally described as follows:

Lot 19, Block 3, Mountain View Estates Phase III, containing 21,406 square feet, more or less, according to Mountain View Estates Phase III, a resubdivision of Tract A-1 of Mountain View Estates Addition No. 1, filed in the Palmer Recording District on August 14, 1980 as Plat 80-76; and

Lot 17, Block 4, Mountain View Estates Phase III, containing 20,060 square feet, more or less, according to Mountain View Estates Phase III, a resubdivision of Tract A-1 of Mountain View Estates Addition No. 1, filed in the Palmer Recording District on August 14, 1980 as Plat 80-76; and

Lot 18, Block 4, Mountain View Estates Phase III, containing 20,255 square feet, more or less, according to Mountain View Estates Phase III, a resubdivision of Tract A-1 of Mountain View Estates Addition No. 1, filed in the Palmer Recording District on August 14, 1980 as Plat 80-76; and

Lot 19, Block 4, Mountain View Estates Phase III, containing 20,192 square feet, more or less, according to Mountain View Estates Phase III, a resubdivision of Tract A-1 of Mountain View Estates Addition No. 1, filed in the Palmer Recording District on August 14, 1980 as Plat 80-76;

Aggregating 81,913 square feet, more or less.

Subject to any and all existing rights-of-way and easements of record.

**EXHIBIT B**

**HOMEOWNERS ASSOCIATION  
PLAN OF DEVELOPMENT**

The borough-owned properties were previously dedicated to a public purpose by the Borough Assembly. Rusting cables attached to posts on the borough properties presented a health and safety hazard due to low visibility in the summer with plant growth and in the winter due to snow cover.

The Homeowners Association removed and replaced the cables with guard rail and placed a gate within the platted right-of-way of South Kay Marie Drive which blocks public access to private property not belonging to the subdivision or the borough.

An ADA walking access will be left at the current location of a break in the cables. This access serves as a pedestrian trail that goes out of the right-of-way on the south side and traverses Homeowner Association property to a small lake and salmon spawning areas. A 36-inch wide ADA access must be used in the pedestrian entrance to comply with 2010 design rules. It is the responsibility of the Homeowners Association to comply with the 36-inch design rule, if the current access is not wide enough, at the expense of the Homeowners Association.

Encroachment Permit E014003, issued from the Planning Department, is included and incorporated into the Plan of Development.

## EXHIBIT C

### SCOPE OF WORK AND MANAGEMENT OBJECTIVES

All preventive maintenance and groundskeeping is at the expense of the Homeowners Association.

#### 1. Preventive maintenance

- Gate and guard rail structures maintenance as needed to prolong the usability and safety of the general public.
- Gated access allowed in the encroachment permit will NOT be locked and no parking/no trespassing signs currently in place will be removed from Borough-owned property dedicated to public purpose. The current allowance in the encroachment permit for the locked gate and no parking/no trespassing signs posted on the borough-owned property grants exclusive use of lands dedicated to public purpose to a select group, i.e. members of the homeowners association,
- ADA access will be maintained or created to the current standards by and at the expense of the Homeowners Association.

#### 2. Groundskeeping

- Litter clean-up.
- Removal of noxious or invasive species.
- Repair of gate and/or guard rail.
- Maintenance of trail access and removal of hazards/safety issues on the trail.

**EXHIBIT D**

INSURANCE  
(Lessee/Permittee/Manager)

It is specifically agreed between the parties executing this Agreement that it is not intended by any of the provisions of the Agreement to create in the public or any member thereof a third party benefit hereunder, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement.

It is highly recommended that the Lessee/Permittee/Manager confer with their respective insurance companies or brokers to determine if their insurance program complies with the Borough's Insurance requirements.

The Lessee/Permittee/Manager shall procure and maintain the following insurance:

A. Minimum Scope of Insurance

Coverage shall be at least as broad as:

1. Insurance Services office form number CG 0001 (Edition 10/01) covering Commercial General Liability.
2. Insurance Services office form number CA 0001 (Edition 10/99) covering Automobile Liability, symbol 1 "any auto."
3. Worker's Compensation insurance as required by the State of Alaska and Employers Liability Insurance.

B. Minimum Limits of Insurance

Lessee/Permittee/Manager shall maintain limits no less than:

1. General Liability:

\$1,000,000 combined single limit per occurrence for bodily injury, property damage, personal injury and advertising injury. The general aggregate limit shall be \$1,000,000. The general aggregate limits shall apply separately to each project.

General liability insurance shall be maintained in effect throughout the term of the Agreement.

If the general liability insurance is written on a claim made form, the Lessee/Permittee/Manager shall provide insurance for a period of two years after termination or expiration of this Agreement. The policy(s) shall evidence a retroactive date, no later than the beginning of this Agreement.

2. Auto Liability:

\$1,000,000 combined single limit per accident for bodily injury and property damage.

3. Worker's Compensation and Employers Liability:

Worker's Compensation shall be statutory as required by the State of Alaska. Employer's liability shall be endorsed to the following minimum limits:

Bodily injury by Accident -	\$100,000 each accident
Bodily injury by Disease -	\$100,000 each employee
Bodily injury by Disease -	\$500,000 policy limit

4. Excess Liability:

In order to meet the required minimum limits of insurance it is permissible for the Lessee/Permittee/Manager to combine an excess liability or umbrella policy with the general liability, auto liability or employer's liability. In the instance where the Lessee/ Permittee/ Manager purchases an excess liability or umbrella policy the occurrence limit and the aggregate limit may be of the same amount.

C. Deductibles and Self-Insured Retention

Prior to occupancy, any deductible or self-insured retention must be declared and approved by the Borough. Lessee/Permittee/Manager may be requested to demonstrate how the deductible or self-insured retention will be funded in the event of a claim. At the option of the Borough, the Lessee/Permittee/Manager shall reduce or eliminate such deductibles or self-insured retention as respects the Borough, its officers, officials, employees and volunteers; or the Lessee/Permittee/Manager shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

D. Other Insurance Provisions

The policies are to contain, or be endorsed to contain, the following provisions:

1. General Liability, Automobile Liability

- a. The Borough, its Administrator, officers, officials, employees, and volunteers shall be covered as additional insured as respects: liability arising out of activities performed by or on behalf of the Lessee/Permittee/Manager; products and completed operations of the Lessee/Permittee/Manager premises owned, occupied or used by the Lessee/Permittee/Manager or automobiles owned, leased, hired or borrowed by the Lessee/Permittee/Manager. The coverage shall contain no special limitation on the scope of protection afforded to the Borough, its Administrator, officers, officials, employees, and volunteers.
- b. The Lessee/Permittee/Manager's insurance coverage shall be primary insurance as respects the Borough, its Administrator, officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the Borough, its Administrator, officers, officials, employees, and volunteers shall be excess of the Lessee/Permittee/Manager insurance and shall not contribute to it.
- c. The Lessee/Permittee/Manager insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

2. Worker's Compensation and Employer's Liability

The insurer shall agree to waive all rights of subrogation against the Borough, its Administrator, officers, officials, employees, and volunteers for losses arising from work performed by the Lessee/Permittee/Manager or any subcontractor of the Lessee/Permittee/Manager in relation to this Agreement.

3. All Insurance

Each insurance policy required by this Agreement shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after 30 days prior written notice for nonpayment of premium or fraud on the part of the Lessee/Permittee/Manager or 60 days prior written notice for any other reason by certified mail, return receipt requested, has been given to the Borough. Such notice shall be mailed by the Lessee/Permittee/Manager to the attention of the Borough's Land Management Officer.

E. Acceptability of Insurers

Insurance is to be placed with insurers with a Best's rating of no less than A-VII.

F. Verification of Coverage

Lessee/Permittee/Manager shall furnish the Borough with certificates of insurance and with certified copies of all endorsements effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates are to be on forms acceptable to the Borough. All certificates are to be received and approved by the Borough before occupancy commences. The Borough reserves the rights to require complete, certified copies of all required insurance policies, at any time.

G. Subcontractors and Sublessee's

Lessee/Permittee/Manager shall include all subcontractors and sublessees as insured under its policies or shall furnish separate certificates and endorsements for each subcontractor and sublessees. All coverage for subcontractors and sublessees shall be subject to all requirements stated herein.

H. Lapse in Insurance Coverage

A lapse in insurance coverage, any change that restricts, reduces insurance provided, or changes name of insured without Borough approval is a material breach of this agreement, which shall result in immediate termination of the agreement.

NON-CODE ORDINANCE

Sponsored By:  
Introduced:  
Public Hearing:  
Adopted:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-051**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY TO ENTER INTO A MANAGEMENT AGREEMENT GREATER THAN FIVE (5) YEARS IN LENGTH WITH THE MOUNTAIN VIEW ESTATES HOMEOWNERS ASSOCIATION FOR 81,913 SQUARE FEET OF BOROUGH-OWNED PROPERTY DEDICATED TO PUBLIC PURPOSE AS OPEN SPACE, TO SERVE AS A BUFFER TO REDUCE NATURAL AND MANMADE EROSION HAZARDS, AND TO PROTECT THE PUBLIC'S HEALTH, SAFETY, AND WELFARE. (MSB006950).

WHEREAS, the Mountain View Estates Homeowners Association has applied for a management agreement for this property from Matanuska-Susitna Borough; and

WHEREAS, the Matanuska Susitna Borough classified lands contained within Township 17 North, Range 02 East, Sections 17 and 20 as public purpose lands; and

WHEREAS, MSB 23.05.030(E)(6) authorizes the manager to enter into agreements by application; and

WHEREAS, MSB 23.05.030(G) requires that a Best Interest Finding shall be completed when otherwise conveying an interest in real property at less than fair market value; and

WHEREAS, MSB 23.10.160(E) requires Assembly approval by Ordinance for management agreements exceeding five years; and

BE IT ENACTED:

Section 1. Classification. This Ordinance is a non-code ordinance.

Section 2. Authorization. Subject to conditions and requirements outlined in the Management Agreement between Matanuska Susitna Borough and Mountain View Homeowners Association, the Assembly authorizes the Borough Manager to enter into the management agreement for a period not to exceed twenty (20) years.

Section 3. Effective Date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** AN ORDINANCE ACCEPTING AND APPROPRIATING \$26,060 FROM THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, OFFICE OF HISTORY AND ARCHAEOLOGY TO FUND 480, PROJECT NO. 47011, AND A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE PURPOSE OF COMPLETING THE COTTONWOOD CREEK ARCHAEOLOGICAL SURVEY FOR NOMINATING PHASE II OF AN ARCHAEOLOGICAL DISTRICT FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES.

**AGENDA OF: April 21, 2015**

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY** *for* John M. Moosey, Borough Manager: *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator P Graham	<i>PG</i>	
1	Planning and Land Use Director	<i>EP</i>	
2	Finance Director	<i>JLV</i>	<i>4/9/15</i>
3	Borough Attorney	<i>NS</i>	
4	Borough Clerk	<i>JRM</i>	<i>4/13/15</i>

**ATTACHMENT(S):** Fiscal Note: Yes X; No \_\_\_  
 Ordinance Serial No. 15-052 (2 pp)  
 Resolution Serial No. 15-042 (3 pp)

**SUMMARY STATEMENT:**

The Matanuska-Susitna Borough, Cultural Resources Division has received a grant in the amount of \$26,060 from the State of Alaska Office of History and Archeology for the completion of the Cottonwood Creek Archaeological Survey. Phase 1 of this project was funded by a similar grant that was accepted and appropriated by Assembly Ordinance Serial No. 13-125 and the accompanying Resolution Serial no. 13-105.

In the Fiscal Year 2015 Capital Projects budget the Assembly appropriated \$250,000 in Areawide funds for Grant Match; it is our intention to use \$17,373 of this funding to fulfill the required match for this grant.

In order to proceed, the borough must now accept the grant and appropriate the funds. The scope of work and budget were identified in the grant application and are reflected in the resolution.

**RECOMMENDATION OF ADMINISTRATION:**

Staff respectfully recommends Assembly adoption of the legislation accepting and appropriating \$26,060 from the State of Alaska, Department of Natural Resources, Office of History and Archaeology to fund 480, project no. 47011, for the purpose of completing the Cottonwood Creek Archaeological Survey for nominating Phase II of an archaeological district for listing in the National Register of Historic Places.

MATANUSKA-SUSITNA BOROUGH - FISCAL NOTE

Agenda Date April 21, 2015

ORIGINATOR: Pamela Graham, Grant Coordinator

SUBJECT: AN ORDINANCE ACCEPTING AND APPROPRIATING \$26,060 FROM THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, OFFICE OF HISTORY AND ARCHAEOLOGY TO FUND 480, PROJECT NO. 47011, AND A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE PURPOSE OF COMPLETING THE COTTONWOOD CREEK ARCHAEOLOGICAL SURVEY FOR NOMINATING PHASE II OF AN ARCHAEOLOGICAL DISTRICT FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES.

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT? <u>(YES)</u> NO
AMOUNT REQUESTED \$ <u>43,433</u>	FUNDING SOURCE <u>DNR Grant; cap proj budget</u>
FROM ACCOUNT # <u>480.000.000.4xx.xxx (17,373)</u>	PROJECT # <u>99999.1800.1808</u>
TO ACCOUNT # <u>480.000.000.4xx.xxx (26,060)</u>	PROJECT # <u>47011</u>
VERIFIED BY: <u>Barbara Baenigsta</u>	CERTIFIED BY:
DATE: <u>4/7/15</u>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						
CAPITAL	<u>43</u>					
REVENUE						

FUNDING: (Thousands of Dollars)

General Fund						
Federal Funds	<u>26</u>					
Other	<u>17</u>					
TOTAL	<u>43</u>					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_  
 APPROVED BY: [Signature]

Phone: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Date: 4/9/15

RS15-042  
 OR15-052  
 IM No. 15-09

NON-CODE ORDINANCE

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-052**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ACCEPTING AND APPROPRIATING \$26,060 FROM THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, OFFICE OF HISTORY AND ARCHAEOLOGY TO FUND 480, PROJECT NO. 47011, FOR THE PURPOSE OF COMPLETING THE COTTONWOOD CREEK ARCHAEOLOGICAL SURVEY FOR NOMINATING PHASE II OF AN ARCHAEOLOGICAL DISTRICT FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES.

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WHEREAS, the Matanuska-Susitna Borough, Cultural Resources Division has received a Federal Historic Preservation matching grants-in-aid award in the amount of \$26,060, to complete the Cottonwood Creek Archaeological Survey for nominating Phase II of an archaeological district for listing in the National Register of Historic Places; and

WHEREAS, Phase 1 of this project was funded by a similar grant that was accepted and appropriated by Assembly Ordinance Serial No. 13-125 and the accompanying Resolution Serial no. 13-105; and

WHEREAS, the Fiscal Year 2015 Capital Projects Budget the Assembly appropriated \$250,000 in Areawide funds for Grant Match; and

WHEREAS, it is our intention to use \$17,373 of this funding to fulfill the required match for this grant; and

WHEREAS, the Matanuska-Susitna Borough Assembly must pass

an ordinance formally accepting and appropriating the funds.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Acceptance & Appropriation source. The Matanuska-Susitna Borough Assembly does hereby accept and appropriate grant funds in the amount of \$26,060 from the Office of History and Archaeology to Fund 480, Project No. 47011, for the purpose of completing the Cottonwood Creek Archaeological Survey for nominating Phase II of an archaeological district for listing in the National Register of Historic Places.

Section 3. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Action:

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 15- 042**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURPOSE OF COMPLETING THE COTTONWOOD CREEK ARCHAEOLOGICAL SURVEY FOR NOMINATING PHASE II OF AN ARCHAEOLOGICAL DISTRICT FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES.

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WHEREAS, the Matanuska-Susitna Borough, Cultural Resources Division has received a Federal Historic Preservation matching grants-in-aid award in the amount of \$26,060, to complete the Cottonwood Creek Archaeological Survey for nominating Phase II of an archaeological district for listing in the National Register of Historic Places; and

WHEREAS, Phase 1 of this project was funded by a similar grant that was accepted and appropriated by Assembly Ordinance Serial No. 13-125 and the accompanying Resolution Serial no. 13-105; and

WHEREAS, the Fiscal year 2015 capital projects budget the Assembly appropriated \$250,000 in Areawide funds for Grant Match; and

WHEREAS, it is our intention to use \$17,373 of this funding to fulfill the required match for this grant; and

WHEREAS, the assembly accepted and appropriated these funds with the adoption of ordinance serial no. 15-052; and

WHEREAS, the assembly must approve the scope of work and budget for the project prior to expenditure of said funds.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly hereby approves the following scope of work and budget:

**SCOPE OF WORK**

Staff will complete the Cottonwood Creek Archaeological Survey for nominating Phase II of an archaeological district for listing in the National Register of Historic Places.

**BUDGET**

State of Alaska, Department of Natural Resources, Office of History and Archaeology	\$ 26,060
Fiscal Year 2015	
Areawide Grant Match Appropriation	\$ <u>17,373</u>
<b>TOTAL</b>	<b><u>\$ 43,433</u></b>

BE IT FURTHER RESOLVED that the Matanuska-Susitna Borough Assembly does hereby authorize the Borough manager to enter into the necessary agreements with the State of Alaska, Department of Natural Resources, Office of History and Archaeology for the purpose of completing the Cottonwood Creek Archaeological Survey for nominating Phase II of an archaeological district for listing in the National Register of Historic Places.

ADOPTED by the Matanuska-Susitna Borough Assembly this -  
day of -, 2015.

LARRY DeVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** An Ordinance extending the time limit for completion of Borough Capital Projects.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** \_\_\_\_\_

Route To:	Department/Individual	Initials	Remarks
	Originator	sz <i>Sady</i>	<i>PL</i>
	Capital Projects Director	<i>MB</i>	3/31/15
	Public Works Director	<i>TD</i>	6 APR 15
	Emergency Services Director	<i>PG</i>	6 APR 15
	Planning Director	<i>EP</i>	4/6/15
	Community Development Director	<i>EP</i>	4/6/15
	Finance Director	<i>JCC</i>	4/7/15
	Borough Attorney	<i>NS</i>	
	Borough Clerk	<i>Jym</i>	4/13/15 <i>(Signature)</i>

**ATTACHMENT (S) :** Fiscal Note: Yes  x  No \_\_\_\_\_  
 Capital Projects Report (10 pp)  
 Ordinance Serial No. 15-053 (9 pp)

**SUMMARY STATEMENT:** The Borough Capital Projects funds lapse either 18 or 36 months from appropriation; depending on original date of the appropriation; if not completed. The capital projects funds were previously extended to June 30, 2015. The attached report lists the projects that are uncompleted at this time. The attached ordinance will, if approved, extend the life of the projects to June 30, 2016.

The following projects remain incomplete and staff requests that the funding be renewed:

- Skwentna Land Acquisition and Platting - This project was originally scoped to acquire some additional land adjacent to the Skwentna landfill. The remaining funds will be rescoped to close the Skwentna landfill in FY16.
- Hatcher Pass - Funding will be used to pave the access road in 2015.
- South Central Corridor - These funds will be used for a feasibility study for a road link between Lu Young Lane and the rail loop.
- CDBG Grant Match for Lake Louise Emergency Response Facility - This is a grant match. Construction is complete and remaining funds will be used for equipment purchases. This funding is required for matching EMS grants and encumbrances exist.
- Municipal Entitlement Land Surveys - Contracts have been signed and some are pending; waiting on survey approval from DNR.
- Financial System Enhancements - Project is being done in phases. Additional requirements are needed.
- Tourism Infrastructure - Encumbrances exist and project is ongoing pending NEPA approval.
- Trail Survey Pool - Encumbrances exist, waiting on DNR approval.
- USFWS Fish Passage Project Management - Inspection of fish passage projects is ongoing.
- Grant Match for the Central Mat-Su Wastewater Facility - Encumbrance exists and project is still active.
- Road Right-of-Way Acquisitions - Funding is needed to continue to acquire right-of-way for various projects.
- Reverse 911 Equipment - Project is pending determination of Dispatch Consolidation.
- Talkeetna FSA New Pump/Tanker - Project on hold until sufficient funding is secured to purchase the Tanker.
- Talkeetna FSA - Drill Two New Wells - Project is out to bid with completion scheduled for summer 2015.
- Grant Match for Settlers Bay at Crocker Creek Utility Relocation - scope amended for fish passage construction.
- Matanuska River Park Restroom Roof - Work to be completed summer of 2015.
- MSCVB, Roof Repairs - Funds will be rescoped to other roof repair projects.
- West Big Lake Access - Project is on-going.
- RSA's - Midway RSA, South Colony RSA, Lazy Mountain RSA,

North Colony RSA, Bogard RSA, Greater Butte RSA, and Alpine RSA, Capital Projects - Funding currently being used by the RSA's.

- EMS Patient Care Report Computers - Project is active, purchase and development in progress.
- Drafting Tank Station 11-3 - This project is under construction with completion scheduled for summer 2015.
- Big Lake Boat Launch Parking Lot Expansion - Waiting on DEC approval, project is still active.
- Trail Improvements - Work to be completed summer 2015.
- Underground Storage Tank Fund - This is a revolving fund used for underground storage tank monitoring, maintenance and remediation.
- Solid Waste Enterprise Fund - Electrical Upgrades at Transfer Sites - Phase 3 upgrade to Big Lake transfer site in progress.
- Emergency Services - Administration - EOC Multimedia System - Funds will be retained to install a multi-media system at Station 6-5 which is used as a secondary EOC location.
- Central Ambulance - Mass Casualty/Fatality Equipment - Will be rescoped to refurbish an ambulance.
- West Lakes Ambulance - Audio Visual Training Equipment & Furnishings - Will be rescoped to refurbish an ambulance.
- Palmer Ambulance - USAR Protective Clothing - Will be rescoped to refurbish an ambulance.
- Rescue - LSAR Equipment - Personal Protective Equipment, Water Rescue Equipment, Response Vehicle - Final purchases are expected.
- Enhanced 911 - CAD to CAD & APSIN Interface and Reverse 911 - Projects are on hold due to Determination of Consolidated Dispatch.
- Caswell Lakes FSA - Dry Hydrants - Funds rescoped for design and construction of station 13-1, project underway.
- Wasilla-Lakes FSA - Station 5-1 Land Purchase, Prep & Building - Encumbrances exist and project is in process.
- West Lakes FSA - Facility Upgrades - Project is active.
- Butte FSA - Mini Attack/CAFS Truck - Truck purchase is in progress.
- Government Peak Nordic Trail and Trailhead Development - Funds will be rescoped.
- FY12 Budgeted Appropriations for SOW - Legislation is pending.
- MSB Fish Passage Restoration and Fish Passage Improvements to the MSB - Encumbrances exist and projects are ongoing.
- Hatcher Pass Road and Transit Facility - Funds will be used to pave Mountain Trails Drive in summer 2015.

- Phase II Hatcher Pass Nordic Ski Development, Snow Machine Trailhead, and Northern Parks Upgrade and Improvements - Projects to be completed in summer 2015.
- Parks and Recreation Shop Upgrades - Will be rescoped for a new equipment storage facility.
- Brett Memorial Ice Arena - Locker Room Improvements - Revised scope March 2015.
- Community Pools - Pool Facility Assessments - Encumbrances exist.
- Trapper Creek Library - ADA Access Signage and Parking Lot Improvements - Will be rescoped for other library maintenance issues.
- RSA Equipment - Backhoe - Amending Scope.
- Dust Control Program - Borough areawide dust control is ongoing.
- Solid Waste - Electrical Upgrades, Phase II - Security system to be installed at transfer sites and upgrade gate house electrical.
- Central Ambulance - USAR Protective Clothing and Training Equipment for Simulation Lab - Purchases are in progress.
- West Lakes Ambulance - Furnishings, PPE, Cardiac Monitor/Defibrillator Replacement - Purchases are in progress and remaining funds will be rescoped.
- Rescue - Responder Pagers and Radios - Purchases are in progress.
- Wasilla-Lakes FSA - Facility Upgrades & Improvements, Apparatus - Purchases in progress and upgrades and improvements will begin soon.
- Station 6-2 - Design, Preparation, Preliminary Civil Work - Project will begin when the land work is complete for the Training Complex.
- Talkeetna FSA - Tanker Replacement - Project on hold until sufficient funding is secured.
- Greater Palmer FSA - Engine Replacement - FSA is working on obtaining a grant to assist with this purchase.
- Grant Match for FHWA - Funds are needed for match.
- FY13 Budgeted Appropriations for SOW - Legislation is pending.
- Operational Analysis - Administration will initiate an analysis of staffing and workflow.
- Knik Museum - Major repair and renovation - Contract is in place and encumbrances exist.
- Parks and Recreation - Trails Construction, Repairs, Maintenance, and Survey - Several projects are being developed with Mat-Su Trails.
- Talkeetna Library Building Design - Encumbrances exist,

project is ongoing.

- Community Development Five Year Disposal Plan - Ongoing Land Management database upgrades.
- Administration Building - Duct Cleaning, DSJ Building Evaluation, Design, and Construction - Projects are active.
- Public Works Vehicle Hoist - Amending scope to include a steam thaw unit.
- RSA Administration - Wood Chip Box for Dump Truck - Amending scope to include a steam thaw unit.
- Solid Waste Enterprise Fund - Fueling System for Heavy Equipment, Shop Lights, Fencing - Will rescope for security and electrical upgrades; fencing project planned for spring 2015.
- Enhanced 911 - E-911 Parcel Spatial Data Acquisition - Additional time is needed to complete the project.
- Emergency Services Administration - Dispatch Governance and Implementation Plan - Project is pending dispatch consolidation.
- Core Ambulance - Radios, Pagers, and Personal Protective Equipment - Purchases are in progress with additional purchases expected.
- West Lakes Fire Service Area - Fire Apparatus, Rapid Intervention Kits, and Fitness Equipment - Purchases are in progress.
- Wasilla Lakes Fire Service Area - Self-contained Breathing Apparatus, Communications Equipment, Site Work and Landscaping, Training Complex Roads and Water System, and Fire Hose - Projects are underway and more purchases are anticipated.
- Greater Palmer Fire Service Area - Fire Tanker Replacement - FSA is looking to obtain grant funds to assist with the purchase.

**RECOMMENDATION OF ADMINISTRATION:** Respectfully request the approval of the Ordinance extending the time limit for completion of Borough Capital Projects.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: April 21, 2015

SUBJECT: An Ordinance extending the time limit for completion of Borough Capital Projects.

ORIGINATOR: Sandy Zartman, Capital Projects

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <u>YES</u> NO
AMOUNT REQUESTED *	FUNDING SOURCE <i>multiple</i>
FROM ACCOUNT # <i>multiple</i>	PROJECT # <i>multiple</i>
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baerengal</i>	CERTIFIED BY:
DATE: <i>4/7/15</i>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL		*				
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REVENUE						
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FUNDING: (Thousands of Dollars)

General Fund		*				
State/Federal Funds		*				
Other		*				
TOTAL		*				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

\* Amounts will be determined as projects are completed through 6/30/16

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED BY: *S. Zartman* DATE: *4/7/15*

CAPITAL PROJECTS RENEWAL REPORT - 2015					
FISCAL YEAR 2005					
Original Expiration Date: June 30, 2007					
Revised Expiration Date: June 30, 2008 (Ordinance Serial No. 07-075)					
Revised Expiration Date: June 30, 2009 (Ordinance Serial No. 08-086)					
Revised Expiration Date: June 30, 2010 (Ordinance Serial No. 09-077)					
Revised Expiration Date: June 30, 2011 (Ordinance Serial No. 10-047)					
Revised Expiration Date: June 30, 2012 (Ordinance Serial No. 11-065)					
Revised Expiration Date: June 30, 2013 (Ordinance Serial No. 12-071)					
Revised Expiration Date: June 30, 2014 (Ordinance Serial No. 13-073)					
Revised Expiration Date: June 30, 2015 (Ordinance Serial No. 14-078)					
PROJ	SUB	TITLE	APPROP.	ENCUMB.	BALANCE
		<u>Public Works</u>			
		<u>Solid Waste</u>			
25030	2401	Skwentna Land Acquisition and Platting	20,000	0.00	4,602.00
FISCAL YEAR 2007					
Original Expiration Date: June 30, 2009					
Revised Expiration Date: June 30, 2010 (Ordinance Serial No. 09-077)					
Revised Expiration Date: June 30, 2011 (Ordinance Serial No. 10-047)					
Revised Expiration Date: June 30, 2012 (Ordinance Serial No. 11-065)					
Revised Expiration Date: June 30, 2013 (Ordinance Serial No. 12-071)					
Revised Expiration Date: June 30, 2014 (Ordinance Serial No. 13-073)					
Revised Expiration Date: June 30, 2015 (Ordinance Serial No. 14-078)					
PROJ	SUB	TITLE	APPROP.	ENCUMB.	BALANCE
		<u>Grants/Pass Through:</u>			
		"Federal Transportation Grant Match (\$2,000,000)"			
35187	1801	<i>Hatcher Pass (Reso 07-010) - GRANT MATCH (Ord 13-062 to Extend to 6/30/14)</i>	506,244	35,346.00	45,378.88
75001	1801	<i>South Central Rail Corridor (Reso 7-025)</i>	300,000	0.00	28,267.85

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FISCAL YEAR 2008					
Original Expiration Date: June 30, 2010					
Revised Expiration Date: June 30, 2011 (Ordinance Serial No. 10-047)					
Revised Expiration Date: June 30, 2012 (Ordinance Serial No. 11-065)					
Revised Expiration Date: June 30, 2013 (Ordinance Serial No. 12-071)					
Revised Expiration Date: June 30, 2014 (Ordinance Serial No. 13-073)					
Revised Expiration Date: June 30, 2015 (Ordinance Serial No. 14-078)					
PROJ	SUB	TITLE	APPROP.	ENCUMB.	BALANCE
<b>Grants/Pass Through</b>					
45230	1801	CDBG Grant Match (Lake Louise Emer.Response Facility) <i>transferred from 10174-1804 (Reso #14-077)</i>	175,000	44,410.00	6,796.43
<b>Community Development</b>					
<b>Land and Resource Management</b>					
45040	2004	Municipal Entitlement Land Surveys	75,000	2,437.50	0.00
<b>Finance</b>					
47506	1801	Financial System Enhancements <i>transferred from 47501-1801(Reso #12-022)</i>	248,500	0.00	226,914.24
FISCAL YEAR 2009					
Original Expiration Date: June 30, 2011					
Revised Expiration Date: June 30, 2012 (Ordinance Serial No. 11-065)					
Revised Expiration Date: June 30, 2013 (Ordinance Serial No. 12-071)					
Revised Expiration Date: June 30, 2014 (Ordinance Serial No. 13-073)					
Revised Expiration Date: June 30, 2015 (Ordinance Serial No. 14-078)					
PROJ	SUB	TITLE	APPROP.	ENCUMB.	BALANCE
<b>Grants/Pass Through</b>					
15035	1819	Tourism Gateway and Wayside Infrastructure	130,000	15,553.24	0.00
15035	1823	Trail Survey Pool	28,500	15,000.00	0.00
30093	1802	<i>USFWS Fish Passage Project Mgmt(Reso #08-091) (Ord 13-028 to Extend to 6/30/14)</i>	125,000	0.00	54,136.39
25013	1801	<i>Central Mat-Su WW Facility (Reso. #08-121)</i>	50,000	13,500.00	3,060.00

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		<b>Community Development</b>			
		Land and Resource Management			
45177	1803	Road Right of Way Acquisitions	100,000		15,638.41
45040	2005	Municipal Entitlement Land Surveys	45,000	26,159.26	10,082.98
		<b>Finance</b>			
47506	1801	Financial System Enhancements	148,750	0.00	148,750.00
		<i>transferred from 47501-1801 and 1802 (Reso #12-022)</i>			
		<b>Emergency Services</b>			
		Enhanced 911			
45184	2603	Reverse 911 Equipment	150,000	0.00	150,000.00
		Talkeetna FSA			
45243	6601	New Pump/Tanker	100,000	0.00	100,000.00
45240	6601	Drill Two New Wells	40,000	40,000.00	0.00
		<b>FISCAL YEAR 2010</b>			
		<b>Original Expiration Date: June 30, 2012</b>			
		<b>Revised Expiration Date: June 30, 2013 (Ordinance Serial No. 12-071)</b>			
		<b>Revised Expiration Date: June 30, 2014 (Ordinance Serial No. 13-073)</b>			
		<b>Revised Expiration Date: June 30, 2015 (Ordinance Serial No. 14-078)</b>			
<b>PROJ</b>	<b>SUB</b>	<b>TITLE</b>	<b>APPROP.</b>	<b>ENCUMB.</b>	<b>BALANCE</b>
		<b>Grants/Pass Through</b>			
15035	1830	Trail Survey Pool	15,000	15,000.00	0.00
30112	1802	<i>Settlers Bay at Crocker Creek Utility Reloc (Reso #12-044) (Ord 13-028 to Extend to 6/30/14)</i>	130,000	0.00	113,098.97
		<b>Community Development</b>			
		Parks and Outdoor Recreation			
15036	1801	Matanuska River Park Restroom Roof	20,000	0.00	17,505.37
		<b>MSCVB</b>			
10145	1809	Roof Repairs	14,700	0.00	10,663.00
		Brett Memorial Ice Arena			

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		<u>Land and Resource Management</u>			
45177	1804	Right-of-Way Acquisitions	150,000	6,000.00	3,895.07
		<b><u>Public Works</u></b>			
30103	1801	Repairs - West Big Lake Access	35,000	0.00	11,020.55
		<b><u>Emergency Services</u></b>			
		<u>Administration</u>			
45232	1802	EMS Patient Care Report Computers (20)	85,000	34,520.00	42,208.08
		<u>Talkeetna FSA</u>			
45110	6605	Drafting Tank 11-3 <i>rescoped to 11-3 (Reso 14-045)</i>	112,000	110,925.40	0.00
		<b>FISCAL YEAR 2011</b>			
		<b>Original Expiration Date: June 30, 2013</b>			
		<b>Revised Expiration Date: June 30, 2014 (Ordinance Serial No. 13-073)</b>			
		<b>Revised Expiration Date: June 30, 2015 (Ordinance Serial No. 14-078)</b>			
		<b>Revised Expiration Date: June 30, 2015 (Ordinance Serial No. 14-078)</b>			
<b>PROJ</b>	<b>SUB</b>	<b>TITLE</b>	<b>APPROP.</b>	<b>ENCUMB.</b>	<b>BALANCE</b>
		<b><u>Community Development</u></b>			
		<u>Parks and Outdoor Recreation</u>			
15020	1801	Big Lake Boat Launch Parking Lot Expansion	35,000	0.00	14,820.89
		<u>Trails</u>			
15015	1802	Trails improvements	350,000	23,350.75	32,898.48
		<u>Land and Resource Management</u>			
45177	1805	Right-of-Way Acquisitions	200,000	25,510.82	0.00
		<b><u>Public Works</u></b>			
25022	1807	Underground Storage Tank Fund	40,000	0.00	37,373.56
		<u>Solid Waste Enterprise Fund</u>			
25035	2406	Electrical Upgrades (Transfer Sites)	125,000	0.00	125,000.00

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		<u>Emergency Services</u>			
		<u>Administration</u>			
45256	1802	EOC Multi-Media System	35,000	0.00	35,000.00
		<u>Ambulance Divisions</u>			
		<u>District #1 - Central Ambulance</u>			
45225	1811	Mass Casualty/Fatality Equipment	200,000	0.00	1,888.13
		<u>District #2 - West Lakes Ambulance</u>			
10175	1802	Audio-Visual Training Equipment (Station 7-3)	10,000	0.00	6,574.19
10175	1804	Furnishings and Equipment (Station 7-3)	10,000	0.00	3,638.18
		<u>District #3 - Palmer Ambulance</u>			
45231	1806	USAR Protective Clothing	40,000	0.00	3,000.00
		<u>Rescue</u>			
45167	1826	LSAR Equipment, Personal Protective Equipment	30,000	0.00	6,647.16
45167	1829	Water Rescue Personal Protective Equipment	30,000	0.00	5,868.00
45167	1831	Response Vehicle <i>transferred from 1833 (Reso #13-128)</i>	180,000	0.00	8,989.30
		<u>Enhanced 911</u>			
45184	2604	CAD to CAD & APSIN Interface	150,000	0.00	150,000.00
45184	2605	Reverse 911	300,000	0.00	300,000.00
		<u>Caswell Lakes FSA</u>			
45253	6601	Dry Hydrants (Station 13-1)	45,000	0.00	45,000.00
		<u>Wasilla-Lakes FSA</u>			
10031	6601	Breeden, Station 51, Land Purch/Prep & Building (Reso #11-139)	1,250,000	63,547.52	363,611.14
		<u>Butte FSA</u>			
45142	6603	Mini Attack/CAFS Truck	150,000	149,429.29	0.00

Jm 15-092 0215-053

FISCAL YEAR 2012

Original Expiration Date: June 30, 2014

Revised Expiration Date: June 30, 2015 (Ordinance Serial No. 14-078)

PROJ	SUB	TITLE	APPROP.	ENCUMB.	BALANCE
<b>Grants/Pass Through</b>					
15035	1841	Gov Pk Nordic Trl & Trailhead Development <i>transferred from previously unscoped (Reso #12-043)</i>	318,745	0.00	11,129.32
99999	1805	FY12 Budgeted Appropriations Pending Legislation for SOW	593,000	0.00	593,000.00
30114	1802	MSB Fish Passage Restoration (Ord #13-052)	384,201	45,696.84	0.05
30114	1803	Fish Passage Improvements to the MSB (Ord #13-111)	61,949	11,171.34	1,464.47
35187	5301	Hatcher Pass Road & Transit Facility <i>(Ord #12-036)</i>	218,465	0.00	218,465.00
<b>Community Development</b>					
<b>Parks and Outdoor Recreation</b>					
75003	1802	Ph II - Hatcher Pass Nordic Ski Development-Priority:	750,000	0.00	370,155.11
15032	1801	Hatcher Pass Management Area Snow Machine Trailhead	350,000	0.00	75,226.21
15040	1801	Northern Parks Upgrade and Improvements	240,000	0.00	16,210.46
15039	1801	Parks & Recreation Shop Upgrades (Palmer)	100,000	0.00	100,000.00
<b>Brett Memorial Ice Arena</b>					
10157	1817	Locker Room Improvements <i>reappropriated (Ord #14-014)</i> <i>transferred from 1815 and 1816 (Reso #13-059)</i>	19,357	6,001.85	7,775.33
<b>Community Pools</b>					
15007	1856	Pool Facility Assessments (Palmer and Wasilla) <i>reappropriated (Ord #14-014)</i>	95,232	3,868.64	0.52
<b>Trapper Creek Library</b>					
10173	1906	ADA Access Signage and Parking Lot Improvements	48,000	0.00	28,762.32
<b>Land and Resource Management</b>					
45177	1806	Right-of-Way Acquisitions	200,000	53,644.78	7,861.42

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		<b>Public Works</b>			
25022	1808	Underground Storage Tank Fund	10,000	0.00	10,000.00
		<u>Road Service Areas</u>			
		RSA Administration			
30092	6603	Backhoe	125,000	338.66	0.00
30036	6600 6600	Midway RSA	800,000	55,188.84	201,233.84
30039	6600 6600	South Colony RSA	340,000	14,556.83	0.00
30041	6600 6600	Lazy Mountain RSA	70,000	21,731.63	
30044	6600 6600	North Colony RSA	18,000	0.00	8,107.00
		<u>Solid Waste Enterprise Fund</u>			
25035	2400 2404	Electrical Upgrades (Transfer Sites), Phase II	20,465	0.00	20,465.00
		<b>Emergency Services</b>			
		<u>District #1 - Central Ambulance</u>			
45225	1800 1814	USAR Protective Clothing - 50 Sets	25,000	8,668.42	1,517.08
45225	1800 1815	Training Equipment for Simulation Lab	75,000	0.00	17,934.31
		<u>District #2 - West Lakes Ambulance</u>			
10175	1800 1805	Furnishings (Station 7-3)	18,000	0.00	5,864.80
45233	1800 1807	Personal Protective Equipment	20,000	0.00	12,656.03
45233	1800 1808	Cardiac Monitor/Defibrillator Replacement	30,000	0.00	1,974.70
		<u>Rescue</u>			
		<u>Water Rescue</u>			
45167	1800 1836	Responder Pagers	15,000	12,449.15	210.92
45167	1800 1837	Radios	60,000	44,306.20	1,454.64
		<u>Wasilla-Lakes FSA</u>			
45076	6600 6602	Facility Upgrades & Improvements - Multiple Stations	252,000	0.00	202,111.68
45186	6600 6602	Apparatus Upgrades (Safety & Health Improvements)	76,000	875.00	35,403.50
45186	6600 6603	Apparatus Mobile Data Terminals	72,000	0.00	58,320.24
45101	6600 6606	Design, Prep, Prelim. Civil Work (Station 6-2)	1,500,000	0.00	1,500,000.00

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		Talkeetna FSA			
45243	6600 6602	Tanker Replacement (Station 11-1 & 11-2)	75,000	0.00	75,000.00
		Greater Palmer FSA			
45215	6600 6602	Engine Replacement	450,000	0.00	450,000.00
		<b>FISCAL YEAR 2013</b>			
<b>Original Expiration Date: June 30, 2015</b>					
<b>PROJ</b>	<b>SUB</b>	<b>TITLE</b>	<b>APPROP.</b>	<b>ENCUMB.</b>	<b>BALANCE</b>
		<b><u>Grants/Pass Through</u></b>			
		Tourism Infrastructure			
99999	1800 1806	Grant Match for FHWA	\$ 250,000.00	0.00	250,000.00
99999	1800 1806	FY13 Budgeted Appropriations (pending)	\$ 171,949.00	0.00	171,949.00
30114	1803	Fish Passage Improvements to the MSB (Ord 13-111)	78,051	0.00	78,051.00
		<b><u>Administration</u></b>			
47030	1800 1801	Operational Analysis (staffing & workflow)	\$ 100,000.00	0.00	100,000.00
		<b><u>Community Development</u></b>			
		<u>Knik Museum</u>			
15002	1800 1804	Major Repair & Renovation	\$ 100,000.00	10,100.00	17,967.48
		<u>Parks and Outdoor Recreation</u>			
15015	1800 1803	Trails - Construction, Repairs and Maintenance	\$ 150,000.00	0.00	150,000.00
15015	1800 1804	Trail Survey (83 miles)	\$ 125,000.00	65,000.00	0.00
		<u>Talkeetna Library &amp; Community Center</u>			
10170	1900 1902	Building Design	\$ 85,000.00	58,510.76	0.00
45040	1800 1801	Municipal Entitlement Survey	\$ 125,000.00	0.00	124,185.68
47031	1800 1801	Five Year Disposal Plan	\$ 75,000.00	0.00	57,181.20

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		<b>Public Works</b>			
		<u>Administration Building</u>			
10057	1800 1881	Duct Cleaning/Air Balancing <i>(Administered by the Capital Projects Dept.)</i>	\$ 25,000.00	0.00	25,000.00
47500	1800 1805	Vehicle Hoist	\$ 22,000.00	2,254.80	0.00
10063	1801	DSJ Building Annex-Eval/Design/Const <i>transferred from 47507.1801(Ord #13-046)</i>	100,000	0.00	1,219.02
10063	1802	DSJ Bldg Annex <i>transferred from 47507.1801 (Ord #13-046)</i>	95,000	0.00	95,000.00
		<u>Road Service Areas</u>			
		<u>RSA Administration</u>			
30092	6600 6605	Wood Chip Box For Dump Truck	\$ 15,000.00	10,400.00	0.00
30036	6600 6600	Midway RSA	\$ 775,000.00	0.00	775,000.00
30039	6600 6600	South Colony RSA	\$ 250,000.00	225,105.35	24,894.65
30041	6600 6600	Lazy Mountain RSA	\$ 50,000.00	50,000.00	0.00
30044	6600 6600	North Colony RSA	\$ 25,000.00	0.00	25,000.00
30045	6600 6600	Bogard RSA	\$ 325,000.00	58,603.63	214,918.70
30046	6600 6600	Greater Butte RSA	\$ 280,000.00	77,110.59	0.00
30051	6600 6600	Alpine RSA	\$ 50,000.00	29,829.62	0.00
		<u>Solid Waste Enterprise Fund</u>			
25048	2400 2406	Fueling System For Heavy Equipment	\$ 25,000.00	0.00	9,801.56
25020	2400 2401	Shop Lights	\$ 25,000.00	0.00	16,276.02
25046	2400 2407	Fencing	\$ 30,000.00	0.00	30,000.00

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		<u>Emergency Services</u>			
		<u>Enhanced 911</u>			
45184	2600 2606	E-911 Parcel Spatial Data Acquisition	\$ 500,000.00	315.51	468,059.20
		<u>Administration</u>			
45264	1800 1801	Dispatch Governance and Implementation Plan	\$ 250,000.00	0.00	178,020.00
		<i>District #1 - Core Ambulance (Central, West Lakes, Houston, Palmer)</i>			
45266	1800 1803	Radios and Pagers	\$ 50,000.00	0.00	40,679.09
45266	1800 1804	Personal Protective Equipment	\$ 100,000.00	46,346.11	6,349.44
		<i>West Lakes Fire Service Area</i>			
45244	6600 6615	Fire Apparatus - Major Repair	\$ 20,000.00	0.00	535.00
45244	6600 6619	Rapid Intervention Kits	\$ 7,500.00	0.00	3,330.00
45244	6600 6620	Fitness Equipment	\$ 15,000.00	89.99	6,332.09
		<i>Wasilla-Lakes Fire Service Area</i>			
45066	6600 6617	Self Contained Breathing Apparatus	\$ 165,000.00	32,386.25	0.00
45066	6600 6618	Communications Equipment	\$ 160,000.00	3,740.00	97,124.16
45229	6600 6602	Site Work and Landscaping (Various Stations)	\$ 75,000.00	760.00	61,822.80
45268	6600 6601	Training Complex Roads and Water System Construction	\$ 1,200,000.00	0.00	591,922.39
45066	6600 6620	Fire Hose	\$ 120,000.00	0.00	61,175.00
		<i>Greater Palmer Fire Service Area</i>			
45215	6600 6603	Fire Tanker Replacement	\$ 450,000.00	0.00	450,000.00
<b>Totals</b>			<b>\$ 19,878,608</b>	<b>1,569,740.57</b>	<b>10,296,424.68</b>

IMIS-09a DR15-053

Non-Code Ordinance

By:  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-053**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY EXTENDING  
THE TIME LIMIT FOR COMPLETION OF BOROUGH CAPITAL PROJECTS.

WHEREAS, the Assembly appropriated monies from the central treasury and established the rate of levy for all Borough functions for the fiscal year beginning July 1, 2004, and ending June 30, 2005, by adoption of Ordinance Serial No. 04-004(AM); and

WHEREAS, the Assembly appropriated monies from the central treasury and established the rate of levy for all Borough functions for the fiscal year beginning July 1, 2006, and ending June 30, 2007, by adoption of Ordinance Serial No. 06-006(AM); and

WHEREAS, the Assembly appropriated monies from the central treasury and established the rate of levy for all Borough functions for the fiscal year beginning July 1, 2007, and ending June 30, 2008, by adoption of Ordinance Serial No. 07-007(AM); and

WHEREAS, the Assembly appropriated monies from the central treasury and established the rate of levy for all Borough functions for the fiscal year beginning July 1, 2008, and ending

June 30, 2009, by adoption of Ordinance Serial No. 08-008(AM);  
and

WHEREAS, the Assembly appropriated monies from the central treasury and established the rate of levy for all Borough functions for the fiscal year beginning July 1, 2009, and ending June 30, 2010, by adoption of Ordinance Serial No. 09-009(AM);  
and

WHEREAS, the Assembly appropriated monies from the central treasury and established the rate of levy for all Borough functions for the fiscal year beginning July 1, 2010, and ending June 30, 2011, by adoption of Ordinance Serial No. 10-010(AM);  
and

WHEREAS, the Assembly appropriated monies from the central treasury and established the rate of levy for all Borough functions for the fiscal year beginning July 1, 2011, and ending June 30, 2012, by adoption of Ordinance Serial No. 11-011 (AM);  
and

WHEREAS, the Assembly appropriated monies from the central treasury and established the rate of levy for all Borough functions for the fiscal year beginning July 1, 2012, and ending June 30, 2013, by adoption of Ordinance Serial No. 12-012 (AM); and

WHEREAS, a portion of Ordinance Serial No. 04-004 (AM), and Ordinance Serial No. 06-006 (AM), and Ordinance Serial No. 07-007 (AM), and Ordinance Serial No. 08-008 (AM), and Ordinance Serial No. 09-009 (AM), and Ordinance Serial No. 10-010 (AM), and Ordinance Serial No. 11-011 (AM), and Ordinance Serial No. 012-012 (AM), stated that capital fund appropriations should revert back to the originating fund once the project has been completed or 36 months, whichever is sooner; and

WHEREAS, \$20,000 for Skwentna land acquisition and platting was appropriated through the capital projects fiscal year 2005 listing, or through subsequent legislation; and

WHEREAS, \$506,244 for Hatcher Pass grant matching, and \$300,000 for South Central Rail Corridor for grant matching, was appropriated through the capital projects fiscal year 2007 listing, or through subsequent legislation; and

WHEREAS, \$175,000 grant match for Lake Louise emergency response facility, \$75,000 municipal entitlement land surveys, and \$248,500 financial system enhancements, was appropriated through the capital projects fiscal year 2008 listing, or through subsequent legislation; and

WHEREAS, \$158,500 for tourism infrastructure, \$125,000 for Fish Passage Project Management, \$50,000 grant match for the Central Mat-Su wastewater facility, \$100,000 road right-of-way

acquisitions, \$45,000 for municipal entitlement land surveys, \$148,750 for financial system enhancements, \$150,000 for reverse 911 equipment, \$100,000 for new pump/tanker, and \$40,000 for drilling two new wells for Talkeetna FSA, was appropriated through the capital projects fiscal year 2009 listing, or through subsequent legislation; and

WHEREAS, \$15,000 for trail survey pool, \$130,000 for Settlers Bay at Crocker Creek utility relocation, \$20,000 for Matanuska River Park restroom roof, \$14,700 for roof repairs at Mat-Su Convention & Visitors Bureau, \$150,000 for right-of-way acquisitions, \$35,000 for West Big Lake access, \$85,000 for EMS patient care report computers, and \$112,000 for drafting tank for Station 11-2 in Talkeetna FSA, was appropriated through the capital projects fiscal year 2010 listing, or through subsequent legislation; and

WHEREAS, \$35,000 for Big Lake boat launch parking lot expansion, \$350,000 for trail improvements, \$200,000 for right-of-way acquisitions, \$40,000 for underground storage tank fund, \$125,000 for electrical upgrades at solid waste transfer sites, \$35,000 for EOC multi-media system, \$200,000 for mass casualty/fatality equipment for Central ambulance, \$10,000 for audio-visual training equipment and \$10,000 for furnishings and equipment at West Lakes ambulance, \$40,000 for USAR protective

clothing at Palmer ambulance, \$30,000 for LSAR equipment and personal protective equipment, \$30,000 for water rescue personal protective equipment, \$180,000 for a response vehicle, \$150,000 for CAD to CAD & APSIN interface, \$300,000 for reverse 911, \$45,000 for dry hydrants for Caswell Lakes FSA, \$1,250,000 for station 5-1 land purchase, preparation and building in Wasilla Lakes FSA, and \$150,000 for mini attack/CAFS truck for Butte FSA, was appropriated through the capital projects fiscal year 2011 listing, or through subsequent legislation; and

WHEREAS, \$318,745 for Government Peak Nordic Trail and trailhead development, \$593,000 for FY12 budgeted appropriations pending legislation for SOW, \$384,201 for MSB fish passage restoration, \$61,949 for fish passage improvements to the MSB, \$218,465 for Hatcher Pass Road & Transit Facility, \$750,000 for Hatcher Pass Nordic Ski Development, \$350,000 for Hatcher Pass Management Area Snow Machine Trailhead, \$240,000 for northern parks upgrade and improvements, \$100,000 for Parks and Recreation shop upgrades, \$19,357 for locker room improvements at Brett Memorial Ice Arena, \$95,232 for pool facility assessments, \$48,000 for Trapper Creek Library ADA access, signage & parking lot improvements, \$200,000 for road right-of-way acquisitions, \$10,000 for underground storage tank, \$125,000 for backhoe for the RSA Administration, \$800,000 for Midway RSA,

\$340,000 for South Colony RSA, \$70,000 for Lazy Mountain RSA, \$18,000 for North Colony RSA, \$20,465 for electrical upgrades for transfer sites, \$25,000 USAR protective clothing, \$75,000 for simulation lab training equipment for Central Ambulance, \$18,000 for furnishings, \$20,000 for personal protective equipment, \$30,000 for cardiac monitor/defibrillator replacement for West Lakes Ambulance, \$15,000 for responder pagers, \$60,000 for radios for Rescue, \$252,000 for multiple stations facility upgrades and improvements, \$76,000 for apparatus upgrades, \$72,000 for apparatus mobile data terminals, \$1,500,000 for design, preparation, preliminary civil work for station 6-2, \$75,000 for tanker replacement for Talkeetna FSA, and \$450,000 for engine replacement for Greater Palmer FSA was appropriated through the capital projects fiscal year 2012 listing, or through subsequent legislation; and

WHEREAS, \$250,000 for grant match for FHWA, \$171,949 for FY13 budgeted appropriations pending legislation for SOW, \$78,051 for fish passage improvements to the MSB, \$100,000 for operational analysis of staffing and workflow, \$100,000 for major repair and renovation to Knik Museum, \$150,000 for trail repairs, maintenance, and construction, \$125,000 for trail survey, \$85,000 for Talkeetna Library and Community Center building design, \$125,000 for Municipal Entitlement Survey,

\$75,000 for Five Year Disposal plan for Community Development, \$25,000 for duct cleaning and air balancing of Administration Building, \$22,000 for vehicle hoist, \$195,000 for DSJ Building Annex evaluation, design and construction, \$15,000 for Wood Chip Box for RSA Dump Truck, \$775,000 for Midway RSA, \$250,000 for South Colony RSA, \$50,000 for Lazy Mountain RSA, \$25,000 for North Colony RSA, \$325,000 for Bogard RSA, \$280,000 for Greater Butte RSA, \$50,000 for Alpine RSA, \$25,000 for Fueling System for Heavy Equipment, \$25,000 for shop lights and \$30,000 for fencing for Solid Waste, \$500,000 for E-911 Parcel Spatial Data Acquisition, \$250,000 for dispatch governance and implementation plan, \$100,000 for EMS management and performance study, \$150,000 for radios, pagers and personal protective equipment for District #1 core ambulance, \$20,000 for fire apparatus repair, \$7,500 for rapid intervention kits, \$15,000 for fitness equipment for West Lakes FSA, \$165,000 for self-contained breathing apparatus, \$160,000 for communications equipment, \$75,000 for site work and landscaping at various fire stations, \$1,200,000 for training complex roads and water system construction \$120,000 for fire hose at the Wasilla-Lakes FSA, and \$450,000 for fire tanker replacement for the Greater Palmer FSA was appropriated through the capital projects fiscal year 2013 listing, or through subsequent legislation; and

WHEREAS, these projects have not been completed and the funds are still required.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Extension of time. The Matanuska-Susitna Borough Assembly hereby approves the extension of time for the completion of the borough buildings repair, tourism infrastructure, right-of-way acquisitions, municipal land entitlement surveys, emergency services buildings and equipment projects, solid waste and transfer site projects, park and trail improvements, library and pool improvements, financial system enhancements, operational analysis, fire service and road service area projects, fish passage management, underground storage tank fund, Federal Highway Administration grant match funding South Central rail corridor, waste water facility, low impact development program, water quality protection, FY2012 and FY2013 budgeted appropriations for SOW, and wetlands program projects to June 30, 2016.

Section 3. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough this - day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** ASSEMBLY APPROVAL OF THE LAND CLASSIFICATION OF A BOROUGH PARCEL WITHIN TOWNSHIP 27 NORTH, RANGE 7 WEST, SECTION 31, SEWARD MERIDIAN, ALASKA, AS "RESERVE USE LANDS" FOR THE PURPOSE OF A TEMPORARY PUBLIC ACCESS CORRIDOR TO THE KENNY CREEK SUBDIVISION. (MSB007026)

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** \_\_\_\_\_

Route To:	Department/Individual	Initials	Remarks
	Originator	EK	
	Community Development Director	g	
	Finance Director	du	4/7/15
	Borough Attorney	AS	
	Borough Clerk	jam	4/13/15

**ATTACHMENT (S) :** Fiscal Note \_\_\_yes \_\_\_X no  
 Vicinity Map (1 pp)  
 MSB Planning Commission  
 Resolution No. 15-14 (3 pp)  
 Ordinance Serial No. 15-054 (3 pp)

**Summary**

The Matanuska-Susitna Borough Land and Resource Management Division received a trail nomination for parcel Tax ID 2167B11L020 for public access to the Kenny Creek Subdivision. The requested borough-owned land, containing a total of 5 acres more or less, must be classified as "reserve use" for the purpose of public access to the subdivision. Until such time the platted legal access is improved, the proposed parcel shall only be classified as reserve use for a temporary public access corridor to Kenny Creek Subdivision.

## Property Site Factors

- A. **Location:** The subject parcel is located within Township 27 North, Range 07 West, S.M., AK, Section 31.
- B. **Legal Descriptions:** Tax Parcel 2167B11L020: Lot 20, Block 11, Alaska State Land Survey No. 80-143, Kenny Creek Subdivision, containing 5.000 acres, more or less, according to the survey plat filed in the Talkeetna Recording District on June 1, 1981, as Plat No. 81-67, Third Judicial District, State of Alaska.
- C. **Land Status:** Acquired from State of Alaska by Patent No. 20332, Talkeetna Recording District.
- D. **Adopted Plans / Classifications:**
- Natural Resource Management Units Plan, MSB Ordinance 10-083. This plan excludes the subject parcel.
- No Current Land Classification.
- E. **Surrounding Land Use:** Recreational and residential, and undeveloped land.
- F. **Natural Resources:** Timber, wetlands.
- G. **Existing Infrastructure:** Petersville Road.

## Comments & Resolutions:

MSB Land & Resource Management Division noted that the parcel is included within the third year of the land disposal plan. However, it was further noted that this parcel would better serve as access to interior subdivision borough-owned lots that the borough has also included in its five-year land disposal plan as well as privately-owned lots.

Community Development Recreation Services reviewed the proposed action and provided no objection or comment.

MSB Cultural Resources Division reviewed the proposed action and provided no objection or comment.

Public Comment was solicited in accordance with MSB 23.05.025 with five public comments received in favor of the land classification and none opposed to the dedication of this lot for a public access corridor.

MSB Planning Commission unanimously approved Resolution 2015-14 recommending Assembly approval of the land classification at their regularly scheduled meeting April 06, 2015.

### **Analysis & Discussion**

Kenny Creek Subdivision was platted prior to the requirement for the state to ground truth the proposed access route to verify feasibility of use and construction. The applicant has indicated the platted legal access is not passable via Argo. The applicant and several public comments and phone calls have indicated incidental access has developed over time routing local traffic near the borough-owned parcel proposed for "reserve use" classification.

The borough owns more than 40 other lots within the Kenny Creek Subdivision that are eligible for future land sales. The last two competitive borough-land sales resulted in the sale of six of the borough-owned lots in this subdivision.

The proposed classification and subsequent dedication of the five acre lot is a potential temporary compromise for public access to borough-owned and private lots within this subdivision until such time that the platted legal access is improved. It is more cost effective to dedicate the five-acre, borough-owned parcel, valued at \$9,000 than it would be to hire a surveyor to delineate a trail across the same parcel.

The proposed dedication of the public access corridor is temporary in nature pending development of the platted legal access. There are over 40 additional borough-owned parcels and a total of over 225 parcels within the Kenny Creek Subdivision.

### **Authority**

MSB 15.04.015 (A)(5) Planning Commission shall investigate and prepare, from time to time, and to initiate on its own motion in the absence of directions from the assembly, reports of the availability of public lands by selection, transfer at less than appraised value, and otherwise for borough purposes.

MSB 23.05.100 (A)(13) defines "Reserve Use Lands" as those which have been transferred, assigned, or designated for present or future public use, or for use by a government or quasi-government agency, or for future development of new town sites, or for future expansion of existing public uses, or for development of Port MacKenzie.

MSB 23.05.030(F)(1)(2) authorizes the manager to dedicate lands for public purposes in accordance with policies and procedures adopted by the assembly.

Land & Resource Management Division Policy and Procedure, Part 25, Section 8.0 states a blanket dedication for a trail may occur if the parcel has been classified for trail or park use by the assembly upon recommendation of the planning commission.

Land & Resource Management Division Policy and Procedure, Part 20, Section 4.1 states the Planning Commission will make recommendation to the Assembly in regard to land classification.

**Administrative Recommendation**

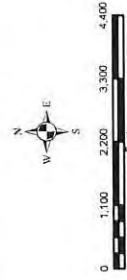
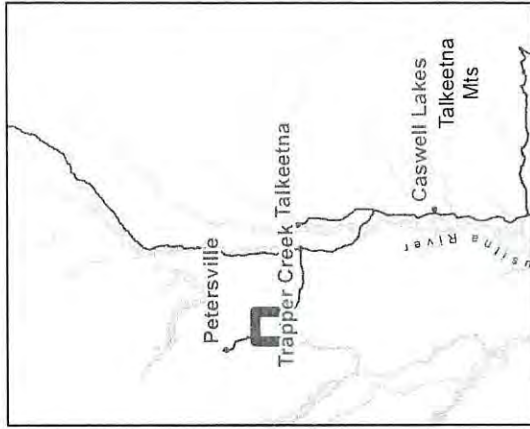
The Community Development Department, Land & Resource Management Division respectfully recommends the parcel listed herein be approved with a land classification of "Reserve Use Lands" for purpose of a temporary public access corridor to the Kenny Creek Subdivision.

**Matanuska - Susitna Borough  
Land and Resource  
Management Division**



**Kenny Creek Subdivision  
Public Access Dedication**

- parcels
- MSB007026
- BOROUGH



Date: January, 2015  
Sources: MSE GIS, MSE LRMD,  
Projection: NAD 83 AK ST PLN Z4  
Location: Palmer  
Author: MSE LRMD, EK



By: Emerson Krueger  
Land Classification: April 6, 2015  
Action: Approved

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 15-14**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING ASSEMBLY APPROVAL OF THE LAND CLASSIFICATION OF BOROUGH PARCEL TAX ID 2167B11L020 WITHIN TOWNSHIP 27 NORTH, RANGE 7 WEST, SECTION 31, SEWARD MERIDIAN, ALASKA, AS "RESERVE USE LANDS" FOR PURPOSE OF A PUBLIC ACCESS CORRIDOR TO THE KENNY CREEK SUBDIVISION.

---

WHEREAS, the Kenny Creek Subdivision was platted by the State of Alaska in 1981 prior to the requirement to ground truth the feasibility of using the platted access; and

WHEREAS, the platted legal access to the subdivision has not been constructed and is not used by property owners in the subdivision; and

WHEREAS, the borough selected more than 40 parcels within the Kenny Creek Subdivision as part of its municipal entitlement and over 160 of the total 240 subdivision lots are in private ownership; and

WHEREAS, incidental access to the subdivision has developed over time that passes over borough-owned parcel Tax ID 2167B11L020 comprised of five acres; and

WHEREAS, it is in the best interest of the borough and public and a cost effective solution to dedicate the five acre parcel as a public access corridor for Kenny Creek Subdivision; and

WHEREAS, pursuant to Borough Land and Resource Management Policy and Procedure, land must be classified prior to a blanket dedication for public access.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends Assembly approval for a land classification of a borough parcel identified as:

Tax Parcel 2167B11L020: Lot 20, Block 11, Alaska State Land Survey No. 80-143, Kenny Creek Subdivision, containing 5.000 acres, more or less, according to the survey plat filed in the Talkeetna Recording District on June 1, 1981, as Plat No. 81-67, Third Judicial District, State of Alaska.

as "Reserve Use Lands" for purpose of a temporary public access corridor to the Kenny Creek Subdivision.

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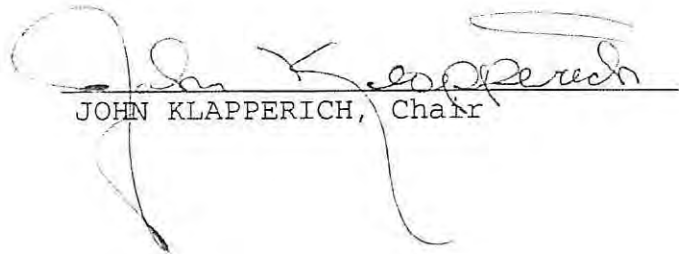
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Im 15-094  
OR 15-054

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 6th day of April, 2015.

  
JOHN KLAPPERICH, Chair

ATTEST

  
MARY BRODIGAN, Planning Clerk

(SEAL)

YES: *Klapperich, Endte, Healy, Walden, Kendig, Adams, and Ruckenstein*

NO:

NON-CODE ORDINANCE

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-054**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE LAND CLASSIFICATION OF BOROUGH PARCEL TAX ID 2167B11L020, WITHIN TOWNSHIP 27 NORTH, RANGE 07 WEST, SECTION 31, SEWARD MERIDIAN, ALASKA, AS "RESERVE USE LANDS" FOR THE PURPOSE OF A TEMPORARY PUBLIC ACCESS CORRIDOR TO THE KENNY CREEK SUBDIVISION. (MSB007026)

---

WHEREAS, the Kenny Creek Subdivision was platted by the State of Alaska in 1981 prior to the requirement to ground truth the feasibility of using the platted access; and

WHEREAS, the platted legal access to the subdivision has not been constructed, is not passable on ATV or snowmachine, and is not used by property owners in the subdivision; and

WHEREAS, the borough selected more than 40 parcels within the Kenny Creek Subdivision as part of its municipal entitlement and over 160 of the total 240 subdivision lots are in private ownership; and

WHEREAS, incidental access to the subdivision has developed over time that passes over borough-owned parcel Tax ID 2167B11L020 comprised of five acres; and

WHEREAS, it is in the best interest of the borough and public and a cost effective solution to dedicate the five acre

parcel as a temporary public access corridor for Kenny Creek Subdivision; and

WHEREAS, pursuant to Borough Land and Resource Management Policy and Procedure, land must be classified prior to a blanket dedication for public access.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Land Classification. The Matanuska-Susitna Borough Assembly does hereby approve the land classification of Reserved Use Lands on the following described parcel:

Tax Parcel 2167B11L020: Lot 20, Block 11, Alaska State Land Survey No. 80-143, Kenny Creek Subdivision, containing 5.000 acres, more or less, according to the survey plat filed in the Talkeetna Recording District on June 1, 1981, as Plat No. 81-67, Third Judicial District, State of Alaska.

Section 3. Effective Date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_\_  
day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Larry DeVilbiss, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** Accept, appropriate, and approve the scope of work and budget, and authorize the Borough Manager to sign the Memorandum of Agreement for the design and construction of the Ground Source Heat Pump for the Willow Community Center Building, project no. 10060.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:**

Route To:	Department/Individual	Initials	Remarks
	Project Manager	JH	7 APR 2015
	Capital Projects Director	MB	4/7/15
	Finance Director	JCC	4/7/15
	Borough Attorney	NS	
	Borough Clerk	JAM	4/13/15

**ATTACHMENT (S):** Fiscal Note: NO  YES   
 Ordinance Serial No. 15-055 (3 pp)  
 Resolution Serial No. 15-043 (3 pp)  
 Memorandum of Agreement (25 pp)

**SUMMARY STATEMENT:** During the FY 2015 legislative session the Willow Area Community Organization (WACO) received funding for the Ground Source Heat Pump (State Grant 15-DC-495) for the Geothermal Heating System for the Willow Community Center. This grant should have been placed in the name of the Borough as the Borough will perform the work.

Funding in the amount of \$25,000 was appropriated to the project through the Borough's FY 2015 capital project budget. The Borough accepted and appropriated grant funds from the Rasmuson Foundation in the amount of \$25,000 for this project with

Resolution Serial No. 15-002 in January 2015.

WACO and the Borough have drafted a memorandum of agreement to describe the process for funding the project and which party will be responsible for individual tasks. WACO will transfer, through reimbursement, the \$100,000 state legislative grant (15-DC-495) to the borough to complete the project along with the Borough's currently allocated \$50,000.

If approved, the attached ordinance and resolution will accept and appropriate the grant funds, approve the scope of work and budget and authorize the Borough Manager to execute the memorandum of agreement. Authority would be given to the Borough Manager, based on the recommendation of the Capital Projects Director, to modify and update the memorandum of agreement as appropriate.

**RECOMMENDATION OF ADMINISTRATION:** Accept, appropriate, and approve the scope of work and budget, and authorize the Borough Manager to sign the Memorandum of Agreement for the design and construction of the Ground Source Heat Pump for the Willow Community Center Building project.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: April 21, 2015

SUBJECT: Accept, appropriate, approve the scope of work and budget, and authorize the Borough Manager to sign the Memorandum of Agreement for the design and construction of the Ground Source Heat Pump for the Willow Community Center Building Project, project no. 10060.

ORIGINATOR: John Harris, Project Management

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED \$150,000	FUNDING SOURCE State grant, Rasmuson, cap proj. approp.
FROM ACCOUNT # 435,000.000.4xx.xxx	PROJECT # 10060
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>[Signature]</i>	CERTIFIED BY:
DATE: 4/7/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds	100					
Other	50					
TOTAL	150					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: *[Signature]* PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: 4/7/15  
 APPROVED BY: *[Signature]* DATE: 4/7/15

IM No. 15-095  
 Ordinance Serial No. 15-055  
 Resolution Serial No. 15-043

**MEMORANDUM OF AGREEMENT**

**BETWEEN**

**WILLOW AREA COMMUNITY ORGANIZATION**

**AND**

**MATANUSKA-SUSITNA BOROUGH**

**FOR**

**THE GROUND SOURCE HEAT PUMP FOR COMMUNITY CENTER PROJECT**

THIS AGREEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2015, by and between the **MATANUSKA-SUSITNA BOROUGH, ALASKA** and the **WILLOW AREA COMMUNITY ORGANIZATION (WACO), ALASKA**.

**Section 01. Definitions**

In this Agreement:

- A. The term "Agreement" means this Memorandum of Agreement between WACO and the Borough.
- B. The term "Borough" means the Matanuska-Susitna Borough, Alaska.
- C. The term "Borough Manager" means the Matanuska-Susitna Borough Manager, or his authorized representative.
- D. The term "WACO" means Willow Area Community Organization, Alaska.
- E. The term "Chair" means the Chair of WACO of Willow, Alaska, or his authorized representative.
- F. The term "Governing Body" means the legislative body of a municipality that is the assembly of a borough or the council of a city.
- G. The term "Grant" means State of Alaska Legislative Grant 15-DC-495 in the amount of \$100,000.00.
- H. The term "Parties" means, together, WACO and the Borough.
- I. The term "Project" means the Ground Source Heat Pump for Community Center, Legislative Grant 15-DC-495 in the amount of \$100,000 of which the Borough will receive \$100,000. Specifically, this Project will include: Removal of one boiler; Purchase and installation of 2 geothermal units; Purchase and installation of 2 heat storage tanks; Contractual services to install the required equipment for operation of the ground source heating system; and Hook up to existing distribution system.
- J. The term "State" means the State of Alaska.

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## **Section 02. Amendments, Changes, and Modifications**

This Agreement may be amended, changed, and modified by a writing duly executed by both the Borough and WACO, or subject to Section 12, their respective successors and assigns.

## **Section 03. Scope of Services**

- A. The scope of services under the terms of this Agreement are generally as follows: WACO agrees to transfer, on a reimbursable basis, the expenses incurred for the \$100,000 Legislative Grant #15-DC-495 for the Ground Source Heat Pump for Community Center from WACO to the Borough.
- B. The Borough agrees to solicit proposals from interested contractors to design, furnish, and install a geothermal heating system utilizing a ground source heat pump for the Willow community center building and library as indicated in the Scope of Work included in the FY 2015 Designated Legislative Grant #15-DC-495. The objective of this project is to replace one of the existing boilers in the Community Center with two geothermal heating units, and install two heat storage tanks to provide better energy efficiency. The project may include, but is not limited to: Removal of one boiler; Purchase and installation of 2 geothermal units; Purchase and installation of 2 heat storage tanks; Contractual services to install the required equipment for operation of the ground source heating system; and Hook up to existing distribution system.
- C. The Borough has an affirmative duty to report the status of the Project to WACO and will maintain all project records in accordance with the requirements of State Grant 15-DC-495.
- D. WACO, as grantee, will comply with the financial/progress reporting requirements of State Grant 15-DC-495.
- E. If funding is insufficient to finish the entire project, WACO and the Borough will work together to attempt to gain additional funds for project completion. However, there are no additional monies from WACO or the Borough appropriated at this time and any future contribution or request for additional funding, regardless of source, is subject to appropriation which cannot be guaranteed. If there is a funding shortfall, both parties shall be relieved of obligations under this agreement when funding runs out and the agreement shall automatically terminate.

## **Section 04. Time of Performance**

The services of WACO and the Borough shall commence upon execution of this Agreement by the WACO Chair and Borough Manager and shall extend to the completion of the construction contract warranty period. The period of performance

may be extended for additional periods only by the mutual written agreement of the parties.

**Section 05. Compensation**

Subject to the provisions of this Agreement, WACO shall reimburse the Borough for costs of all services and expenses set forth in this Agreement subject to the limitations set forth in Section 6, not to exceed \$100,000 (total State grant including Borough 5% administration charges of \$5,000).

**Section 06. Method and Time of Payment**

- A. The Borough may issue monthly progress billings, including 5% administration charge, to WACO as costs are incurred. Billing backup documentation will not be required for monthly billings but will be made available to WACO by the Borough upon WACO's request. WACO agrees to process payment for each progress billing within thirty calendar days after receipt of said billing.
- B. All invoices for the Project must be submitted in duplicate and received by the parties at the following addresses:

Payment will be submitted to the following address:

BOROUGH: John Moosey, Borough Manager  
350 E. Dahlia Avenue  
Palmer, Alaska 99645

WACO: Shane Starrett, Chair  
PO Box 1072  
Willow, Alaska 99688

**Section 07. Termination of Agreement for Cause**

If through any cause, either party shall fail to fulfill in a timely and proper manner the obligations under this Agreement or if a party shall violate any of the covenants, agreements, or stipulations contained in this Agreement, the other party shall thereupon have the right to terminate this Agreement by giving written notice to the other of such termination and specifying the effective date thereof, at least five (5) days before the effective date of such termination. All finished or unfinished documents, data, studies, surveys and reports, or other material prepared under this Agreement are the joint property of WACO and the Borough and shall be delivered to both entities by or upon the effective date of termination. The Borough shall be entitled to payment for all amounts due and owing under the terms of this Agreement on or before the effective date of termination authorized by this Section 07.

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## **Section 08. Termination for Convenience**

Either party may terminate this Agreement for convenience, for any reason, or for no reason, at any time by giving written notice to the other party of such termination and specifying the effective date of such termination. All finished or unfinished documents and other materials as described in Section 07, above, are the joint property of WACO and the Borough and shall be delivered to WACO and the Borough by or upon the effective date of notice of termination pursuant to this Section 08. If this Agreement is terminated due to the fault of WACO or the Borough, Section 07 of this Agreement shall govern the rights and liabilities of the parties.

## **Section 09. Causes Beyond Control**

In the event WACO or the Borough is prevented by a cause or causes beyond the control of WACO or the Borough from performing any obligation under this Agreement, non-performance resulting from such cause or causes shall not be deemed to be a breach of this Agreement which renders WACO or the Borough liable for damages or give rights to the cancellation of the Agreement for cause. However, if and when such cause or causes cease to prevent performance, WACO or the Borough shall exercise all reasonable diligence to resume and complete performance of its obligation with the least possible delay. The phrase "cause or causes beyond control," as used in this Section 09, means any one or more of the following causes which are not attributable to the fault or negligence of WACO or the Borough and which prevent the performance of WACO or the Borough: fire, explosions, acts of God, war, orders or law of duly constituted public authorities, and other major uncontrollable and unavoidable events, all of the foregoing which must actually prevent WACO or the Borough from performing the terms of the Agreement as set forth herein.

## **Section 10. Equal Employment Opportunity**

- A. WACO and the Borough will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, physical handicap, age, or status as a disabled veteran. WACO and the Borough shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, national origin, physical handicap, age, or status as a disabled veteran. Such actions shall include, but not be limited to the following: employment, upgrading, demotions, or transfers; recruitment or recruitment advertising; layoffs or terminations; rates of pay or other forms of compensation; selection for training, including apprenticeship; and participation in recreational and educational activities. WACO and the Borough agree to post in conspicuous places available for employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause. WACO and the Borough will, in all solicitations or advertisements for employees placed by or on behalf of WACO or the Borough, state that all qualified applicants will receive consideration for employment without

regard to race, color, religion, sex, national origin, physical handicap, age, or status as a disabled veteran. WACO and the Borough will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this Agreement.

- B. WACO and the Borough shall keep such records and submit such reports concerning the Equal Opportunity Employment provisions set forth in Section 10(A) for applicants for employment and employees as laws, regulations, ordinances, or statutes may require.

**Section 11. Interest of Members of WACO and the Borough**

No officer, member, or employee of WACO or the Borough, and no member of their respective governing body, and no other public official of the respective governing bodies shall participate in any decision relating to this Agreement which affects their personal interest or the interest of any corporation, partnership, or association in which they are, directly or indirectly, interested or having any personal or pecuniary interest, direct or indirect, in this Agreement or the proceeds thereof.

**Section 12. Assignability**

Neither WACO nor the Borough shall assign any interest in this Agreement, nor shall the parties transfer any interest in the same (whether by assignment or novation), without the prior written consent of the other, thereto; provided, however, claims for money due or to become due to WACO from the Borough under this Agreement may be assigned by court order to a bank, trust company, or other financial institution without such approval. Notice of any such assignment or transfer shall be furnished promptly to WACO or the Borough, who shall be responsible for any moneys due the assignee of this Agreement.

**Section 13. Findings Confidential**

To the extent permitted or required by law any reports, information, data, etc., given to or prepared or assembled by WACO or the Borough under this Agreement which WACO or the Borough requests to be kept confidential shall not be made available to any individual or organization by WACO or the Borough without the prior written approval of WACO or the Borough unless otherwise required by State, Borough, or City law.

**Section 14. Publication, Reproduction, and Use of Materials**

No material produced, in whole or in part, under this Agreement shall be subject to copyright in the United States or in any other country. WACO and the Borough shall have unrestricted authority to publish, disclose, distribute, and otherwise use, in whole or in part, any reports, data, or other materials prepared under this Agreement.

## **Section 15. Audits and Inspections**

- A. At any time during normal business hours and as often as WACO or the Borough may deem necessary, there shall be made available for examination all of its records with respect to all matters covered by this Agreement and will permit representatives of the State of Alaska, WACO, or the Borough to audit, examine, and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment, and other data relating to all matters covered by this Agreement.
- B. WACO and the Borough shall be required to comply with the State single audit requirement for State grants for this project.

## **Section 16. Jurisdiction; Choice of Law and Venue**

Any civil action arising from this Agreement shall be brought in the superior court for the Third Judicial District of the State of Alaska at Palmer, Alaska. The laws of the State of Alaska shall govern the rights and obligations of the parties.

## **Section 17. Non-Waiver**

The failure of WACO or the Borough at any time to enforce a provision of this Agreement shall in no way constitute a waiver of the provisions, nor in any way affect the validity of this Agreement or any part thereof, or the right of WACO or the Borough thereafter to enforce each and every protection hereof.

## **Section 18. Permits, Laws and Taxes**

WACO and the Borough shall acquire and maintain in good standing all permits, licenses, and other entitlements necessary to the performance under this Agreement. All actions taken by WACO and the Borough under this Agreement shall comply with all applicable statutes, ordinances, rules and regulations. WACO or the Borough shall pay all taxes if any pertaining to its performance under this Agreement.

## **Section 19. Relationship of the Parties**

The Borough shall perform its obligations hereunder as an independent contractor of WACO. WACO may administer this Agreement and monitor the Borough's compliance with this Agreement, but shall not supervise or otherwise direct the Borough except to provide recommendations and to provide approvals pursuant to this Agreement.

## **Section 20. Agreement Administration**

- A. The Borough Manager, or his designee, will be the representative of the Borough administering this Agreement.
- B. The services to be furnished by WACO shall be administered, supervised, and directed by the WACO Chair. In the event that the individual named above or any of the individuals identified in the proposal to perform work

under the Agreement is unable to serve for any reason, WACO shall appoint a successor in interest.

**Section 21. Integration/Order of Precedence**

- A. This instrument and all appendices and amendments hereto embody the entire agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained in this Agreement; and this Agreement shall supersede all previous communications, representations, or agreements, either oral or written, between the parties. To the extent they are not inconsistent with the terms of this Agreement; the documents listed in the Appendices are hereby incorporated by reference into this Agreement as if fully set forth herein.
  
- B. The terms of this Agreement shall govern the scope of services between WACO and the Borough, however, the Borough expressly agrees to comply with the terms and provisions of Legislative Grant 15-DC-495.

**Section 22. Interpretation and Enforcement**

This Agreement is being executed by the parties following negotiations between them. It shall be construed according to the fair intent of the language as a whole, not for or against any party. The titles of sections in this Agreement are not to be construed as limitations or definitions but are for identification purposes only.

**Section 23. Severability**

If any section or clause of this Agreement is held invalid by a court of competent jurisdiction, or is otherwise invalid under the law, the remainder of this Agreement shall remain in full force and effect.

**Section 24. Understanding**

WACO and the Borough acknowledge that they have read and understand the terms of this Agreement, have had the opportunity to review the same with counsel of their choice, and are executing this Agreement of their own free will.

**Section 25. Guarantees and Certificates**

The Borough shall require its consultants, contractors and subcontractors to provide performance and payment bonds in amounts conforming to or greater than the Borough's standard contract specifications, and shall also obtain Certificates of Insurance from its consultants, contractors and subcontractors confirming insurance coverage in amounts conforming to or greater than specified in the Borough's standard contract specifications.

## **Section 26. Indemnification**

It is understood and agreed that the Grant is solely for the benefit of the parties to this Agreement and gives no right to any other party. No joint venture or partnership is formed as a result of this Agreement.

The Grantee, its successors and assigns, will protect, save, and hold harmless the Department and the State of Alaska and their authorized agents and employees, from all claims, actions, costs, damages, or expenses of any nature whatsoever by reason of the acts or omissions of the Grantee, its subcontractors, assigns, agents, contractors, licenses, invitees, employees, or any person whomever arising out of or in connection with any acts or activities authorized by the Grant Agreement. The Grantee further agrees to defend the Department and the State of Alaska and their authorized agents and employees in any litigation, including payment of any costs or attorney's fees for any claims or actions commenced thereon arising out of or in connection with acts or activities authorized by the Grant Agreement. This obligation shall not include such claims, costs, damages, or expenses which may be caused by the sole negligence of the Department of the State of Alaska or their authorized agents or employees, provided, that if the claims or damages are caused by or result from the concurrent negligence of (a) the Department and the State of Alaska and their agents or employees, and (b) the Grantee, its agents or employees, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Grantee, or the Grantee's agents or employees.

## **Section 27. Authority**

WACO and the Borough are authorized to enter into this Agreement pursuant to WACO Bylaws; and Borough Code Section 1.10.010 A. 4. and have, through their respective governing bodies, approved the execution of this Agreement. WACO and the Borough have provided a copy of this Agreement to the State of Alaska Department of Commerce and Community Development, which has reviewed and approved its execution by the Parties.

## **Section 28. Coordination and Cooperation**

WACO and the Borough will cooperate with one another and take all reasonable steps to obtain, as promptly as practicable, (a) all consents, approvals, authorizations, waivers, and permits; and (b) provide such other reasonably available information and communications to any other governmental authority, as may be reasonably requested.

The Borough has an affirmative duty to report the status of the Project to WACO and will maintain all project records in accordance with the requirements of State Grant 15-DC-495. However, the parties agree that the Borough has not novated or substituted as a grantee on State Grant 15-DC-495.

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**Section 29. Descriptive Headings**

The descriptive headings of this Agreement are inserted for convenience of reference only and do not constitute a part of this Agreement.

**Section 30. Notices**

Any notice required pertaining to the subject matter of the Agreement shall be personally delivered or mailed by prepaid first-class, registered or certified mail to the following address:

BOROUGH: John Moosey, Borough Manager  
350 E. Dahlia Avenue  
Palmer, Alaska 99645

WACO: Shane Starrett, Chair  
PO Box 1072  
Willow, Alaska 99688

**Section 31. Fund Verification**

Fund source and verification of funds for this Project:

Funding Source: \_\_\_\_\_

\_\_\_\_\_  
Verified by WACO

\_\_\_\_\_  
Date

\_\_\_\_\_  
Verified by Tammy Clayton  
Finance Director  
Matanuska-Susitna Borough

\_\_\_\_\_  
Date

IN WITNESS WHEREOF, the Matanuska-Susitna Borough has caused this Agreement to be executed in its name and WACO of Willow, Alaska has caused this Agreement to be executed in its name, all as of the date first above written.

**MATANUSKA-SUSITNA BOROUGH**

**WILLOW AREA COMMUNITY ORG**

\_\_\_\_\_  
John Moosey, Borough Manager

\_\_\_\_\_  
Shane Starrett, Chair

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STATE OF ALASKA            )  
  ) ss.  
THIRD JUDICIAL DISTRICT    )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by John Moosey, Borough Manager of the Matanuska-Susitna Borough.

\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires:\_\_\_\_\_

STATE OF ALASKA            )  
  ) ss.  
THIRD JUDICIAL DISTRICT    )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by Shane Starrett, Chair of the Willow Area Community Organization.

\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires:\_\_\_\_\_

DRAFT

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APPENDIX A

State of Alaska Legislative Grant 15-DC-495  
Ground Source Heat Pump for Community Center - \$100,000

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DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT  
DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

Designated Legislative Grant Program  
Grant Agreement

Grant Agreement Number <b>15-DC-495</b>	Vendor Number WAC09070	Amount of State Funds <b>\$100,000.00</b>	
Encumbrance Number/AR/Lapse Date / 30822 /06/30/2019		Project Title <b>Ground Source Heat Pump for Community Center</b>	
<b>Grantee</b>		<b>Department Contact Person</b>	
Name Willow Area Community Organization		Name Kimberly Phillips	
Street/PO Box PO Box 1072		Title Grant Administrator II	
City/State/Zip Willow, Alaska 99688		Street/PO Box 211 Cushman Street	
Contact Person John Anderson		City/State/Zip Fairbanks, AK 99701	
Phone (907) 495-6633	Fax (907) 495-6511	Phone (907) 451-2718	Fax (907) 451-2742
Email Johnanderson.andy@yahoo.com		Email kimberly.phillips@alaska.gov	

**AGREEMENT**

The Alaska Department of Commerce, Community, and Economic Development, Division of Community and Regional Affairs (hereinafter 'Department') and Willow Area Community Organization (hereinafter 'Grantee') agree as set forth herein.

**Section I.** The Department shall pay the Grantee for the performance of the project work under the terms outlined in this Agreement. The amount of the payment is based upon project expenses incurred, which are authorized under this Agreement. In no event shall the payment exceed **\$100,000.00**.

**Section II.** The Grantee shall perform all of the work required by this Agreement.

**Section III.** The work to be performed under this Agreement begins **July 1, 2014** and shall be completed no later than **June 30, 2019**.

**Section IV.** The Agreement consists of this page and the following:

ATTACHMENTS

- Attachment A: Scope of Work
1. Project Description
  2. Project Budget
  3. Project Management
  4. Reporting
- Attachment B: Payment Method
- Attachment C: Standard Provisions

AMENDMENTS

Any fully executed amendments to this Agreement

APPENDIX

Appendix A: State Laws and Regulations

Grantee	Department
Signature 	Signature 
Printed Name and Title Shane Starrett, Chair <i>Shane Starrett</i>	Printed Name and Title Pauletta Bourne, Grants Administrator III
Date <i>8 Sep 2014</i>	Date <i>9/15/14</i>

Reviewed by: \_\_\_\_\_

## Attachment A Scope of Work

### 1. Project Description

The purpose of this FY 2015 Designated Legislative Grant in the amount of \$100,000.00 [pursuant to the provisions of AS 37.05.317, Grants to Unincorporated Communities, SLA 2014, SB 119, Chapter 18, Section 1, Page 48, and Line 33] is to provide funding to Willow Area Community Organization for use towards the Ground Source Heat Pump for Community Center project. The objective of this project is to replace one of the existing boilers in the Community Center with two geothermal heating units, and install two heat storage tanks to provide better energy efficiency.

This project may include, but is not limited to:

- Removal of one boiler
- Purchase and installation of 2 geothermal units
- Purchase and installation of 2 heat storage tanks
- Contractual services to install the required equipment for operation of the ground source heating system
- Hook up to existing distribution system

No more than five percent (5%) of the total grant award may be reimbursed for Administrative expenses for projects involving equipment purchase or repairs and no more than ten percent (10%) of the total grant award may be reimbursed for Administrative expenses for all other projects. To be reimbursed for eligible administrative costs, expenses must be reported on the Designated Legislative Grant Financial/Progress Report form.

### 2. Project Budget

Cost Category	Grant Funds
Project Funds	\$100,000.00
Administration	\$0.00
<b>Total Grant Funds</b>	<b>\$100,000.00</b>

### 3. Project Management

This project will be managed by the Grantee.

Signatory authority for execution of the Grant Agreement and subsequent amendments is granted to the chief administrator. For grants appropriated to a municipality, the mayor is the chief administrator unless the municipality operates a managerial form of government; then the city manager/administrator acts as the chief administrator. For named recipients and unincorporated communities, the executive director or highest ranking official will act as chief administrator.

The chief administrator may delegate authority for executing the Grant Agreement and amendments to others within the Grantee's organization via the Signatory Authority Form. The chief administrator also designates financial and performance progress reporting authority via the Signatory Authority Form. Such delegation is limited to others within the Grantee's organization unless otherwise approved by the Department.

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The Grantee must establish and maintain separate accounting for the use of this Grant. The use of Grant funds in any manner contrary to the terms and conditions of this Grant Agreement may result in the subsequent revocation of the Grant and any balance of funds under the Grant. It may also result in the Grantee being required to return such amounts to the State.

If applicable under state law, grantees must be registered and in good standing with the Department of Commerce, Community and Economic Development's Division of Corporations, Business and Professional Licensing.

#### 4. Reporting

The Grantee shall submit a Designated Legislative Grant Financial/Progress Report Form provided by the Department each month, or quarterly, with the concurrence of the Department, during the life of the Grant Agreement. Grant Financial/Progress Report Forms are due thirty (30) days after the end of the month or quarter being reported. The report period is the first of the month through the last day of the month. If quarterly reporting is approved, the report period is the first day of the first month through the last day of the third month of the quarter. The final Financial/Progress Reports must be submitted within thirty (30) days following completion of the project.

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## Attachment B Payment Method

### 1. Reimbursement Payment

Upon receiving and approving a Grantee's Financial/Progress Report, the Department will reimburse the Grantee for expenditures paid during the reporting period, in accordance with this Grant Agreement. The Department will not reimburse without approved Financial/Progress Reports, prepared and submitted by the Grantee on the form provided by the Department. Before approving the financial/progress report for payment, the Department may require the Grantee to submit documentation of the costs reported (e.g., copies of vendor billings/invoices and proof of payment, general ledger expenditure report).

### 2. Advance Payment

In most instances, the Department will make payment to a Grantee on a cost reimbursable basis. If cost reimbursement significantly inhibits the Grantee's ability to implement the project, the Department may advance to the Grantee an amount not to exceed a projected thirty (30) day cash need, or twenty percent (20%) of the amount in Section I, whichever is less.

Before the Department will issue an advance, the Grantee must submit a "Request for Advance Payment" form along with documentation of costs associated with the advance. The "Request for Advance Payment" form can be obtained from the Department electronically or in hard copy.

All advances will be recovered with the Grantee's next Financial/Progress Report form. Should earned payments during the terms of this Grant Agreement be insufficient to recover the full amount of the advance, the Grantee will repay the unrecovered amount to the Department when requested to do so by the Department, or at termination of the Grant Agreement.

### 3. Withholding of Ten Percent (10%)

The Department may withhold ten percent (10%) of the amount in Section I until the Department determines that the Grantee has satisfactorily completed the terms of this Grant Agreement, including all required reporting of the project.

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## Attachment C Standard Provisions

### Article 1. Definition

"Department" refers to the Department of Commerce, Community, and Economic Development with the State of Alaska.

### Article 2. Indemnification

It is understood and agreed that this Grant Agreement is solely for the benefit of the parties to the Grant Agreement and gives no right to any other party. No joint venture or partnership is formed as a result of the Grant Agreement.

The Grantee, its successors and assigns, will protect, save, and hold harmless the Department and the State of Alaska and their authorized agents and employees, from all claims, actions, costs, damages, or expenses of any nature whatsoever by reason of the acts or omissions of the Grantee, its subcontractors, assigns, agents, contractors, licenses, invitees, employees, or any person whomever arising out of or in connection with any acts or activities authorized by this Grant Agreement. The Grantee further agrees to defend the Department and the State of Alaska and their authorized agents and employees in any litigation, including payment of any costs or attorney's fees for any claims or actions commenced thereon arising out of or in connection with acts or activities authorized by this Grant Agreement. This obligation shall not include such claims, costs, damages, or expenses which may be caused by the sole negligence of the Department of the State of Alaska or their authorized agents or employees, provided, that if the claims or damages are caused by or result from the concurrent negligence of (a) the Department and the State of Alaska and their agents or employees, and (b) the Grantee, its agents or employees, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Grantee, or Grantee's agents or employees.

### Article 3. Legal Authority

The Grantee certifies that it possesses legal authority to accept grant funds under the State of Alaska and to execute the project described in this Grant Agreement by signing the Grant Agreement document. The Grantee's relation to the Department and the State of Alaska shall be at all times as an independent Grantee.

### Article 4. Waivers

No conditions or provisions of this Grant Agreement can be waived unless approved by the Department in writing. The Department's failure to insist upon strict performance of any provision of the Grant Agreement, or to exercise any right based upon a breach thereof, or the acceptance of any performance during such a breach, shall not constitute a waiver of any right under this Grant Agreement.

### Article 5. Access to Records

The Department and duly authorized officials of the State of Alaska shall have full access and the right to examine, excerpt, or transcribe any pertinent documents, papers, records, and books of the Grantee, and of persons or organizations with which the Grantee may contract, involving transactions related to the project and this Grant Agreement.

### Article 6. Reports

The Grantee, at such times and in such forms as the Department may require, shall furnish the Department with such periodic reports as it may request pertaining to the activities undertaken pursuant to this Grant Agreement, including the final close-out report, the costs and obligations incurred in connection therewith, and any other matters covered by this Grant Agreement.

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**Article 7. Retention of Records**

The Grantee shall retain financial and other records relating to the performance of this Grant Agreement for a period of six years from the date when the final financial status report is submitted to the Department, or until final resolution of any audit findings, claims, or litigation related to the grant.

**Article 8. Assignability**

The Grantee shall not assign any interest in this Grant Agreement and shall not transfer any interest in the same (whether by assignment or novation).

**Article 9. Financial Management and Accounting**

The Grantee shall establish and maintain a financial management and accounting system that conforms to generally accepted accounting principles.

**Article 10. Program Income**

Program income earned during the award period shall be retained by the Grantee and added to the funds committed to the award and used for the purpose and under the conditions applicable to the use of award funds.

**Article 11. Amendments and Modifications**

The Grantee or the Department may request an amendment or modification of this Grant Agreement. However, such amendment or modification shall not take effect until approved, in writing, by the Department and the Grantee.

**Article 12. Recordkeeping**

The Grantee agrees to keep such records as the Department may require. Such records will include information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays and income. They will also include information pertaining to project performance and efforts to comply with the provisions of the Grant Agreement.

**Article 13. Obligations Regarding Third-Party Relationships**

None of the Work specified in this Grant Agreement shall be contracted by the Grantee without prior approval of the Department. No permission for subcontracting shall create, between the Department or the State of Alaska and the subcontractor, any contract or any relationship.

The Grantee shall remain fully obligated under the provisions of this Grant Agreement notwithstanding its designation of any third party or parties of the undertaking of all or any part of the project described herein. Any subcontractor that is not the Grantee shall be required by the Grantee to comply with all the provisions of this Grant Agreement.

The Grantee shall bind all subcontractors to each and every applicable Grant Agreement provision. Each subcontract for work to be performed with funds granted under this Grant Agreement shall specifically include a provision that the Department and the State of Alaska are not liable for damages or claims from damages arising from any subcontractor's performance or activities under the terms of the subcontracts.

**Article 14. Conflict of Interest**

No officer or employee of the Department; no member, officer, or employee of the Grantee or its designees or agents; no member of the governing body of the jurisdiction in which the project is undertaken or located; and no other official of such locality or localities who exercises any functions or responsibilities with respect to the project during his or her tenure, shall have any personal or pecuniary gain or interest, direct or indirect, in any contract, subcontract, or the proceeds thereof, for work to be performed in connection with the project assisted under this Grant Agreement.

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The Grantee shall incorporate, or cause to incorporate, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this provision.

**Article 15. Political Activity**

No portion of the funds provided hereinunder shall be used for any partisan political activity or to further the election or defeat of any candidate for public office or influence the approval or defeat of any ballot issue.

**Article 16. Notices**

The Grantee shall comply with all public notices or notices to individuals required by applicable state and federal laws and shall maintain a record of this compliance.

**Article 17. Prohibition Against Payment of Bonus or Commission**

The assistance provided under this Grant Agreement shall not be used in payment of any bonus or commission for the purpose of obtaining approval or concurrence under this contract provided, however, that reasonable fees of bona fide technical consultant, managerial, or other such services, other than actual solicitation, are not hereby prohibited if otherwise eligible as project costs.

**Article 18. Termination by Mutual Agreement**

This Grant Agreement may be terminated, in whole or in part, prior to the completion of contract project activities when both parties agree that continuation is not feasible or would not produce beneficial results commensurate with the further expenditure of funds. The Department will determine whether an environmental review of the cancellation is required under State and/or Federal law. The parties must agree on the termination conditions, including effective date and the portion to be terminated. The Grantee shall not incur new obligations for the terminated portion after the effective date, and shall cancel as many outstanding obligations as possible. The Department shall make funds available to the Grantee to pay for allowable expenses incurred before the effective date of termination.

**Article 19. Termination for Cause**

If the Grantee fails to comply with the terms of this Grant Agreement, or fails to use the grant for only those purposes set forth herein, the Department may take the following actions:

- A. Suspension – After notice in writing by certified mail to the Grantee, suspend the grant and withhold any further payment or prohibit the Grantee from incurring additional obligations of grant funds, pending corrective action by the Grantee or a decision to terminate. Response must be received within fifteen (15) days of receipt of the written notice.
- B. Termination – Terminate the grant in whole or in part, at any time before the final grant payment is made. The Department shall promptly notify the Grantee in writing of its determination to terminate, the reason for such termination, and the effective date of the termination. Payments made to the Grantee or recoveries by the Department shall be in accordance with the legal rights and liabilities of the parties.

**Article 20. Withdrawal of Funds**

In the event funding from the state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of this Grant Agreement and prior to normal completion, the Department may terminate the agreement, reduce funding, or re-negotiate subject to those new funding limitations and conditions. A termination under this article shall be implemented under the same conditions as a termination under Article 19 of this Attachment.

**Article 21. Recovery of Funds**

In the event of a default or violation of the terms of the Grant Agreement by the Grantee, the Department may institute actions to recover all or part of the project funds paid to the Grantee. Repayment by the Grantee of grant funds under this recovery provision shall occur within thirty (30) days of demand.

All remedies conferred on the Department by this agreement or any other instrument or agreement are cumulative, not exclusive, and may be exercised concurrently or consecutively at the Department's option.

**Article 22. Disputes**

Except as otherwise provided in this agreement, any dispute concerning a question of fact arising under this agreement that is not disposed of by mutual agreement shall be decided by the Department, which shall reduce its decision to writing and mail, or otherwise furnish a copy thereof, to the Grantee. The decision of the Department shall be final and conclusive.

This "Disputes" clause does not preclude the consideration of questions of law in connection with the decision provided for in the preceding paragraph provided that nothing in the Grant Agreement shall be construed as making final the decisions of any administrative official, representative, or board on a question of law.

**Article 23. Jurisdiction**

This Grant Agreement shall be governed by the laws and statutes of the State of Alaska. The venue of any suit hereunder may be in the Superior Court for the First Judicial District, Juneau, Alaska.

**Article 24. Ownership of Project/Capital Facilities**

The Department makes no claim to any capital facilities or real property improved or constructed with funds under this Grant Agreement and, by this grant of funds, does not and will not acquire any ownership interest or title to such property of the Grantee. The Grantee shall assume all liabilities arising from the ownership and operation of the project and agrees to hold the Department and the State of Alaska harmless from any and all causes of action arising from the ownership and operation of the project.

**Article 25. Site Control**

If the grant project involves the occupancy and use of real property, the Grantee assures that it has the legal right to occupy and use such real property for the purposes of the grant, and further that there is legal access to such property.

As a minimum requirement, the Grantee should obtain a "sufficient interest" that allows the Grantee the right to use and occupy the site for the expected useful life of the building, structure or other improvement. Generally, the interest obtained should be for at least 20 years. A sufficient interest depends upon the nature of the project and the land status of the site.

**Article 26. Insurance**

The Grantee is responsible for obtaining any necessary liability insurance and maintain in force at all times during the performance of this Grant Agreement the insurance policies identified below. All insurance policies shall comply with, and be issued by insurers licensed to transact the business of insurance under Alaska Statute AS 21. The Grantee shall require any contractor hired to work on the project be licensed, bonded and insured for at least the amount of the project and if appropriate provide and maintain Professional Liability Insurance.

- A. Workers' Compensation Insurance for all employees engaged in work under this Grant Agreement, coverage as required by AS 23.30.045, and; where applicable, any other statutory obligations including but not limited to Federal U.S.L. & H. and Jones Act requirements.
- B. Commercial General Liability Insurance covering all business premises and operations used by the Grantee in the performance of this project and Grant Agreement with coverage limits not less than \$300,000 combined single limit per occurrence and annual aggregates where applicable.
- C. Comprehensive Automobile Liability Insurance covering all vehicles used by the Grantee in the performance of this project and Grant Agreement with coverage limits not less than \$100,000 per person/\$300,000 per occurrence bodily injury and \$50,000.00 property damage.

D. Professional Liability Insurance covering all errors, omissions or negligent acts of the contractor, subcontractor or anyone directly or indirectly employed by them, made in the performance of this contract which result in financial loss to the State. Limits required are per the following schedule:

Contract Amount	Minimum Required Limits
Under \$100,000	\$100,000 per occurrence/annual aggregate

**Article 27. Subcontracts for Engineering Services**

In the event that the Grantee subcontracts for engineering services, the Grantee will require that the engineering firm certify that it is authorized to do business in the State of Alaska. In the event that the engineering firm is also the project administrator, the Grantee shall require that the bond or insurance shall be for not less than the amount of the entire project.

**Article 28. Governing law**

This Grant Agreement is governed by the laws of the State of Alaska. The Grantee shall perform all aspects of this project in compliance with the appropriate laws and regulations. It is the responsibility of the Grantee to ensure that all permits required for the construction and operation of this project by the Federal, State, or Local governments have been obtained.

**Article 29. Budget Flexibility**

Notwithstanding the provisions of Article 11, Attachment C, the Grantee may revise the project budget in Attachment A without a formal amendment to this agreement. Such revisions are limited within each line item to a maximum of ten percent (10%) of the line item or \$10,000, whichever is less, over the entire term of this agreement. Such budget revisions shall be limited to changes to existing budget line items. Budget revisions may not be used to increase any budget item for project administrative expenses. Changes to the budget beyond the limits authorized by this provision may only be made by a formal amendment to this agreement.

**Article 30. Equal Employment Opportunity (EEO)**

The Grantee may not discriminate against any employee or applicant for employment because of race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood. The Grantee shall post in a conspicuous place, available to employees and applicants for employment, a notice setting out the provisions of this paragraph.

The Grantee shall state, in all solicitations or advertisements for employees to work on state funded projects, that it is an equal opportunity employer (EEO) and that all qualified applicants will receive consideration for employment without regard to race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood.

The Grantee shall include the provisions of this EEO article in every contract relating to this Grant Agreement and shall require the inclusion of these provisions in every agreement entered into by any of its contractors, so that those provisions will be binding upon each contractor or subcontractor.

**Article 31. Public Purposes**

The Grantee agrees that the project to which this Grant Agreement relates shall be dedicated to public purposes for its useful life. The benefits of the project shall be made available without regard to race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood.

If the Grantee is a non-municipal entity and if monies appropriated under this grant constitute the sole or principal funding source for the acquisition of equipment or facilities, the Grantee agrees that in the event a municipal corporation is formed which possesses the power and jurisdiction to provide for such equipment or facilities, the Grantee shall offer, without compensation, to transfer ownership of such equipment or facilities to the municipal corporation.

If the Grantee is a non-profit corporation that dissolves, the assets and liabilities from the grant project are to be distributed according to statutory law, AS 10.20.290-10.20.452.

**Article 32. Operation and Maintenance**

Throughout the life of the project, the Grantee shall be responsible for the operation and maintenance of any facility, equipment, or other items acquired under this grant.

**Article 33. Assurance**

The Grantee shall spend monies awarded under this grant only for the purposes specified in this Grant Agreement.

**Article 34. Current Prevailing Rates of Wage**

Certain grant projects are constrained by the provisions of AS 36. PUBLIC CONTRACTS. To the extent that such provisions apply to the project which is the subject of this Grant Agreement, the Grantee shall pay the current prevailing rates of wage to employees as required by AS 36.05.010. The Grantee also shall require any contractor to pay the current prevailing rates of wage as required by AS 36.05.010.

**Article 35. Severability**

If any provision under this Grant Agreement or its application to any person or circumstance is held invalid by any court of rightful jurisdiction, this invalidity does not affect other provisions of the contract agreement which can be given effect without the invalid provision.

**Article 36. Performance**

The Department's failure to insist upon the strict performance of any provision of the Grant Agreement or to exercise any right based upon breach thereof or the acceptance of any performance during such breach shall not constitute a waiver of any rights under this Grant Agreement.

**Article 37. Sovereign Immunity**

If the Grantee is an entity which possesses sovereign immunity, it is a requirement of this grant that the Grantee irrevocably waive its sovereign immunity with respect to state enforcement of this Grant Agreement. The waiver of sovereign immunity, effected by resolution of the entity's governing body, is herein incorporated into this Grant Agreement.

**Article 38. Audit Requirements**

The grantee must comply with the audit requirements of the Alaska Administrative Code set forth in **2AAC45.010. AUDIT REQUIREMENTS**. An entity that expends a cumulative or total, equal to the state single audit threshold during the fiscal year is required to have a state single audit. A copy of the most current **2AAC45.010** adopted regulations is available at the Alaska Department of Administration's State Single Audit website: <http://doa.alaska.gov/dof/ssa/index.html>.

Current audit compliance supplements and guides specific to programs under AS 37.05.315 Grants to Municipalities, AS 37.05.316 Grants to Named Recipients, and AS 37.05.317 Grants to Unincorporated Communities can be found at <http://doa.alaska.gov/dof/ssa/2014auditsuppl.html#dept08>

**Article 39. Close-Out**

The Department will advise the Grantee to initiate close-out procedures when the Department determines, in consultation with the Grantee, that there are no impediments to close-out and that the following criteria have been met or soon will be met:

- A. All costs to be paid with grant funds have been incurred with the exception of close-out costs and any unsettled third-party claims against the Grantee. Costs are incurred when goods and services are received or contract work is performed.

- B. The last required performance report has been submitted. The Grantee's failure to submit a report will not preclude the Department from effecting close-out if it is deemed to be in the State's interest. Any excess grant amount that may be in the Grantee's possession shall be returned by the Grantee in the event of the Grantee's failure to finish or update the report.
- C. Other responsibilities of the Grantee under this Grant Agreement and any close-out agreement and applicable laws and regulations appear to have been carried out satisfactorily or there is no further State interest in keeping the grant open for the purpose of securing performance.

**Article 40. Americans with Disabilities Act**

The Americans with Disabilities Act (ADA) prohibits discrimination against persons with disabilities. Title I of the ADA prohibits discrimination against persons with disabilities in employment and provides that a reasonable accommodation be provided for applicants and employees. Title II of the Act prohibits public agencies from discriminating against individuals with disabilities in the provision of services, programs, or activities. Reasonable accommodation must be made to ensure or allow access to all services, programs, or activities. This section of the Act includes physical access to public facilities and requires that public entities must, if necessary, make modifications to their facilities to remove physical barriers to ensure access by persons with disabilities. All new construction must also be accessible to persons with disabilities. A public entity's subgrantees or contractors must also comply with the ADA provisions. Grantees are responsible for assuring their compliance with the ADA.

## Appendix A State Laws and Regulations and Permits

Grantees are responsible for all applicable state laws, regulations and permits; including but not limited to the following list which most commonly affects Grantees.

### **Municipality Public Facility Operations and Maintenance—AS 37.05.315(c)**

In accepting a grant under AS 37.05.315 for construction of a public facility, a municipality covenants with the State that it will operate and maintain the facility for the practical life of the facility and that the municipality will not look to the State to operate or maintain the facility or pay for its operation or maintenance. This requirement does not apply to a grant for repair or improvement of an existing facility operated or maintained by the State at the time the grant is accepted if the repair or improvement for which the grant is made will not substantially increase the operating or maintenance costs to the State.

### **Restriction on Use—AS 37.05.321**

A grant or earnings from a grant under AS 37.05.315 - 37.05.317 may not be used for the purpose of influencing legislative action. In this section "influencing legislative action" means promoting, advocating, supporting, modifying, opposing, or delaying or seeking to do the same with respect to any legislative action but does not include the provision or use of information, statistics, studies, or analyses in written or oral form or format. A grant or earnings from a grant made under AS 37.05.315 - 37.05.317 may not be used for purposes of travel in connection with influencing legislative action unless pursuant to a specific request from a legislator or legislative committee.

### **Hiring Preferences—AS 36.10**

This chapter of the Alaska Statutes applies to grants for public works projects and requires compliance with the hiring preferences under AS 36.10.150 - 36.10.175 for employment generated by the grant.

### **Historic Preservation Act—AS 41.35**

This chapter of the Alaska Statutes applies to public construction of any nature undertaken by the State, or by a governmental agency of the State, or by a private person under contract with or licensed by the State or a governmental agency of the State. The Department of Natural Resources must be notified if the construction is planned for an archaeological site. The Department of Natural Resources may stop the construction to determine the extent of the historic, prehistoric, or archaeological values.

### **Fire Protection—AS 18.70**

This chapter of the Alaska Statutes requires the Alaska Department of Public Safety (the State Fire Marshal) to adopt regulations (currently in the form of Uniform Fire Code, as amended) establishing minimum standards for:

1. Fire detection and suppression equipment;
2. Fire and life safety criteria in commercial, industrial, business, institutional, or other public buildings used for residential purposes containing four or more dwelling units;
3. Any activity in which combustible or explosive materials are stored or handled in commercial quantities;
4. Conditions or activities carried on outside a building described in (2) or (3) likely to cause injury to persons or property.

### **Procurement Preference for State Agricultural and Fisheries Products—AS 29.71.040**

This chapter of the Alaska Statutes applies to municipalities that use state funds to purchase agricultural and fisheries products. The law requires:

1. When agricultural products are purchased, only such products harvested in the state shall be purchased whenever priced no more than seven percent above products harvested outside the state, and of like quality compared with agricultural products harvested outside the state.
2. When fisheries products are purchased, only fisheries products harvested or processed within the jurisdiction of the state shall be purchased whenever priced no more than seven percent above products harvested or processed outside

the jurisdiction of the state, available, and of like quality compared with fisheries products harvested or processed outside the jurisdiction of the state.

#### Alaska Product Preferences—AS 36.15

This chapter of the Alaska Statutes applies to projects financed by state money in which the use of timber, lumber, and manufactured lumber products is required, only timber, lumber and manufactured lumber projects originating in this state from local forests shall be used wherever practicable. The law requires the insertion of this clause in calls for bids and in all contracts awarded.

#### Permits and Environmental Procedures

The Alaska Department of Environmental Conservation (ADEC) regulates all activities in Alaska that might pollute the air, water or soil. There are dozens of ADEC permits related to constructing and operating public buildings. The law requires the following permits, including others designated by the commissioner. The following list is not intended to be all-inclusive.

- Air Emissions Permit
- Anadromous Fish Protection Permit
- Authorization for Tidelands Transportation
- Brine or Other Salt Water Waste Disposal Permit
- Burning Permit during Fire Season
- Coal Development Permit
- Critical Habitat Area Permit
- Dam Construction Permit
- Driveway Permit
- Encroachment Permit
- Miscellaneous State Land Use Permit
- Mineral and Geothermal Prospecting Permits
- Occupied Tide and Submerged Land
- Open Burning Permit
- Permit for Use of Timber or Materials
- Permit to Appropriate Water
- Pesticides Permit
- Preferred Use Permit
- Right-of-Way and Easement Permits
- Solid Waste Disposal
- Special Land Use Permit
- State Game Refuge Land Permit
- State Park Incompatible Use Permit
- Surface Oiling Permit
- Surface Use Permit
- Tide and Submerged Lands Prospecting Permit
- Tidelands Permit
- Tidelands Right-of-Way or Easement Permit
- Utility Permit
- Waste Water Disposal Permit
- Water Well Permit

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**APPENDIX B**

**[AM or Resolution from each governing body]**

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NON-CODE ORDINANCE

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH**  
**ORDINANCE SERIAL NO. 15-055**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ACCEPTING AND APPROPRIATING \$100,000 FROM THE WILLOW AREA COMMUNITY ORGANIZATION TO FUND 435, PROJECT No. 10060, FOR THE GROUND SOURCE HEAT PUMP FOR THE WILLOW COMMUNITY CENTER PROJECT.

---

WHEREAS, in September 2014 the Willow Area Community Organization (WACO) was awarded funding (State Grant No. 15-DC-495) to construct a Ground Source Heat Pump for the Willow Community Center; and

WHEREAS, the construction of this Geothermal Heating System will provide net energy cost savings to the community realized by supplanting fuel oil costs with that of electrical power to operate the heat pumps; and

WHEREAS, WACO does not have the necessary resources to construct the heating system; and

WHEREAS, in the fiscal year 2015 capital projects budget, \$25,000 in non-areawide funds were appropriated for the geothermal heating system for the Willow Community Center; and

WHEREAS, the Assembly accepted and appropriated grant funds from the Rasmuson Foundation for this project on January 6, 2015; and

WHEREAS, WACO would like to transfer the legislative grant No. 15-DC-495 they received to the Borough to allow the Borough to complete the design and construction of the geothermal heating system for their community center; and

WHEREAS, no expenditures can be made until a scope of work and budget has been approved by the Assembly.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Acceptance and Appropriation source. There is hereby accepted and appropriated by the Matanuska-Susitna Borough Assembly funds in the amount of \$100,000 from the Willow Area Community Organization via State Grant No. 15-DC-495, to fund 435, project no. 10060, for the Ground Source Heat Pump for the Willow Community Center Building project.

Section 3. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_  
day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Action:

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 15-043**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE BOROUGH MANAGER TO SIGN THE MEMORANDUM OF AGREEMENT FOR THE DESIGN AND CONSTRUCTION OF THE GROUND SOURCE HEAT PUMP FOR THE WILLOW COMMUNITY CENTER BUILDING PROJECT, PROJECT NO. 10060.

---

WHEREAS, in September 2014 the Willow Area Community Organization (WACO) was awarded funding (State Grant No. 15-DC-495) to construct a Ground Source Heat Pump for the Willow Community Center; and

WHEREAS, the construction of this Geothermal Heating System will provide net energy cost savings to the community realized by supplanting fuel oil costs with that of electrical power to operate the heat pumps; and

WHEREAS, WACO does not have the necessary resources to construct the heating system; and

WHEREAS, in the fiscal year 2015 capital projects budget, \$25,000 in non-areawide funds were appropriated for the geothermal heating system for the Willow Community Center; and

WHEREAS, the Assembly accepted and appropriated \$25,000 in grant funds from the Rasmuson Foundation for this project on January 6, 2015; and

WHEREAS, WACO would like to transfer the legislative grant No. 15-DC-495 they received to the Borough through a Memorandum

of Agreement to allow the Borough to complete the design and construction of the geothermal heating system for their community center.

NOW, THEREFORE BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly hereby approves the following scope of work and budget for the Ground Source Heat Pump for the Willow Community Center Building Project, project no. 10060.

**SCOPE OF WORK**

Replace one of the existing boilers in the Community Center with two geothermal heating units, and install two heat storage tanks to provide better energy efficiency.

**AMENDED BUDGET**

<b>Project/Account No.</b>	<b>Previously Adopted Budget</b>	<b>Amended Budget</b>
Willow Community Center Heat Source System		
Fiscal Year 2015 non-areawide capital appropriation	\$25,000	\$25,000
Rasmuson Foundation	\$25,000	\$25,000
Willow Area Community Organization State Grant Funds	\$0	\$95,000
Administration Fee	\$0	\$5,000
<b>Total</b>	<b><u>\$50,000</u></b>	<b><u>\$150,000</u></b>

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Matanuska-Susitna Borough Assembly does hereby authorize the Manager to enter into the necessary memorandum of agreement with the Willow Area Community Organization with the authority to modify and update the memorandum of agreement as appropriate.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REAPPROPRIATING \$10,000 FROM THE PLANNING DIVISION FISCAL YEAR 2015 OPERATING BUDGET, \$10,000 FROM THE INFORMATION TECHNOLOGY DEPARTMENT FISCAL YEAR 2015 OPERATING BUDGET, \$10,000 FROM THE CAPITAL PROJECTS DEPARTMENT FISCAL YEAR 2015 OPERATING BUDGET, AND \$10,000 FROM THE PUBLIC WORKS DEPARTMENT FISCAL YEAR 2015 OPERATING BUDGET, FUND 100, TO FUND 480; AND A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE GIS/CARTEGRAPH INTEGRATION PROJECT.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator	<i>[Signature]</i>	
2	Capital Projects Director	WB 4/8/15	
3	Public Works Director	TAL	8 APR 15
1	Planning and Land Use Director	EP	
4	Information Technology Director	EW	
5	Finance Director	NS	
6	Borough Attorney	↓	
7	Borough Clerk	gam	4/13/15 <i>[Signature]</i>

**ATTACHMENT(S):** Fiscal Note: NO  YES   
 Ordinance Serial No. 15-056 (3 pp)  
 Resolution Serial No. 15-044 (4 pp)

**SUMMARY STATEMENT:**

The Borough currently has two methods of tracking road information within the Matanuska-Susitna Borough. The first is the existing GIS EIS911 roads dataset which provides a record of roads used by the emergency services department and is highly visual. The second is Cartegraph, a database that includes specific information on individual road names and numbers, such as surface type, right-of-way width, road service area, township, range and section, and maintenance responsibility.

The Capital Projects, Public Works, Information Technology, and Planning departments have been working together over the last year to update the Borough's road classification types, gather data, and work towards the integration of these two systems. A pilot project was conducted in-house to help determine the time required to match records, research those records which don't match, and define the scope of work.

The goal of the project is to implement a Cartegraph-GIS connection to allow visualization and record passing between a Cartegraph tabular database and a GIS dataset. As no GIS roads dataset currently exists with the required 1:1 record match with the approximately 8,500 active Cartegraph records, this project will require the development of an appropriate roads GIS dataset. This will be an enterprise GIS data layer subject to the accuracy and maintenance requirements of an enterprise layer. The primary data will continue to be managed by the Road Maintenance Asset Manager in Public Works, working closely with GIS personnel. This project will also incorporate the Road Classification work recently performed by Kinney Engineering.

Each Department has committed \$10,000 from their fiscal year 2015 operating budgets to this project for the purposes of hiring a consultant. This will not occur before the end of the fiscal year and therefore the funding must be moved into a project account.

**RECOMMENDATION OF ADMINISTRATION:** Respectfully requests Assembly adoption of the legislation reappropriating \$10,000 from the planning division fiscal year 2015 operating budget, \$10,000 from the information technology department fiscal year 2015 operating budget, \$10,000 from the capital projects department fiscal year 2015 operating budget, and \$10,000 from the public works department fiscal year 2015 operating budget, fund 100, to fund 480; and approving the scope of work and budget for the GIS/Cartegraph Integration Project.

MATANUSKA-SUSITNA BOROUGH - FISCAL NOTE

Agenda Date April 21, 2015

ORIGINATOR: Pamela Graham, Grant Coordinator

SUBJECT: AN ORDINANCE ACCEPTING AND APPROPRIATING \$26,060 FROM THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, OFFICE OF HISTORY AND ARCHAEOLOGY TO FUND 480, PROJECT NO. 47011, AND A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE PURPOSE OF COMPLETING THE COTTONWOOD CREEK ARCHAEOLOGICAL SURVEY FOR NOMINATING PHASE II OF AN ARCHAEOLOGICAL DISTRICT FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES.

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT? <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED \$ <u>40,000</u>	FUNDING SOURCE <u>Planning, Cap Proj., FT FW Operating Budgets</u>
FROM ACCOUNT # <u>100, 180/130/115/150, 000, 4xx, xxx</u>	PROJECT #
TO ACCOUNT # <u>480, 000, 000, 3xx, xxx</u>	PROJECT #
VERIFIED BY: <u>Burbara Palembang</u>	CERTIFIED BY:
DATE: <u>4/9/15</u>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						
CAPITAL						
REVENUE	<u>40</u>					

FUNDING: (Thousands of Dollars)

General Fund						
Federal Funds						
Other	<u>40</u>					
TOTAL	<u>40</u>					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_  
 APPROVED BY: J.F. [Signature]

Phone: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Date: 4/9/15

NON-CODE ORDINANCE

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-056**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REAPPROPRIATING \$10,000 FROM THE PLANNING DIVISION FISCAL YEAR 2015 OPERATING BUDGET, \$10,000 FROM THE INFORMATION TECHNOLOGY DEPARTMENT FISCAL YEAR 2015 OPERATING BUDGET, \$10,000 FROM THE CAPITAL PROJECTS DEPARTMENT FISCAL YEAR 2015 OPERATING BUDGET, AND \$10,000 FROM THE PUBLIC WORKS DEPARTMENT FISCAL YEAR 2015 OPERATING BUDGET, FUND 100, TO FUND 480; FOR THE GIS/CARTEGRAPH INTEGRATION PROJECT.

---

WHEREAS, the Borough currently has two methods of tracking road information within the Matanuska-Susitna Borough; The first is the existing GIS EIS911 roads dataset which provides a record of roads used by the emergency services department and is highly visual, and the second is Cartegraph, a database that includes specific information on individual road names and numbers, such as surface type, right-of-way width, road service area, township, range and section, and maintenance responsibility; and

WHEREAS, the Capital Projects, Public Works, Information Technology, and Planning departments have been working together over the last year to update the Borough's road classification types, gather data, and work towards the integration of these two systems; and

WHEREAS, a pilot project was conducted in-house to help determine the time required to match records, research those records which don't match, and define the scope of work; and

WHEREAS, the goal of the project is to implement a Cartegraph-GIS connection to allow visualization and record passing between a Cartegraph tabular database and a GIS dataset; and

WHEREAS, no GIS roads dataset currently exists with the required 1:1 record match with the approximately 8,500 active Cartegraph records, this project will require the development of an appropriate roads GIS dataset; and

WHEREAS, this will be an enterprise GIS data layer subject to the accuracy and maintenance requirements of an enterprise layer. The primary data will continue to be managed by the Road Maintenance Asset Manager in Public Works, working closely with GIS personnel. This project will also incorporate the Road Classification work recently performed by Kinney Engineering; and

WHEREAS, Each Department has committed \$10,000 from their fiscal year 2015 operating budgets to this project for the purposes of hiring a consultant; and

WHEREAS, the completion the GIS/Cartegraph Integration Project will not occur prior to June 30, 2015, it is necessary

to reappropriate these funds into a non-lapsing capital project account in order to complete the project.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Reappropriation source. The Matanuska-Susitna Borough Assembly does hereby reappropriate \$10,000 from the planning division fiscal year 2015 operating budget, \$10,000 from the information technology department fiscal year 2015 operating budget, \$10,000 from the capital projects department fiscal year 2015 operating budget, and \$10,000 from the public works department fiscal year 2015 operating budget, fund 100, to fund 480; for the GIS/Cartegraph Integration Project.

Section 3. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. MCKECHNIE, CMC, Borough Clerk

(SEAL)

Action:

**MATANUSKA-SUSITNA BOROUGH**  
**RESOLUTION SERIAL NO. 15- 044**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH APPROVING THE SCOPE OF WORK AND BUDGET FOR THE GIS/CARTEGRAPH INTEGRATION PROJECT.

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WHEREAS, the Borough currently has two methods of tracking road information within the Matanuska-Susitna Borough; The first is the existing GIS EIS911 roads dataset which provides a record of roads used by the emergency services department and is highly visual, and the second is Cartegraph, a database that includes specific information on individual road names and numbers, such as surface type, right-of-way width, road service area, township, range and section, and maintenance responsibility; and

WHEREAS, the Capital Projects, Public Works, Information Technology, and Planning departments have been working together over the last year to update the Borough's road classification types, gather data, and work towards the integration of these two systems; and

WHEREAS, a pilot project was conducted in-house to help determine the time required to match records, research those records which don't match, and define the scope of work; and

WHEREAS, the goal of the project is to implement a Cartegraph-GIS connection to allow visualization and record

passing between a Cartegraph tabular database and a GIS dataset;  
and

WHEREAS, no GIS roads dataset currently exists with the required 1:1 record match with the approximately 8,500 active Cartegraph records, this project will require the development of an appropriate roads GIS dataset; and

WHEREAS, this will be an enterprise GIS data layer subject to the accuracy and maintenance requirements of an enterprise layer. The primary data will continue to be managed by the Road Maintenance Asset Manager in Public Works, working closely with GIS personnel. This project will also incorporate the Road Classification work recently performed by Kinney Engineering; and

WHEREAS, Each Department has committed \$10,000 from their fiscal year 2015 operating budgets to this project for the purposes of hiring a consultant; and

WHEREAS, the completion the GIS/Cartegraph Integration Project will not occur prior to June 30, 2015, it is necessary to reappropriate these funds into a non-lapsing capital project account in order to complete the project.

WHEREAS, the Assembly reappropriated funds in the amount of \$40,000 with Ordinance Serial No. 15-0510 for the GIS/Cartegraph Integration project; and

WHEREAS, the Assembly is required to approve the scope of work and budget prior to any expenditures.

NOW THEREFORE BE IT RESOLVED that the Matanuska-Susitna Borough Assembly hereby approves the following scopes of work and budgets.

**SCOPE OF WORK**

MSB staff from the Capital Projects, Public Works, Information Technology, and Planning departments will work with a consultant on completing the GIS/Cartegraph Integration Project.

**BUDGET**

Areawide, Planning Department's	
Fiscal Year 2015 Operating	\$ 10,000
Areawide, Information Technology	
Fiscal Year 2015 Operating	\$ 10,000
Areawide, Capital Projects	
Fiscal Year 2015 Operating	\$ 10,000
Areawide, Public Works	
Fiscal Year 2015 Operating	<u>\$ 10,000</u>
Total:	<u>\$ 40,000</u>

ADOPTED by the Matanuska-Susitna Borough Assembly this -  
day of -, 2015.

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LARRY DEVILBISS, Borough Mayor

ATTEST:

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LONNIE R. MCKECHNIE, CMC, Borough Clerk

(SEAL)

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 23.10.060 CONSIDERATIONS, MSB 23.10.180 LEASES, AND MSB 26.05.040(A)(6) INCENTIVES, RELATING TO LESS THAN FAIR MARKET VALUE DISPOSALS, AND A RESOLUTION AMENDING TITLE 23 LAND AND RESOURCE MANAGEMENT POLICIES AND PROCEDURES MANUAL, REAL PROPERTY DISPOSALS: LESS THAN FAIR MARKET VALUE, PART 60.

AGENDA OF: April 21, 2015

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER: *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator	MSC	
	Community Development Director	EP	
	Finance Director	JWC	4/9/15
	Borough Attorney	AB	
	Borough Clerk	Jum	4/13/15 <i>[Signature]</i>

ATTACHMENT (S) : Fiscal Note: YES   X   NO         
 MSB 26.05.040 Incentives (2 PP)  
 Ordinance Serial No. 15-057 (7 pp)  
 Resolution Serial No. 15-043 (4 pp)

**SUMMARY STATEMENT:**

The ordinance and resolution are being brought forward at the request of assembly member Mayfield.

MSB Title 23 provides that borough real property assets may be sold, leased, exchanged, or otherwise disposed of for less than fair market value. Pursuant to a best interest finding, the minimum compensation to the public (aka borough) is to be the greater of \$500 or 10% of the fair market value, or in the case of a lease, the greater of \$500 or 1% of fair market value of the land.

Pursuant to code, fair market value shall be based upon appraisal, the certified tax roll, or by a fee schedule adopted by resolution of the assembly. In the case of natural resources, this value is based upon an established fee schedule, market price trends, or price trends based on past borough sales.

The Land and Resource Division Policies and Procedure Manual outlines the procedure for less than fair market value requests and establishes borough policy for disposal of borough assets. This policy includes disposal when in the best interest of the borough to do so and when it is for economic, industrial or commercial benefit, or for public health and welfare, and for non-profits or other public purpose.

The amendments to code and policy are to define and assure appropriate disposal of the public's interest in borough assets, and to provide a means to obtain borough property at a discount with the ability to make annual payment to the borough over the course of several years.

Combining the discounted value and spreading interest-free payments out over time not only allows the applicant to budget and raise/acquire funding to pay off the borough asset, it also assures the public (aka borough) is receiving fair compensation.

The amendment speaks to replacing the non-profit component with government agency or community council with the intent to allow senior housing and uses that enhance public safety, health and welfare that are often sponsored by community councils, who act as the representatives for their communities.

**RECOMMENDATION OF ADMINISTRATION:**

Consideration of the legislation is respectfully requested to amend MSB 23.10.060 Considerations, MSB 23.10.180 Leases, and MSB 26.05.040(A)(6) Incentives, relating to less than fair market value disposals, and to amend Title 23 Land and Resource Management Policies and Procedures Manual, Real Property Disposals: Less Than Fair Market Value, Part 60.

**26.05.040 INCENTIVES.**

(A) The manager, after reviewing a completed application, may recommend options for those developments qualifying under the following incentive mechanisms, singly or packaged, by the terms of this chapter:

- (1) *Site development assistance.* Through approved funding sources, the assembly may choose to:
  - (a) pay part or all of the cost of the business' infrastructure expenses;
  - (b) pay part or all of the business' infrastructure expenses and then defer the reimbursement of these expenses for a maximum of three years; or
  - (c) pay part or all of the business' utility connection charges associated with new construction for the project.
- (2) *Industrial revenue bond financing.* The assembly may issue industrial revenue bonds for the purpose of financing and providing funds for site acquisition, site construction, machinery, equipment, and financing costs for those projects that meet the criteria and requirements set forth in this chapter.
- (3) *Tax increment financing.* The assembly may approve the use of tax increment financing for the purpose of financing and providing funds for site acquisition, site construction, machinery, equipment, and financing costs for those projects that meet the criteria and requirements set forth in this chapter.
- (4) *Job training.* The assembly may reimburse for job training of borough residents for the first six months and direct the manager to work with the University of Alaska Anchorage, Mat-Su Campus, as well as other specified federal and state agencies, for the development of appropriate programs.
- (5) *Fast track permitting.* The assembly may authorize the manager to expedite the application process for any required borough permit or land use requirement. However, public notice, public participation requirements, and public hearing requirements shall not be waived or expedited.
- (6) *Sale or lease of borough land at less than fair market value.* The assembly may authorize the sale or lease of property owned by the borough at less than fair market value for those projects that meet the criteria and requirements set forth in this chapter and consistent with MSB 23.10.060; however, land within the Point MacKenzie port district shall not be sold pursuant to MSB 18.02.010.

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OR15-057  
RS15-043

(7) *Project financial assistance.* The assembly may agree to participate, in cooperation with other financing or lending institutions, in financing, lending, or guaranteeing a portion of a financial loan package to assist the development of a new or expanded business.

(8) *Deferral of property taxes.*

(a) The assembly may permit deferral of payment of taxes for up to five years on all or some types of economic development property that meet the eligibility requirements of this chapter and AS 29.45.050(m) upon submission of a written application prior to March 15 of the application year.

(b) Taxes deferred pursuant to this section will be repaid on an equal pro rata basis within the same number of years as the authorized deferment. No penalties or interest shall accrue on deferred taxes as long as the deferred taxes are timely paid. Any deferred taxes not paid shall accrue penalties and interest back to the date of the original deferral.

(c) Deferred taxes shall be assessed in the year of deferral in accordance with MSB 3.15.190 and any appeal of an assessment of deferred taxes shall be filed in accordance with MSB 3.15.200 within 30 borough business days from the date the assessment notice was mailed.

(d) The deferral shall be effective until the ownership of the property for which a deferral has been granted is transferred or until the deferral period has ended. Upon transfer of title, all tax payments deferred under this subsection are immediately due and the deferral ends, or, if ownership of only part of the property is transferred, all tax payments attributable to that part are immediately due and the deferral attributable to that part ends. This section does not apply to a lease of all or part of the property. Only one property deferral may be granted to the same property or project.

(9) *Exemption of property taxes.*

(a) The assembly may grant a 50 percent exemption of property taxes during the first year of operation, a 25 percent exemption during the second year of operation, and a ten percent exemption during the third year of operation on all or some types of economic development property that meet the eligibility requirements of this chapter and AS 29.45.050(m) upon submission of a written application prior to March 15 of the application year. To qualify for a property exemption the applicant must create a minimum of 15 full-time employee positions as defined in MSB 26.05.060(A)(1) of this chapter as well as meet all other pre-

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: April 21, 2015

ORIGINATOR: Community Development

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 23.10.060 CONSIDERATIONS, MSB 23.10.180 LEASES, AND MSB 26.05.040(A)(6) INCENTIVES, RELATING TO LESS THAN FAIR MARKET VALUE DISPOSALS, AND A RESOLUTION AMENDING TITLE 23 LAND AND RESOURCE MANAGEMENT POLICIES AND PROCEDURES MANUAL, REAL PROPERTY DISPOSALS: LESS THAN FAIR MARKET VALUE, PART 60.

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED *	FUNDING SOURCE <i>Sale and lease revenue</i>
FROM ACCOUNT #	PROJECT #
TO ACCOUNT: <i>203.000.000.3XX.XXX</i>	PROJECT #
VERIFIED BY: <i>Barbara Baumgardt</i>	CERTIFIED BY:
DATE: <i>4/9/15</i>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
---------	--	--	--	--	--	--

REVENUE	*					
---------	---	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other	*					
TOTAL	*					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

\* *Exact amount is unknown as it is dependant upon future circumstances however will result in a loss of interest revenue.*

PREPARED BY: *[Signature]*

PHONE: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_

DATE: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

CODE ORDINANCE

Sponsored by:  
Introduced: 4/21/15  
Public Hearing: 5/5/15  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-057**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 23.10.060 CONSIDERATIONS, MSB 23.10.180 LEASES, AND MSB 26.05.040(A)(6) INCENTIVES, RELATING TO LESS THAN FAIR MARKET VALUE DISPOSALS.

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WHEREAS, pursuant to code, any fair market value disposal shall be based upon an appraisal, the certified tax roll, a fee schedule adopted by the assembly, or in the case of natural resources, market price trends or past borough sales; and

WHEREAS, MSB Title 23 provides that borough real property assets may be sold leased, exchanged or otherwise disposed of for less than fair market value; and

WHEREAS, currently the minimum compensation paid to the borough for less than fair market value disposals regardless of their actual fair market value is \$500 or one to ten percent of the market value, whichever is greater; and

WHEREAS, there are circumstances in which approving less than fair market value disposals for economic benefit, health and safety enhancement, and public purpose are in the borough's best interest; and

WHEREAS, the borough must consider the revenue lost through current policy for less than fair market value disposals; and

WHEREAS, amendment to code still honors economic, health, safety and public purpose application by providing a discounted market value with interest-free terms to enable payment of the borough asset over time, which any business, organization or agency should be able to plan for and afford, and the amendment provides more equitable compensation for the public asset.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of section. MSB 23.10.060, is hereby amended as follows:

(A) Unless otherwise provided by a best interest finding pursuant to MSB 23.05.030(G), no borough-owned real property or resource may be sold, leased, exchanged, or otherwise disposed of for less than its fair market value.

(B) Fair market value shall be based on [AN APPRAISAL PREPARED IN CONFORMANCE WITH APPRAISAL INSTRUCTIONS ISSUED BY THE MANAGER. THE APPRAISAL]:

(1) [SHALL CONFORM TO] an appraisal prepared in conformance with the criteria set forth in the Uniform Standards of Professional Appraisal Practice as published by the Appraisal Foundation; or

[(2) WITH THE APPROVAL OF THE MANAGER,

FAIR MARKET VALUE FOR SALES MAY BE BASED ON THE VALUE ASSIGNED BY THE CERTIFIED TAX ROLL OF THE BOROUGH; OR]

[(3)] (2) with the approval of the manager, the fair market value of any disposal, be it sale, lease or easement may be established by [EITHER]:

(a) [A PERCENTAGE OF] the value assigned by the certified tax roll of the borough;

(b) [BY] an appraisal; or

(c) [BY] a fee schedule adopted by resolution of the assembly; or

[(4)] (3) with the approval of the manager, the fair market value of any resource sale[S] may be established by [EITHER] the fee schedule which sets the minimum prices, or by market price trends, [OR] the [PER ACRE] price trends based on past timber or gravel sale[, OR BOTH].

(C) [PURSUANT TO A BEST INTEREST FINDING, THE MINIMUM FEE TO BE PAID TO THE BOROUGH FOR A SALE AT LESS THAN FAIR MARKET VALUE SHALL BE THE GREATER OF \$500 OR 10 PERCENT OF THE FAIR MARKET VALUE OF THE

LAND. FOR A LEASE AT LESS THAN FAIR MARKET VALUE, THE ANNUAL LEASE RATE SHALL BE THE GREATER OF \$500 OR ONE PERCENT OF THE FAIR MARKET VALUE OF THE LAND.]

Pursuant to a best interest finding, the minimum fee to be paid to the borough for a sale at less than fair market value shall be no less than ninety percent (90%) of the value assigned by the certified tax roll of the borough, to be paid in full at time of conveyance, or by equal payments over a term approved by the assembly.

[(D) THE CONSIDERATION TO BE PAID TO THE BOROUGH FOR LESS THAN FEE SIMPLE TITLE INTERESTS IN BOROUGH-OWNED REAL PROPERTY SHALL BE SPECIFIED IN THE FEE SCHEDULE ADOPTED BY THE ASSEMBLY IN ACCORDANCE WITH THE MSB 23.05.060 OR IN ACCORDANCE WITH 23.10.060 (C).]

Section 3. Amendment of section. MSB 23.10.180 is hereby amended as follows:

(A) Leases shall be subject to all requirements and conditions applicable to disposal under this title.

(B) All provisions, stipulations, and conditions contained in any pre-existing lease of borough-owned

real property, entered into by the Alaska State Division of Lands acting as agent for the borough, prior to July 1, 1974, shall be binding in all respects on all parties.

(C) Application for a lease for public purposes shall be made in the same manner as other applications and shall contain a plan for development and use of the real property requested. The manager shall, in each case, determine that the proposed usage of borough-owned real property is for worthwhile public service, and that there will be no discrimination in providing service. The manager may make such other requirements as deemed proper before the issuance of such leases. Failure to carry out such plan as submitted and agreed upon may result in revocation of the lease.

(D) [THE ANNUAL RENT ON A LEASE FOR A PUBLIC PURPOSE TO A GOVERNMENTAL AGENCY OR A NOT-FOR-PROFIT CORPORATION FORMED FOR THE PURPOSE OF CARRYING ON A PUBLIC SERVICE MAY BE AT LESS THAN FAIR MARKET VALUE IN ACCORDANCE WITH MSB 23.05.030 (G), BUT SHALL NOT BE LESS THAN \$500.] Pursuant to a best interest finding, the minimum fee to be paid to the borough for a lease at less than fair market value shall be no less than

eight percent (8%) per acre per month of the value assigned by the certified tax roll of the borough.

Section 4. Amendment of paragraph. MSB 26.05.040(A)(6) is hereby amended as follows:

(6) Sale or lease of borough land at less than fair market value. The assembly may authorize the sale or lease of property owned by the borough at less than fair market value for those projects that meet the criteria and requirements set forth in this chapter and consistent with Land & Resource Management Division Policy and Procedure Manual, Part 60, Real Property Disposals: Less than fair market value, MSB 23.10.060 and 23.10.180; however, land within the Point MacKenzie port district shall not be sold pursuant to MSB 18.02.010.

Section 5. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

LARRY DeVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Action:

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 15-043**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING TITLE 23 LAND AND RESOURCE MANAGEMENT POLICIES AND PROCEDURES MANUAL, REAL PROPERTY DISPOSALS: LESS THAN FAIR MARKET VALUE, PART 60.

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WHEREAS, the Land and Resource Division Policies and Procedures Manual provides how Title 23 is to be procedurally implemented; and

WHEREAS, amendments to Title 23 as it relates to less than fair market value disposals will require supporting amendments to policy and procedure.

NOW, THEREFORE, BE IT RESOLVED, the Land and Resource Division Policies and Procedures Manual shall be amended as follows:

PART 60, REAL PROPERTY DISPOSALS: LESS THAN FAIR MARKET VALUE.

1.1 Authority: 23.05.030 [(G)]

23.10.060

2.1 This section describes the borough policy towards the [SALE OR LEASE] disposal of borough-owned property at less than fair market value.

3.1 Fair market value, as defined under 23.05.[005] 150, shall be the basis for establishing the property value within this title except when one of the three following

purposes may permit the use of less than [FMV] fair market value.

A. Economic, through a beneficial industrial or commercial [ENTERPRISE] business; or

B. Enhance public health, safety, and welfare; or

C. [NON-PROFIT CORPORATIONS, ASSOCIATIONS, CLUBS, OR SOCIETIES ORGANIZED AND OPERATED EXCLUSIVELY FOR CHARITABLE, RELIGIOUS, SCIENTIFIC, EDUCATIONAL, YOUTH ENCAMPMENT, OR OTHER PUBLIC PURPOSES.] Government Agency or Community Council.

4.1 Economic. As it is the intent of this policy to encourage economic growth the borough may offer, as an incentive, borough-owned property for sale or lease or otherwise convey for less than fair market value for a beneficial industrial or commercial [ENTERPRISE] business, as defined within 23.05.[005] 150. In order to receive this consideration, an industrial or commercial [ENTERPRISE] business must also meet the best interest requirements of 23.05.030(G).

5.1 Public Health, Safety, and Welfare. Less than [FMV'S] fair market value may be available when the purpose of an application for borough property is in furtherance of the public's health, safety, and welfare, [AS DEFINED WITHIN MSB 23.05.005] which the borough would otherwise

be required to perform by local ordinance or state law. Public Health, Safety, and Welfare purposes must also meet the best interest requirements of 23.05.030(G).

5.2 [NON-PROFIT CORPORATIONS, ASSOCIATIONS, CLUBS AND SOCIETIES, OR COMMUNITY SERVICE ORGANIZATIONS. LESS THAN FMV'S MAY BE AVAILABLE WHEN THE PURPOSE OF AN APPLICATION FOR BOROUGH PROPERTY IS TO PROVIDE FOR CHARITABLE, RELIGIOUS, SCIENTIFIC, EDUCATIONAL, YOUTH ENCAMPMENT, OR OTHER PUBLIC PURPOSES AS DEFINED WITHIN MSB 23.05.005. CHARITABLE, RELIGIOUS, SCIENTIFIC, EDUCATIONAL, YOUTH ENCAMPMENT OR OTHER PUBLIC PURPOSES MUST MEET THE BEST INTEREST REQUIREMENTS OF MSB 23.05.030(G).]

Government Agency or Community Council. Where the other party to the transaction is a public agency, such as federal, state or local government, or an organization representing a local community such as a government recognized community council or non-profit corporation acting as a community council, less than fair market value may be considered when application for borough property is for a specific public purpose such as a public facility, and the best interest requirements of 23.05.030(G) have been met.

6.1 In order to make a less than [FMV] fair market value

determination a best interest finding must be completed  
[SEE] in accordance with MSB 23.05.030 (G).

7.1 For all disposals at less than [FMV] fair market value,  
the borough shall [RETAIN THE RIGHT TO HAVE THE TITLE  
REVERT TO THE BOROUGH OR THE LEASE TERMINATED IN THE  
EVENT THE PROPERTY IS NO LONGER USED FOR THE PURPOSE  
APPLIED FOR AND APPROVED,] convey with recorded  
Covenants, Conditions and Restrictions (CCRs) to include  
specific use of property being conveyed and reversionary  
clause if CCRs are breached or if entity dissolves, and  
the entity shall be subject to and responsible for  
environmental assessment and clean-up of property.

ADOPTED by the Matanuska-Susitna Borough Assembly this -  
day of -, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

SUBJECT: ASSEMBLY APPROVAL FOR THE MANAGER TO ENTER INTO AN AGREEMENT WITH THE UNIVERSITY OF ALASKA TO PURCHASE THE FIREWEED BUILDING, LOCATED AT 533 FIREWEED AVENUE, PALMER, ALASKA, FOR PURPOSE OF PERMANENT LOCATION FOR THE BOROUGH'S CAPITAL PROJECTS DEPARTMENT (MSB006903).

AGENDA OF: April 21, 2015

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY *[Signature]* JOHN MOOSEY, BOROUGH MANAGER: *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator	NSE	
	Community Development Director	EP	
	Capital Projects Director	MS 4/8/15	
	Finance Director	JW	4/9/15
	Borough Attorney	MS	
	Borough Clerk	JMM	4/13/15 <i>[Signature]</i>

ATTACHMENT (S): Fiscal Note: YES  NO   
 Ordinance Serial No. 15-058 (3 pp)

**SUMMARY STATEMENT:**

The borough entered into a one-year lease with the University of Alaska in 2013 for the purpose of moving the Capital Projects Department from the Dorothy Swanda Jones (DSJ) borough building to the Fireweed Building while DSJ renovations were underway. The lease was extended an additional year while the borough reviewed potential permanent locations for the Capital Projects department. With the renovations already performed on the Fireweed Building by Capital Projects, the building rose to the top as a permanent home; therefore, approval from the assembly is now sought to purchase the building.

A third party appraisal determined the fair market value to be \$650,000. In response to the appraisal, the borough submitted to the University a 2014 cost estimate of renovation requirements and requested consideration of both expended and future costs for the borough. The borough's investment to date for renovations and upgrades is approximately \$53,227 and additional costs to upgrade plumbing and electrical, to include abatement if needed, are estimated at \$100,000 or less.

After much negotiation, the borough and University agreed upon a purchase price of \$565,000, including a \$15,000 rebate for future abatement, if needed, thus dropping the price to \$550,000. The drop in price reflects the borough's upgrade cost estimates for the aforementioned plumbing and electrical upgrades.

The building would be turned over to the borough July 1, 2015 and the purchase price would be paid in equal payments over the next six years, at no interest. The University understands and acknowledges that fiscal funding is subject to annual assembly appropriation and approval by ordinance. The borough understands and acknowledges that if funding were not so approved, non-payment would constitute default of the agreement and the University would have the option of retaining the property, to include all monies paid to date.

In essence, the agreement is similar to an owner-financed purchase wherein the borough will pay a monthly amount similar to what is currently being paid monthly in rent, with no annual price increases. At the end of the day, the borough will own the building in just over six years, all without increasing the budget.

**RECOMMENDATION OF ADMINISTRATION:**

Recommendation is for the assembly to approve the manager to enter into an agreement with the University of Alaska to purchase the Fireweed Building, located at 533 Fireweed Avenue, Palmer, Alaska, for a purchase price not to exceed \$565,000, to be paid equally over the term of seventy-four months (approximately 6.24 years), subject to annual assembly appropriation and approval.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: April 21, 2015

ORIGINATOR: Community Development

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE MANAGER TO ENTER INTO AN AGREEMENT WITH THE UNIVERSITY OF ALASKA TO PURCHASE THE FIREWEED BUILDING, LOCATED AT 533 FIREWEED AVENUE, PALMER, ALASKA, FOR PURPOSE OF PERMANENT LOCATION FOR THE BOROUGH'S CAPITAL PROJECTS DEPARTMENT (MSB006903).

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <u>YES</u> NO
AMOUNT REQUESTED <b>\$565,000</b>	FUNDING SOURCE <b>Capital Projects Operating Budget</b>
FROM ACCOUNT # <b>100.180.180.4xx, xx x</b>	PROJECT #
TO ACCOUNT :	PROJECT #
VERIFIED BY: <b>Barbara Baumgartner</b>	CERTIFIED BY:
DATE: <b>4/8/15</b>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL		<b>91*</b>				
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REVENUE						
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FUNDING: (Thousands of Dollars)

General Fund	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
State/Federal Funds						
Other						
TOTAL						

POSITIONS:

Full-Time	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) **\* Annual payments will be approximately \$91,000 depending on the actual purchase price**

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED BY: **J. C. G.** DATE: **4/9/15**

NON-CODE ORDINANCE

Sponsored By:  
Introduced:  
Public Hearing:  
Adopted:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-058**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE MANAGER TO ENTER INTO AN AGREEMENT WITH THE UNIVERSITY OF ALASKA TO PURCHASE THE FIREWEED BUILDING, LOCATED AT 533 FIREWEED AVENUE, PALMER, ALASKA, FOR PURPOSE OF PERMANENT LOCATION FOR THE BOROUGH'S CAPITAL PROJECTS DEPARTMENT (MSB006903).

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WHEREAS, the Matanuska-Susitna Borough entered into a lease in 2013 with the University of Alaska in order to relocate the borough's Capital Projects Department during Dorothy Swanda Jones (DSJ) borough building renovations; and

WHEREAS, the lease was extended an additional year while the borough reviewed potential permanent locations for the Capital Projects department; and

WHEREAS, as upgrades were done on the Fireweed Building by Capital Projects, the building rose to the top of the list as a permanent home and now seek approval from the assembly to purchase the building; and

WHEREAS, the borough submitted to the University cost estimates of renovation requirements for the building to include expended and future costs; and

WHEREAS, the borough and University were able to agree to a purchase price of \$565,000.00, which is \$100,000.00 below appraised value; and

WHEREAS, terms include monthly payments to the University in almost equal amount of current lease payments, to be paid over seventy-four months (approximately 6.24 years) with no compounded interest, and a \$15,000.00 credit to the borough for abatement associated with future upgrades, if needed; and

WHEREAS, the University and the borough understand and acknowledge that payment is subject to fiscal year appropriation and approval by the borough assembly; and

WHEREAS, assembly approval for the manager to enter into an agreement with the University for the purchase of the Fireweed Building is cost effective and provides a permanent location for the Capital Projects Department.

BE IT ENACTED:

Section 1. Classification. This Ordinance is a non-code ordinance.

Section 2. Approval. The Assembly hereby authorizes the borough manager to enter into an agreement with the University for the Purchase of the Fireweed Building in an amount not to exceed \$565,000 to be paid over seventy-four months (approximately 6.24 years) subject to annual assembly appropriation and approval.

Section 3. Effective Date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** APPROVING A BEST INTEREST FINDING THAT FINDS A PROPOSED LAND EXCHANGE BETWEEN THE MATANUSKA-SUSITNA BOROUGH AND DOUGLAS L. OLSON FOR LANDS LOCATED IN THE AREA SOUTH OF THE TRUNK ROAD - PARKS HIGHWAY INTERCHANGE IS IN THE BEST INTEREST OF THE BOROUGH; AND A NON-CODE ORDINANCE APPROVING THE LAND EXCHANGE FOR THESE SAME LANDS AND AUTHORIZING THE BOROUGH MANAGER TO EXECUTE THE DOCUMENTS NECESSARY TO COMPLETE THIS LAND EXCHANGE WITH DOUGLAS L. OLSON. (MSB007034/DPW000085)

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY** *for* JOHN M. MOOSEY, BOROUGH MANAGER: *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator	<i>BM</i> 4/8/2015	
	Capital Projects Director	<i>WB</i> 4/8/15	
	Community Development Director	<i>zcc</i>	4/9/15
	Finance Director		
	Borough Attorney	<i>NS</i>	
	Borough Clerk	<i>Sam</i>	4/13/15 <i>[Signature]</i>

**ATTACHMENT (S):** Fiscal Note: NO  YES   
 Vicinity Map: (1 pp)  
 Best Interest Finding: (5 pp)  
 Resolution Serial No. 15-046 (3 pp)  
 Ordinance Serial No. 15-059 (2 pp)

**SUMMARY STATEMENT:**  
 The Borough initiated the Trunk Road Extension South Road Project to construct a collector roadway that will serve existing and proposed developments in the project area. The

project will extend Trunk Road to the south from the Trunk Road - Parks Highway Interchange to Nelson Road. This project will fulfill its purpose by constructing approximately one mile of a two-lane, paved roadway to collector road standards with a 10 foot wide detached pathway. The project plans include a roundabout that will be constructed in the area northerly of the Olson property. The alignment of the south leg of the roundabout requires acquisition of a portion of the parking area which currently serves the birthing center, medical clinic and retail store on the Olson property. As a result, the Borough is proposing to exchange land from adjoining parcels previously acquired for project right of way which will allow a new-replacement parking area to be constructed.

The proposed action involves a land exchange between the Matanuska-Susitna Borough (Borough) and Douglas L. Olson in support of the Trunk Road Extension South Road Project. The formal decision to exchange and convey land occurs with the approval of the Borough Assembly and Mr. Douglas L. Olson. The lands involved in this exchange are located in the area south of the Trunk Road - Parks Highway Interchange.

The details of the exchange are explained in the Best Interest Finding which must be adopted by Resolution per MSB code and is an attachment to this Informational Memorandum. The Ordinance approves the exchange and authorizes the manager to execute the necessary documents to implement the exchange.

Approval of the Resolution and Ordinance implement the intent stated in the Best Interest Finding which finds the proposed land exchange is in the best interest of the Borough.

Pursuant to MSB 23.05.030(D) the Borough Manager, with the consent of the Assembly, may convey real property to, or negotiate an exchange of real property with the United States of America, State of Alaska, or another entity, where it is in the best interest of the borough to do so. The best interest of the borough may include, but is not limited to, obtaining real property in a location better suited for a public facility than real property owned by the Borough, or making Borough real property available for a purpose of specific benefit to the public.

**Recommendation of Administration:**

Respectfully requests the land exchange be approved in accordance with MSB 23.05.030(D) between the Matanuska-Susitna Borough and Douglas L. Olson for the purpose of the Trunk Road Extension South Project.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: April 21, 2015

**SUBJECT:** An ordinance of the Matanuska-Susitna Borough Assembly approving a land exchange of .57 acres of borough-owned land for .19 acres of land owned by Douglas L. Olson in the area of the Trunk Road - Parks Highway Interchange for purpose of the Trunk Road Extension South Road Project; and authorizing the manager to execute the documents necessary to complete the land exchange. (MSB007034/DPW000085)

**ORIGINATOR:**

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <u>YES</u> NO
AMOUNT REQUESTED <del>*</del>	FUNDING SOURCE <u>Tax Revenue</u>
FROM ACCOUNT #	PROJECT #
TO ACCOUNT : <u>various</u>	PROJECT #
VERIFIED BY: <u>Barbara Baerengut</u>	CERTIFIED BY:
DATE: <u>4/9/15</u>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
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REVENUE		<del>*</del>				
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FUNDING: (Thousands of Dollars)

General Fund		<del>*</del>				
State/Federal Funds						
Other		<del>*</del>				
TOTAL		<del>*</del>				

POSITIONS:

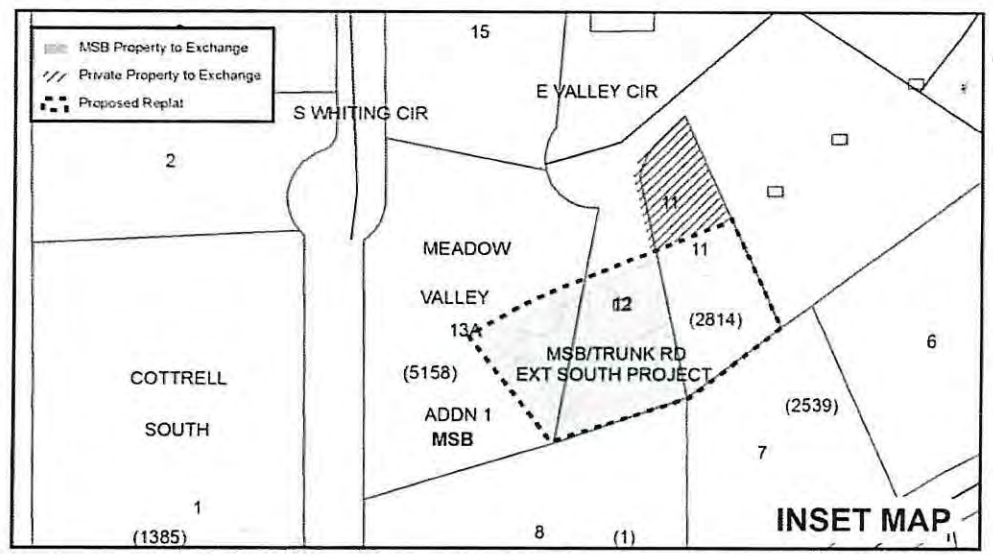
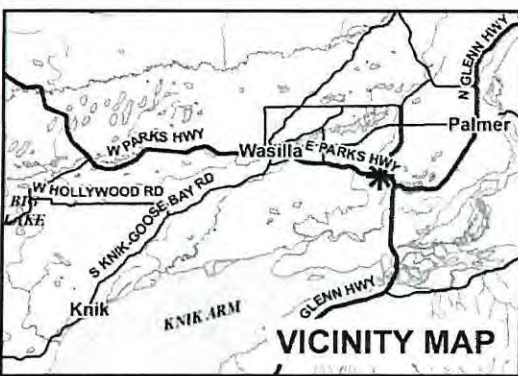
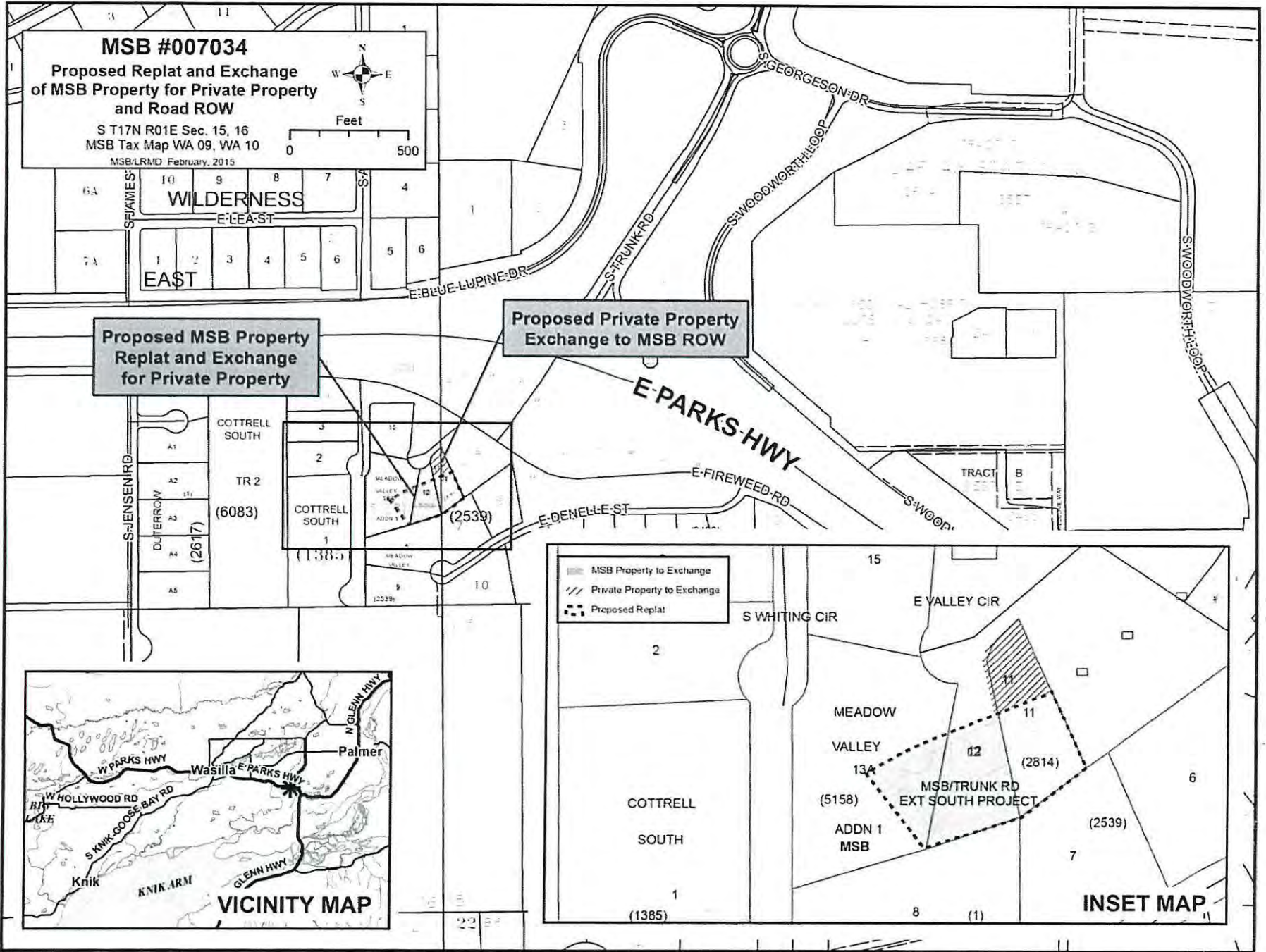
Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) \* Revenue based on net assessed in future years

PREPARED BY: \_\_\_\_\_ exact amount will be PHONE: based on mill levy

DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_ approved

APPROVED BY: J.E.C.G. DATE: 4/9/15



\*This public notice & request for comments is in compliance with MSB Code 23.05.025  
 PLEASE TAPE CLOSED ON BOTTOM AND RIGHT OF STAMP

IM15-100  
 RS15-046  
 DR15-059

## BEST INTEREST FINDING

### For the EXCHANGE OF BOROUGH-OWNED LAND FOR LAND OWNED BY DOUGLAS L. OLSON IN DIRECT SUPPORT OF THE TRUNK ROAD EXTENSION SOUTH TO NELSON AVENUE RIGHT-OF-WAY PROJECT

#### I. SUMMARY OF PROPOSED ACTION

The proposed action involves a land exchange between the Matanuska-Susitna Borough (Borough) and Douglas L. Olson (Olson) which is required for the Trunk Road Extension South Road Project. The proposed exchange is located in the area south of the Trunk Road - Parks Highway Interchange as depicted on the attached vicinity map. A portion of the Olson parcel is required for the construction of the Trunk Road Extension South Road Project. The exchange as proposed will avoid the relocation of four businesses and demolition of those improvements at a cost to the borough in excess of \$1,000,000. Due to terrain and access considerations, the entire usable area of the exchange lot from the Borough is required to replace the existing parking area and provide alternative access to the Olson land. The Borough land contains .57 acres total (0.38 acres useable) and the Olson land contains .19 acres. The formal decision to exchange and convey land shall occur only with the approval of the Borough Assembly and Douglas L. Olson.

#### II. AUTHORITY

MSB 23.05.030(D) states that the Borough Manager, with the consent of the Assembly, may convey real property to, or negotiate an exchange of real property with the United States of America, State of Alaska, or another entity, where it is in the best interest of the Borough to do so. The best interest of the Borough may include, but is not limited to, obtaining real property in a location better suited for a public facility than real property owned by the Borough, or making Borough real property available for a purpose of specific benefit to the public.

#### III. DESCRIPTION

##### **A. Location:**

- Geographic: The subject parcels are located south of the Trunk Road - Parks Highway Interchange.
- Community Council: Gateway Community Council.
- Matanuska-Susitna Borough Planning Area: Core Area Plan, 2007 Update.
- Major Transportation Corridor: Yes. The Borough's Long Range Transportation Plan indicates a corridor through these parcels.
- Zoning: None
- Covenants: Yes. Covenants do not restrict the proposed land action.
- Easements, Reservations & Restrictions: Twenty (20) foot screening easement along southeasterly boundary of both Borough and Olson land along with a five (5) foot drainage easement along the westerly boundary of the Borough land.
- Classification (Borough parcel): None. No classification action required by the Borough at this time.

- B. Legal Descriptions:** All the parcels are located in Township 17 North, Range 1 East, Seward Meridian; the Borough land is located within Section 16 and the Olson land is located within Sections 15 and 16.

**Borough Land (to be conveyed to Douglas L. Olson, containing .57 acres):**

A portion of Lot 13A, Meadow Valley Addition 1 Resubdivision of Lots 13 and 14, Plat No. 2001-116, Palmer Recording District, Third Judicial District, State of Alaska, and,

A portion of Lot 12, Meadow Valley Addition 1, Plat No. 84-218 and re-filed at Plat No. 84-314, Palmer Recording District, Third Judicial District, State of Alaska.

**Olson Land (that portion to be conveyed to MSB, containing .19 acres):**

A portion of Lot 11, Meadow Valley Addition 1, Plat No. 84-218 and re-filed at Plat No. 84-314, Palmer Recording District, Third Judicial District, State of Alaska.

- C. Title:**

Borough Land:

The Borough received title for right of way acquisition for the Trunk Road Extension South Road Project by Warranty Deeds recorded at 2014-004979-0, 3-24-2014, Palmer Recording District, and 2012-027259-0, 12-13-2012, Palmer Recording District.

Olson Land:

Olson received title by Warranty Deed recorded at 2002-010433-0, 5-23-2002, Palmer Recording District.

- D. Current Land Use:**

Borough Land

The property is currently being held as right of way for the Trunk Road Extension South Road Project.

Olson Land

The property is currently being used as a birthing center, a family medical center, a retail apparel store, and parking for these businesses.

- E. Surrounding Land Use:** Other properties in this area are a mix of residential and commercial; several parcels in the immediate area have been acquired as a part of the right of way for the Trunk Road Extension South Road Project.

- F. Existing Infrastructure:** There is existing electrical, telephone, gas, and water service to the property.

- G. Soils & Terrain:**

Borough and Olson Land

The affected lots are adjoining and share soil characteristics. According to USDA, Soil Conservation Service, Soil Survey of the Matanuska Valley Area Alaska, the parcels

contain Knik silt loam soils which are well-drained silty soils that are shallow over coarse gravelly material.

**H. Resources:** Not located within a MSB Natural Resource Management Unit.

**I. Borough Assessment:**

Borough Land: 24,916 square feet (.57 acre +/-) assessed at \$56,061 for the 2015 tax year (based on Lot 12 and Lot 13A assessments of \$2.25 per square foot).

Olson Land: 8,059 square feet (.19 acre +/-) assessed at \$18,133 for the 2015 tax year (based on Lot 11 assessment of \$2.25 per square foot).

IV. Public, Board and Commission Comments & Recommendations

In accordance with MSB Title 23.05.025, a 30-day public notice was initiated regarding the proposed land exchange. Notice was published in the Frontiersman and posted on the borough website with direct mailing to all affected property owners, Gateway Community Council, Assembly Member Arvin, cities of Wasilla and Palmer, MSB area fire chief, local Road Service Area and Fire Service Area boards and MSB Parks, Recreation and Trails Board. MSB internal department review was completed.

There were no concerns or objections received from the public notice or MSB inter-department review.

V. Relative Market Values

Borough Land Market Value:

The Borough acquired two parcels, Lots 12 and 13B of Meadow Valley Subdivision, for the Trunk Road Extension South Road Project. Presently the properties have at grade access via Whiting Circle and East Valley Circle. The exchange parcel consists of portions of Lots 12 and 13B south of the new right of way required for Trunk Road Extension South. Although the exchange parcel is rectangular in shape containing 24,916, the usable portion is triangular shaped containing 16,530 square feet. The usable portion drops almost 10 feet from the east boundary to the west boundary. The balance of the lot lies on a steep slope containing approximately 8,386 square feet.

Lot 12 contained 20,991 square feet and was acquired for appraised value of \$115,000 for the one-half acre lot, amounting to \$5.48 per square foot. Lot 13A contained 64,469 square feet, was appraised at \$5.50 per square foot and acquired at \$6.00 per square foot. Once the new road project is completed the property will be five feet above the road grade. The westerly 50 feet of the usable land area will be required to provide access to the new Trunk Road. As combined, the exchange area will have a similar usable land area to Parcel 12. The negative impacts of the triangular shaped usable area, sloping terrain, and land used for access are offset by the increased road frontage.

The value of the exchange lot is estimated at \$115,000.

Olson Land Market Value:

Before acquisition, the Olson property contains 21,309 square feet. It is developed into commercial space with two remodeled Colony Barns and a silo. Currently it is at grade with East Valley Circle. This property was appraised by the same appraiser as Lots 12 and 13A at a total improved value of \$925,000 with an allocated land value of \$125,000, or \$5.86 per square foot.

The area to be acquired contains 8,059 square feet which at the appraised value equates to \$47,225. However, the 8,059 square feet needed for the project results in acquiring one-half of the parking area, elimination of access to the New Trunk Road, and most significantly, reduces the property from 21,309 square feet to 13,250 feet, which is below the 16,000 square foot borough minimum lot size allowed after taking of property for capital projects. Damages to the remaining Olson property as a result of the acquisition of the 8,059 square feet cannot be determined without use of adjacent property to re-establish access and parking. Use of the adjacent Borough exchange lands avoids the purchase of the entire property, relocation of the four businesses and demolition of the improvements at a cost in excess of \$1,000,000. Due to terrain and access considerations the entire usable area of the exchange lot is required to replace the parking and provide alternative access to the Olson Parcel.

VI. Analysis & Discussion

BACKGROUND:

The Borough initiated the Trunk Road Extension South Road Project to provide access to Machetanz Elementary and several large subdivisions in the area. Public meetings to discuss route alternatives were held from 2007 through 2009. At a public meeting held on May 20, 2009, the public was asked to discuss both short-term and long-term needs and help determine which route alternative would move the project forward. The majority of the comments recommended extending Trunk Road South in order to access the school. The decision to focus staff time and funding to develop the east portion of the project was provided to the Planning Commission and Assembly.

DISCUSSION:

The purpose of the Trunk Road Extension South project is to construct a collector roadway that will serve existing and proposed developments in the project area. The project will extend Trunk Road from the Trunk Road - Parks Highway Interchange south to Nelson Road. This project will fulfill its purpose by constructing approximately one mile of a two-lane, paved roadway to collector road standards with a 10 foot wide detached pedestrian pathway. The project plans include a roundabout to be constructed in the area of the Olson property. The alignment of the south leg of the roundabout requires acquisition of a portion of the parking area which currently serves the birthing center, medical clinic and retail store on the Olson property. As a result, the Borough proposes to exchange land from adjoining borough parcels previously acquired for project right of way to allow a replacement parking area to be constructed and provide alternative access to the Olson land.

The Borough proposes to exchange .57 acres for .19 acres of Olson's land which will be dedicated as right of way for the Trunk Road Extension South Road Project. This land exchange

requires re-platting the affected lots in order to convey the Borough land to Olson and for Olson to dedicate land to the Borough as right of way. Olson and the Borough concur to the replat to facilitate the land exchange.

VII. Final Administrative Decision

Recommendation is for assembly approval by Resolution of the Best Interest Finding and land exchange in direct support of constructing the Trunk Road Extension South Road Project in the area lying south of the Trunk Road - Parks Highway Interchange to serve existing and proposed developments in the project area.

NON-CODE ORDINANCE

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-059**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING A LAND EXCHANGE OF .57 ACRES OF BOROUGH-OWNED LAND FOR .19 ACRES OF LAND OWNED BY DOUGLAS L. OLSON LOCATED IN THE AREA OF TRUNK ROAD - PARKS HIGHWAY INTERCHANGE FOR THE PURPOSE OF THE TRUNK ROAD EXTENSION SOUTH ROAD PROJECT; AND AUTHORIZING THE MANAGER TO EXECUTE THE DOCUMENTS NECESSARY TO COMPLETE THE LAND EXCHANGE. (MSB007034/DPW000085)

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WHEREAS, the proposed action involves a land exchange between the Matanuska-Susitna Borough (Borough) and Douglas L. Olson (Olson) for the Trunk Road Extension South Road Project; and

WHEREAS, the formal decision to exchange and convey land occurs with the Borough Assembly approval of a Best Interest Finding through adoption of Resolution Serial No. 15-046 and approval by ordinance of the land exchange; and

WHEREAS, the area required from Douglas L. Olson is needed for the Trunk Road Extension South Road Project where improvements for a roundabout and related facilities will be located; and

WHEREAS, MSB 23.05.030(D), authorizes the Manager, with the consent of the Assembly, to exchange land with the United States of America, State of Alaska, or other entity where it is in the

best interest of the borough to do so.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Authorization. The Matanuska-Susitna Borough Assembly hereby authorizes the Manager to enter into a land exchange with Douglas L. Olson, consistent with the "Best Interest Finding" for the land described therein.

Section 3. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Action:

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 15-046**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING A BEST INTEREST FINDING IN SUPPORT OF A LAND EXCHANGE OF .57 ACRES OF BOROUGH-OWNED LAND FOR .19 ACRES OF LAND OWNED BY DOUGLAS L. OLSON LOCATED IN THE AREA OF THE TRUNK ROAD - PARKS HIGHWAY INTERCHANGE FOR PURPOSE OF THE TRUNK ROAD EXTENSION SOUTH ROAD PROJECT. (MSB007034/DPW000085)

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WHEREAS, the Matanuska-Susitna Borough has initiated the Trunk Road Extension South Road Project; and

WHEREAS, the project will construct a collector roadway which will serve existing and proposed developments in the project area by extending Trunk Road to the south from the Trunk Road - Parks Highway Interchange to Nelson Road; and

WHEREAS, the area to be acquired from Douglas L. Olson is required for the construction of the Trunk Road Extension South Road Project as the alignment of the south leg of the roundabout requires acquisition of a portion of the parking area of the Olson land; and

WHEREAS, due to terrain and access considerations the entire usable area of the exchange lot is required to replace the existing parking and provide alternative access to the Olson Parcel; and

WHEREAS, the exchange of property avoids the purchase of the entire Olson property, avoids the relocation of four

businesses and demolition of the improvements at a cost to the Borough in excess of \$1,000,000; and

WHEREAS, the exchange of property between the Borough and Olson is in the best interest of the Matanuska-Susitna Borough; and

WHEREAS, all the exchange parcels are located in Township 17 North, Range 1 East, Sections 15 and 16, Seward Meridian, Alaska, and more particularly described as:

**Borough Land to be conveyed to Douglas L Olson, containing .57 acres (.38 acres usable)**

A portion of Lot 13A, Meadow Valley Addition 1 Resubdivision of Lots 13 and 14, Plat No. 2001-116, Palmer Recording District, Third Judicial District, State of Alaska, and,

A portion of Lot 12, Meadow Valley Addition 1, Plat No. 84-218 and re-filed as Plat No. 84-314, Palmer Recording District, Third Judicial District, State of Alaska.

**Olson Land to be conveyed to MSB, containing .19 acres**

A portion of Lot 11, Meadow Valley Addition 1, Plat No. 84-218 and re-filed as Plat No. 84-314, Palmer Recording District, Third Judicial District, State of Alaska.

WHEREAS, pursuant to MSB 23.05.030(D) the Borough Manager, with the consent of the Assembly, may convey real property to,

or negotiate an exchange of real property with the United States of America, State of Alaska, or another entity, where it is in the best interest of the borough to do so; and

WHEREAS, an exchange of land between the Matanuska-Susitna Borough and Douglas L. Olson is a fair exchange of value and the most efficient and expeditious method to facilitate the Trunk Road Extension South Road Project.

NOW, THEREFORE, BE IT RESOLVED, the Matanuska-Susitna Borough Assembly approves the "Best Interest Finding" and finds it is in the best interest of the Matanuska-Susitna Borough to enter into a land exchange with Douglas L. Olson for the parcels herein described.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** Appropriation of the Matanuska-Susitna Borough, State of Alaska Lease Revenue Refunding Bonds, Series 2015 (Goose Creek Correction Center Project) Proceeds for Issuance Costs.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY** *for* JOHN MOOSEY, BOROUGH MANAGER: *[Signature]*

Route To:	Department/Individual	Initials	Remarks
1	Originator - Fin. Dir.	TC	
2	Finance Director	<i>JUC</i>	<i>4/9/15</i>
3	Attorney	<i>JS</i>	
4	Borough Clerk	<i>JUN</i>	<i>4/13/15</i> <i>[Signature]</i>

**ATTACHMENT(S):** Ordinance Serial No. 15-*060 (2 pp)*  
 Fiscal Note: Yes X No     

**SUMMARY STATEMENT:**  
 Before you is an ordinance of the Matanuska-Susitna Borough Assembly to appropriate funds from the proceeds of the Matanuska-Susitna Borough, State of Alaska Lease Revenue Refunding Bonds, Series 2015 (Goose Creek Correction Center Project) for issuance costs.

On March 17, 2015, the assembly adopted Ordinance Serial No. 15-032 which authorized the issuance of bonds to refund certain portions of the Series 2008 Lease Revenue Bonds for the Goose Creek Correction Center Project. The refunding bonds were issued in March 2015. This resulted in a savings to the State of Alaska of \$8.7 million. It is now necessary to appropriate the issuance costs for those bonds which came from the premium on the bonds.

The attached ordinance will appropriate \$707,594 for issuance costs. The issuance costs include amounts estimated to be paid

for the printing of the official statements, paying agent fees, fees to obtain our bond ratings, underwriter's discount, bond counsel, pricing advisor fees, and other miscellaneous costs. Any funds in excess of the actual issuance costs will be transferred to the School Debt Service Fund for future debt service payments.

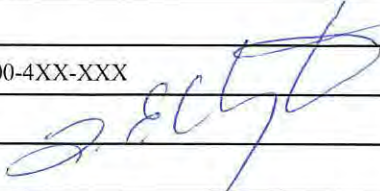
**Recommendation of Administration:** Administration recommends approval of the appropriation of the Matanuska-Susitna Borough, State of Alaska Lease Revenue Refunding Bonds, Series 2015 (Goose Creek Correction Center Project) proceeds for the issuance costs.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: April 21, 2015

SUBJECT: Appropriation of the Series 2015 Series Lease Revenue Refunding Bonds Issuance Costs.

ORIGINATOR: T. Clayton

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT YES NO
AMOUNT REQUESTED \$707,594	FUNDING SOURCE Refunding Bond Proceeds
FROM ACCOUNT #	PROJECT #
TO ACCOUNT : 495-000-000-4XX-XXX	PROJECT #
VERIFIED BY: 	CERTIFIED BY:
DATE:	DATE:

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>						

CAPITAL		708				
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REVENUE						
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FUNDING:

(Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		708				
<b>TOTAL</b>		708				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY:  DATE: 4/9/15

IM No. 15-101  
Ordinance Serial No. 15-060

Non-code Ordinance

By: Borough Manager  
Introduced:  
Public Hearing:  
Adopted:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-060**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROPRIATING \$707,594 TO FUND 495 FOR ISSUANCE COSTS FROM THE PROCEEDS OF THE MATANUSKA-SUSITNA BOROUGH, STATE OF ALASKA LEASE REVENUE REFUNDING BONDS, SERIES 2015 (GOOSE CREEK CORRECTION CENTER PROJECT).

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WHEREAS, On March 17, 2015, the Assembly adopted Ordinance Serial No. 15-032 which authorized the issuance of bonds to refund certain portions of the Series 2008 Lease Revenue Bonds for the Goose Creek Correction Center Project. It is now necessary to appropriate the issuance costs for those bonds which came from the premium on the bonds; and

WHEREAS, the refunding bonds were issued in March 2015; and

WHEREAS, the refunding resulted in a savings to the State of Alaska of \$8.7 million; and

WHEREAS, the bonds were sold at a premium which will be utilized to pay the estimated issuance costs in the amount of \$707,594; and

WHEREAS, the funds must be appropriated to the prison infrastructure/capital project fund before they can be expended.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Issuance Cost Appropriation. There is hereby

appropriated \$707,594 to Fund 495 for issuance costs for the 2015 Lease Revenue Refunding Bonds.

Section 3. Effective date. Ordinance Serial No. 15-\_\_\_\_ shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this 17th day of March, 2015.

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Larry DeVilbiss, Borough Mayor

ATTEST:

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Lonnie McKechnie, CMC, Borough Clerk


(SEAL)


**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REPEALING PERMANENT REGISTRATION OF MOTOR VEHICLES OVER 8 YEARS OLD AND PERMANENT REGISTRATION OF NON-COMMERCIAL TRAILERS AND REPEALING CHANGES TO THE MOTOR VEHICLE TAX DISTRIBUTION TO RESTORE THE DISTRIBUTION TO THE ORIGINAL AMOUNTS.

**AGENDA OF:**

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Recommend approval of ordinance repealing permanent registration and restoring vehicle tax distribution to the original amounts.

APPROVED BY <sup>John</sup> JOHN MOOSEY, BOROUGH MANAGER: 

Route To:	Department/Individual	Initials	Remarks
	Originator	NS	For J. Sykes
	Finance Director	JAC	4/9/15
	Borough Attorney	AS	
	Borough Clerk	Jmm	4/13/15 

**ATTACHMENT(S):** Fiscal Note: NO  YES  Ordinance Serial No. 14-061 (6 pp)

**SUMMARY STATEMENT:**

This ordinance is coming forward at the request of Assemblymember Sykes.

This ordinance will repeal the permanent motor vehicle tax and the associated ordinance pertaining to its distribution to restore just over \$2,400,000 annually to the Matanuska-Susitna Borough and restore the loss in revenue to the Borough, Cities and Service Areas. A portion of the motor vehicle tax that goes to road maintenance represents a fairly direct tax in that the people who drive on roads help pay for them.

Under the laws which provided for permanent registration, the revenues collected will not be sufficient to meet future needs.

A direct consequence will be that in 2 years, there will be almost no funding for the dust control matching program. Dust control is a critical public service in that it not only assists the road systems in the Borough, but it also directly impacts the amount of dust which citizens are forced to breathe. More dust and particulate matter in the air results in greater health risks. If this program is not funded through the motor vehicle tax, then either dust control will not be done, or RSA mill rates will have to be increased, or additional state revenue will be needed.

On October 21, 2014, the Matanuska-Susitna Borough Assembly passed Ordinance Serial No. 14-107. This ordinance amended Borough code to allow for permanent registration of motor vehicles at least 8 years old and non-commercial trailers regardless of the age of the trailer. The ordinance went into effect on January 1, 2015.

Informational Memorandum No. 14-161 which accompanied the ordinance contained a fiscal note. The fiscal note projects loss in revenue resulting from permanent motor vehicle registration in the amounts of \$1,209,000 in FY 2017 and \$2,419,000 in FY 2018 and every year thereafter.

As a result of the anticipated revenue loss, Ordinance Serial No. 14-108 amended Borough code regarding future distributions of the motor vehicle tax and reduced the distribution amounts to Borough accounts, Cities and Service Areas.

When the Assembly passed the ordinance allowing for permanent registration, there was conflicting information presented as to the fiscal impact. It is now clear that the fiscal impact is as reflected in the original fiscal note - there will be a reduction in revenue in FY 2017 of approximately \$1,209,000. There will be a reduction in revenue in FY 2018 and every year thereafter of approximately \$2,419,000.

With the decline in oil revenue, the decline in state budgets and a reduction in education funding from the state, it is more critical than ever that the Matanuska-Susitna Borough retain a broad tax base. To that end, it is also critical that the permanent registration be repealed immediately and this repeal be implemented immediately.

In addition, part of the motor vehicle tax is distributed to the Road Service Areas and the Cities to pay for the roads. This drastic reduction in revenue over the next two years will hurt the ability to maintain safe roads with well-functioning traffic patterns. The motor vehicle tax represents a fairly direct tax in that people who drive on roads help pay for them.

When registering a motor vehicle, owners pay the State of Alaska a "fee" and owners pay the Matanuska-Susitna Borough a "tax". Upon permanent registration, owners pay the State of Alaska the existing fee plus an additional \$25 permanent registration fee. Owners electing for permanent registration paid the Matanuska-Susitna Borough the existing tax, but no additional permanent registration tax. The Borough did not impose an additional permanent registration tax for a specific reason.

HB 19 amended AS 28.10.431(j) to read, in part:

A municipality that chooses to change the tax imposed under (b) or (1) of this section or establishes a tax for permanently registered motor vehicles or trailers shall file a written notice of the change with the department by January 1 of the year preceding the year in which the change in tax is to take effect. A municipality may not change the amount of the tax imposed under this section more than once every two years. The department may charge a municipality a one-time fee to cover the cost to the department of implementing a change under this subsection.

The Matanuska-Susitna Borough would have to notify DMV by January 1, that the Matanuska-Susitna Borough wanted to allow permanent registration of vehicles and trailers only if it "establishes a tax for permanently registered motor vehicles or trailers." It was contemplated to establish an additional tax of \$25 for permanent registration (which mirrors the State of Alaska permanent registration fee). In order to implement the permanent motor vehicle registration as soon as possible, it was decided that no additional permanent registration tax be imposed. Rather the existing tax applicable to either vehicles 8 years or older or trailers, is simply be paid one last time when the owner elects to permanently register the vehicle or trailer.

Therefore, just as with the ordinance allowing for permanent registration, it is the express intent of the Borough Assembly to repeal permanent registration upon the effective date of this ordinance as no new tax is being imposed and no tax rate is being changed.

It is also the intent of the Matanuska-Susitna Borough that those vehicles and trailers which have been permanently registered retain their permanent registration.

Finally, this proposed ordinance will return the distribution to the levels found in the code for FY 2014. This ordinance will

also preserve the distribution mechanism for all future years.

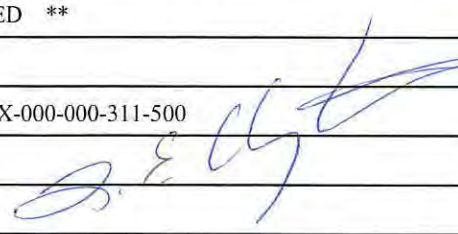
**Recommendation of Administration:** Recommend approval of ordinance repealing permanent registration and restoring vehicle tax distribution to the original amounts.

**MATANUSKA-SUSITNA BOROUGH FISCAL NOTE**

Agenda Date: April 21, 2015

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REPEALING PERMANENT REGISTRATION OF MOTOR VEHICLES OVER 8 YEARS OLD AND PERMANENT REGISTRATION OF NON-COMMERCIAL TRAILERS AND REPEALING CHANGES TO THE MOTOR VEHICLE TAX DISTRIBUTION TO RESTORE THE DISTRIBUTION TO THE ORIGINAL AMOUNTS.

ORIGINATOR: NS for J. Sykes

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT YES NO
AMOUNT REQUESTED **	FUNDING SOURCE Motor Vehicle Tax Revenues
FROM ACCOUNT #	PROJECT #
TO ACCOUNT : XXX-000-000-311-500	PROJECT #
VERIFIED BY: 	CERTIFIED BY:
DATE:	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
---------	--	--	--	--	--	--

REVENUE			*	**		→
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FUNDING: (Thousands of Dollars)

General Fund			*	**		→
State/Federal Funds						
Other			*	**		→
TOTAL						

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) \*An additional approximately \$1.2 would be received in vehicle tax revenue in Fiscal Year 2017. \*\*In Fiscal year 2018 another approximately \$1.2 million would be received. Overall \$2.4 million as compared to fiscal year 2016.

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY:  DATE: 4/9/15

IM No. 15-103  
 Ordinance Serial No. 15-061

CODE ORDINANCE

Sponsored by: Assemblymember Sykes

Introduced:

Public Hearing:

Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-061**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REPEALING PERMANENT REGISTRATION OF MOTOR VEHICLES OVER 8 YEARS OLD AND PERMANENT REGISTRATION OF NON-COMMERCIAL TRAILERS AND REPEALING CHANGES TO THE MOTOR VEHICLE TAX DISTRIBUTION TO RESTORE THE DISTRIBUTION TO THE ORIGINAL AMOUNTS.

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WHEREAS, on October 21, 2014, the Matanuska-Susitna Borough passed Ordinance Serial No. 14-107, Ordinance Serial No. 14-108 and accompanying Informational Memorandum 14-161; and

WHEREAS, Ordinance 14-107 allowed for permanent registration of motor vehicles over 8 years old and permanent registration of non-commercial trailers; and

WHEREAS, Ordinance 14-108 amended Borough code as it pertains to future distributions of the Motor Vehicle Tax; and

WHEREAS, IM 14-161 noted that the projected loss in revenue resulting from permanent motor vehicle registration is \$1,209,000 in FY 2017 and \$2,419,000 in FY 2018 and every year thereafter; and

WHEREAS, the portion of the motor vehicle tax that goes to road maintenance represents a fairly direct tax in that the people who drive on roads help pay for them; and

WHEREAS, this decline will cause no almost funding to be available for road dust control within two years seriously

reducing the ability to maintain local roads and forcing citizens to breathe greater amounts of unhealthy dust; and

WHEREAS, the lack of funds would lead to the curtailment of critical maintenance or the need for RSA's to increase their mill rate or seek other state revenues; and

WHEREAS, with the decline in oil revenue, the decline in state budgets and a reduction in education funding from the state, it is more critical than ever that the Matanuska-Susitna Borough retain a broad tax base; and

WHEREAS, with a restoration of the revenues from the Motor Vehicle Tax, the prospective allocation in anticipation of reduced revenue is no longer required and should be retained at its current level; and

WHEREAS, additional information and rationale are found in the informational memorandum accompanying this ordinance.

BE IT ENACTED:

Section 1. Classification. Section 3 and 4 of this ordinance is of a continuing and permanent nature and shall become part of borough code. All other sections are non-code.

Section 2. Statement of intent. The intent of this ordinance is found in the preamble to this ordinance and the informational memorandum accompanying it. In addition, it is the express intent of the Matanuska-Susitna Borough Assembly that the State of Alaska implement the change to repeal

permanent registration of vehicles and trailers upon the enactment of this ordinance.

Section 3. Amendment of Section. MSB 3.15.035(B) is amended as follows:

[(B) (3) AS PER THE AUTHORITY GRANTED UNDER AS 28.10.155 THE OWNER OF A MOTOR VEHICLE (OTHER THAN A COMMERCIAL MOTOR VEHICLE) THAT IS REQUIRED TO BE REGISTERED MSB 3.15.035(B) MAY ELECT TO REGISTER THE MOTOR VEHICLE PERMANENTLY IF THE VEHICLE IS AT LEAST EIGHT YEARS OLD AND THE OWNER RESIDES IN THE MATANUSKA-SUSITNA BOROUGH. THE PERMANENT REGISTRATION EXPIRES WHEN THE OWNER TRANSFERS OR ASSIGNS THE OWNER'S TITLE OR INTEREST IN THE VEHICLE. A PERMANENT REGISTRATION MAY NOT BE RENEWED. THE ELECTION FOR PERMANENT REGISTRATION MAY OCCUR WHEN REGISTERING OR RENEWING THE MOTOR VEHICLE REGISTRATION UPON PAYMENT OF THE EXISTING TAX AND WITHOUT ADDITIONAL TAX.

IF THE PERSON PERMANENTLY REGISTERS A VEHICLE, NO ADDITIONAL REGISTRATION IS REQUIRED IF THE SAME PERSON WHO INITIALLY REGISTERED THE VEHICLE CONTINUES TO OWN THE VEHICLE. A NEW OWNER OF A VEHICLE PREVIOUSLY REGISTERED UNDER THIS SUBSECTION SHALL REGISTER AND PAY THE EXISTING BIENNIAL REGISTRATION TAX AND MAY ELECT TO PERMANENTLY REGISTER THE VEHICLE WITHOUT ADDITIONAL TAX.]

[(B) (4) AS PER THE AUTHORITY GRANTED UNDER AS 28.10.421(J) THE OWNER OF A NON-COMMERCIAL TRAILER REQUIRED TO BE REGISTERED

UNDER MSB 3.15.035(B)(1)(F) MAY CHOOSE TO REGISTER THE TRAILER PERMANENTLY IF THE OWNER RESIDES IN THE MATANUSKA-SUSITNA BOROUGH. THE PERMANENT REGISTRATION EXPIRES WHEN THE OWNER TRANSFERS OR ASSIGNS THE OWNER'S TITLE OR INTEREST IN THE TRAILER. A PERMANENT REGISTRATION MAY NOT BE RENEWED. THE ELECTION FOR PERMANENT REGISTRATION MAY OCCUR WHEN REGISTERING OR RENEWING THE TRAILER REGISTRATION UPON PAYMENT OF THE EXISTING TAX AND WITHOUT ADDITIONAL TAX.

IF THE PERSON PERMANENTLY REGISTERS A TRAILER, NO ADDITIONAL REGISTRATION IS REQUIRED IF THE SAME PERSON WHO INITIALLY REGISTERED THE TRAILER CONTINUES TO OWN THE TRAILER. A NEW OWNER OF A TRAILER PREVIOUSLY REGISTERED UNDER THIS SUBSECTION SHALL REGISTER AND PAY THE EXISTING BIENNIAL REGISTRATION TAX AND MAY ELECT TO PERMANENTLY REGISTER THE TRAILER WITHOUT ADDITIONAL TAX.

(B) (5) Effective May 5, 2015, Permanent registration as per AS 28.10.155 and/or AS 28.10.421(j) is not allowed within the Matanuska-Susitna Borough.

Section 4. Amendment of Section. MSB 3.15.035(B) is amended as follows:

(B) (2) The allocation of the revenue shall be the following starting July 1, 2014 and every year thereafter:

Areawide	\$15.00
Non-areawide	3.00

Special service areas	3.00
Fire service areas	2.00
Road service area	11.00
Cities with property tax exemptions equal to or greater than the borough	7.00
Cities without property tax exemptions equal to or greater than the borough	1.50

[(B) (3) THE ALLOCATION OF THE REVENUE SHALL BE THE FOLLOWING STARTING JULY 1, 2015:

AREAWIDE	\$15.00
NON-AREAWIDE	3.00
SPECIAL SERVICE AREAS	3.00
FIRE SERVICE AREAS	2.00
ROAD SERVICE AREA	8.00
CITIES WITH PROPERTY TAX EXEMPTIONS EQUAL TO OR GREATER THAN THE BOROUGH	7.00
CITIES WITHOUT PROPERTY TAX EXEMPTIONS EQUAL TO OR GREATER THAN THE BOROUGH	1.00

(B) (4) THE ALLOCATION OF THE REVENUE SHALL BE THE FOLLOWING STARTING JULY 1, 2016:

AREAWIDE	\$0
NON-AREAWIDE	0
SPECIAL SERVICE AREAS	3
FIRE SERVICE AREAS	2

ROAD SERVICE AREA 8

CITIES WITH PROPERTY TAX EXEMPTIONS

EQUAL TO OR GREATER THAN THE BOROUGH 7

CITIES WITHOUT PROPERTY TAX EXEMPTIONS

EQUAL TO OR GREATER THAN THE BOROUGH 1]

Section 5. Effective date. This ordinance shall take effect immediately.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 3.04.075 TO PROVIDE THAT THE TAX CAP DOES NOT APPLY TO TAXES TO FUND SERVICE AREAS.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator	NS	For V. Halter
	Finance Director	<i>JCH</i>	4/10/15
	Borough Attorney	<i>NS</i>	
	Borough Clerk	<i>Jum</i>	4/13/15 <i>[Signature]</i>

**ATTACHMENT(S):** Fiscal Note: NO  YES   
 Ordinance Serial No. 14-062 (4 pp)

**SUMMARY STATEMENT:** This ordinance is coming forward at the request of Assemblymember Halter.

Matanuska-Susitna Borough code section 3.04.075 is titled Tax Levy Limitation and is generally referred to as the "Tax Cap." This Tax Cap has been in place since 2005. Generally, the Tax Cap provides that taxes levied by the Borough may not exceed the prior year's levy plus an amount equal to the CPI plus the average population increase.

However, there are exceptions to the Tax Cap. Those exceptions are found at MSB 3.04.075. The exceptions to the Tax Cap provide the reasons when the limitations for the cap do not apply and include:

- (1) taxes on new construction or property improvements which occur during the current fiscal year;
- (2) taxes required to fund additional services mandated by voter approved ballot issues;
- (3) special taxes authorized by voter approved ballot

issues;

(4) taxes required to fund the costs of judgments entered against the borough or to pay principal or interest on bonds including revenue bonds; and

(5) additional taxes collected in service areas under mill rates specifically approved by service area residents.

The Tax Cap has resulted in a situation where some service areas have been unable to provide the necessary or efficient services needed in a rapidly expanding community. The mill rate increases allowed for some service areas under the cap are so infinitesimally small that the corresponding revenues generated are not enough to keep up with the demand in services.

This ordinance will create a new category for which the limitations of the Tax Cap do not apply. The new category will be any taxes needed to adequately fund service areas in the Borough. This will alleviate life, health and safety concerns and allow the Matanuska-Susitna Borough to adequately fund services to meet our continuing growing population.

**Recommendation of Administration:** Respectfully requests adoption of the legislation.

CODE ORDINANCE

Sponsored by: Assemblymember Halter  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-062**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 3.04.075 TO PROVIDE THAT THE TAX CAP DOES NOT APPLY TO TAXES TO FUND SERVICE AREAS.

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WHEREAS, Matanuska-Susitna Borough code section 3.04.075 is titled Tax Levy Limitation and is generally referred to as the "Tax Cap." This Tax Cap has been in place since 2005; and

WHEREAS, generally, the Tax Cap provides that taxes levied by the Borough may not exceed the prior year's levy plus an amount equal to the CPI plus the average population increase; and

WHEREAS, there are exceptions to the Tax Cap found at MSB 3.04.075 and the exceptions to the Tax Cap provide the reasons when the limitations for the cap do not apply; and

WHEREAS, the Tax Cap has resulted in a situation where some service areas have been unable to provide the necessary or efficient services needed in a rapidly expanding community; and

WHEREAS, the mill rate increases allowed for some service areas under the cap are so infinitesimally small that the corresponding revenues generated are not enough to keep up with the demand in services; and

WHEREAS, a change in code is needed to exempt service areas from the tax limitations to adequately fund service areas in the Matanuska-Susitna Borough.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a continuing and permanent nature and shall become part of borough code.

Section 2. Amendment of Section. MSB 3.04.075 is hereby amended as follows:

3.04.075 TAX LEVY LIMITATION.

(A) Except as provided in this section, the total amount of borough tax that can be levied during a fiscal year shall not exceed the total amount approved by the assembly for the preceding year by more than a percentage defined by adding the percentage increase in the Federal Urban Consumer Price Index for Anchorage from the preceding fiscal year plus the average percentage growth or loss in the Matanuska-Susitna Borough population over the preceding five fiscal years as determined by the Alaska State Department of Community and Economic Development.

(B) The limitations set forth in subsection (A) of this section do not apply to the following:

(1) taxes on new construction or property improvements which occur during the current fiscal year;

(2) taxes required to fund additional services mandated by voter approved ballot issues;

(3) special taxes authorized by voter approved ballot issues;

(4) taxes required to fund the costs of judgments entered against the borough or to pay principal or interest on bonds including revenue bonds; and

(5) additional taxes collected in service areas under mill rates specifically approved by service area residents; and

(6) taxes to fund service areas within the Borough.

(C) Any tax increases which result from the exceptions set forth in subsection (B) of this section shall be added to the base amount used in subsection (A) of this section for the calculations of the subsequent year tax increase.

Section 3. Effective date. This ordinance shall take effect immediately.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

---

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**BOARD AND COMMISSION VACANCY REPORT    April 21, 2015**

**N = New Application    R = Reappointment    \*\*\*Vacant since 12/31/2012    \*\*Vacant since 12/31/2013    \*Vacant since 12/31/2014**

<b>Board - Applicant</b>	<b>Applicants Under Consideration by Mayor</b>	<b>Mayor's Appointments for Confirmation by the Assembly</b>
<b>Animal Care &amp; Regulation Board</b> <i>5 members/1 alt. – 1 vacancy</i> Animal Interest		
<b>Aviation Advisory Board</b> <i>9 members – 1 vacancy</i> Member 8		
<b>Board of Adjustment and Appeals</b> <i>5 members/3 alt. - 3 vacancies – (3) 3 year terms</i> ***Alternate 1 ***Alternate 2 ***Member 4		
<b>Board of Equalization</b> <i>15 members - 7 vacancies - (3) 3 year terms</i> **Member 4 Member 5 *Member 6 **Member 7 Member 12 **Member 13 **Member 14		
<b>Board of Ethics</b> <i>5 members - 11 vacancies</i> *Member 2 *Member 5 **Member 7 **Member 8 **Member 9 ***Member 10 **Member 11 *Member 12 ***Member 13 **Member 14 **Member 15		

<b>Board - Applicant</b>	<b>Applicants Under Consideration by Mayor</b>	<b>Mayor's Appointments for Confirmation by the Assembly</b>
<b>Borough Area Schools Site Selection Committee</b> <i>7 or 8 members/3 alt. – 4 vacancies</i> Assembly Alternate Assembly Representative 2 *Community At-Large Planning Commission Rep 2		
<b>Commission on Salaries and Emoluments</b> <i>5 members – 5 vacancies</i> ***Member 1 (Business Executive) ***Member 2 (General Public) ***Member 3 (Experience in Public Admin) ***Member 4 (Labor Organization) ***Member 5 (Any 1-4 Qualifications)		
<b>Emergency Medical Services Board</b> <i>13 members/8 alt. – 8 vacancies</i> *Dive Rescue ***Palmer Ambulance Alternate Sutton Ambulance Alternate **Talkeetna Ambulance Alternate **Trapper Creek Ambulance Alternate *West Lakes Ambulance *West Lakes Ambulance Alternate *Willow Ambulance		
<b>Enhanced 911 Advisory Board</b> <i>5 members/5 alt. – 1 vacancy</i> **City of Houston Alternate Matanuska Susitna Borough .....	.....	Resignation of Dennis Brodigan
<b>Health and Social Services Board</b> <i>13 members - 3 vacancies</i> Member 4-At-Large 3 ..... Member 5-At-Large 4 Member 8-At-Large 5	Stacey Hoffman - N	
<b>Historical Preservation Commission</b> <i>9 members - 1 vacancies</i> Member 3		
<b>Jt. Assembly/School Board Committee on School Issues</b> <i>6 members – 2 vacancies</i> Assembly Member 2 School Board Member 1 .....	Kelsey Trimmer - N	



Board - Applicant	Applicants Under Consideration by Mayor	Mayor's Appointments for Confirmation by the Assembly
<p><b>Marijuana Advisory Committee continued</b></p> <ul style="list-style-type: none"> <li>➤ Tyrel Henkel</li> <li>➤ Robin Jeffery</li> <li>➤ Jamie Sadler</li> <li>➤ Sally Johnson</li> <li>➤ Lily Harig</li> <li>➤ Thomas Rainey</li> <li>➤ Michael Coons</li> </ul> <p>Member 12A - Citizen 2 Outside City Limits Alternate .....</p> <p>Member 13A - Citizen 3 Outside City Limits Alternate .....</p> <p>Member 14A - City Government of Houston Alternate.....</p> <p>Member 15A - City Government of Palmer Alternate .....</p> <p>Member 16A - City Government of Wasilla Alternate .....</p> <p>Member 17 - MSB Department Director.....</p> <p>Member 17A – MSB Department Director Alternate .....</p>	<p>.....</p> <p>.....</p> <p>Gina Jorgensen - N</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	<p>.....</p> <p>.....</p> <p>.....</p> <p>Staci Manier - N</p> <p>Crystal Sunderland - N</p> <p>.....</p> <p>Edna DeVries - N</p> <p>.....</p> <p>Joe Schmidt - N</p> <p>Lebron McPhail - N</p>
<p><b>Office of Administrative Hearings</b></p> <p style="text-align: center;"><i>5 members – 3 vacancies (2 year terms)</i></p> <p>***Seat A</p> <p>***Seat C</p> <p>***Seat E</p>		
<p><b>Parks, Recreation, and Trails Advisory Board</b></p> <p style="text-align: center;"><i>11 members – 2 vacancies</i></p> <p>*District 4</p> <p>*District 5</p>		
<p><b>Platting Board</b> <span style="float: right;"><i>7 members/2 alt. – 2 vacancies</i></span></p> <p>District 4</p> <p>District 7</p>		
<p><b>Butte FSA # 2</b> <span style="float: right;"><i>3 members – 3 vacancies</i></span></p> <p>***Member 1</p> <p>***Member 2</p> <p>***Member 3</p>		
<p><b>Sutton FSA # 4</b> <span style="float: right;"><i>3 members – 3 vacancies</i></span></p> <p>***Member 1</p> <p>***Member 2</p> <p>***Member 3</p>		
<p><b>Talkeetna FSA # 24</b> <span style="float: right;"><i>3 members – 3 vacancies</i></span></p> <p>**Member 1</p> <p>**Member 2</p> <p>*Member 3</p>		

Board - Applicant	Applicants Under Consideration by Mayor	Mayor's Appointments for Confirmation by the Assembly
<b>Bogard RSA # 25</b> Member 3 <i>3 members – 1 vacancy</i>		
<b>Gold Trail RSA # 28</b> Member 3 <i>3 members – 1 vacancy</i>		
<b>Lazy Mountain RSA # 19</b> *Member 1 <i>3 members – 1 vacancy</i>		
<b>Midway RSA # 9</b> *Member 3 ..... <i>3 members – 1 vacancy</i>	.....	Robert Ramilo - N
<b>North Colony RSA # 23</b> ***Member 1 ***Member 2 <i>3 members – 2 vacancies</i>		
<b>Trapper Creek RSA # 30</b> Member 3 <i>3 members – 1 vacancy</i>		
<b>Talkeetna Flood Control Service Area # 7</b> <i>3 members – 3 vacancies</i> ***Member 1 ***Member 2 ***Member 3		
<b>Talkeetna Sewer &amp; Water Service Area # 36</b> <i>5 members – 3 vacancies</i> Member 1 Member 2 *Member 4		

RECEIVED

APR 07 2015

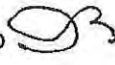
CLERKS OFFICE



**MATANUSKA-SUSITNA BOROUGH**  
**EMERGENCY SERVICES DEPARTMENT**  
680 N. Seward Meridian Pkwy • Wasilla, AK 99654  
Phone (907) 373-8800 • Fax (907) 376-0799



**MEMO**

**TO:** MAYOR LARRY DEVILBISS  
**FROM:** DENNIS BRODIGAN, CHAIRMAN OF THE E-911 ADVISORY BOARD   
**SUBJECT:** E-911 ADVISORY BOARD RESIGNATION  
**DATE:** MARCH 25, 2015

This is to tender my resignation from the E-911 Advisory Board, effective April 1, 2015. Thank you.

cc: Lonnie McKechnie, Borough Clerk  
John Moosey, Borough Manager  
George Hays, Assistant Borough Manager  
Casey Laughlin, E-911 Advisory Board Secretary

E911 Mat-Su BORO  
12/31/2015

*Providing Outstanding Borough Services to the Matanuska-Susitna Community.*

DATE RECEIVED:  
**RECEIVED**  
**APR 09 2015**

**CLERKS OFFICE**

**BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM**

**INSTRUCTIONS**

**Complete and sign the application. Do not leave any blank fields.** Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to **debra.wetherhorn@matsugov.us** or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

**Board and position for which I am applying:** Health and Services Board  
(For example, Board of Equalization, Member 3)

Applicant Name: Stacey Hoffman

Residence Address: Gala Dr Wasilla 9997 Gala Dr

Mailing Address: 2521 E Mtn Village Dr Ste B PMB 465

Home phone: 414 3727 Work phone: 414 3727 Email: stacey@movingmountains.biz

Name and Address of Employer: self employed - Moving Mountains Services

Can you regularly attend meetings? Yes  No  (Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: \_\_\_\_\_  
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

How long have you lived in the Borough? two plus years

Briefly explain, why you are you interested in serving on the board in which you are applying? I have a sister who is autistic and want to be involved in helping people in the community because of what she has taught me

List professional or personal experiences that qualify you for membership on the board? You may **attach a brief resume** to highlight your qualifications: see attached Resume and list of volunteer organizations

List three **professional or personal** references: Name: Travis Denevan Phone: 907-982-6013  
Name: Eddie Ezelle Phone: 907-355-5830  
Name: John Klapperich Phone: 907-355-9970

Applicant Signature: [Signature] (N) Date: 4/9/15

**Office Use Only:** Precinct: 08-150 Assembly District: 5 Service Area: NA  
Position on Board: HSSB member 4-At-Large 3 Term Ends: 12/31/2017  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>

Applicant Name: Stacey C Hoffman

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1. Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

2. Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

**STACEY G. HOFFMAN**  
2521 East Mountain Village Drive  
STE B PMB 465  
Wasilla, AK 99654  
907.414.3727

[Stacey@MovingMountains.BIZ](mailto:Stacey@MovingMountains.BIZ)

LinkedIn Profile: [www.linkedin.com/pub/stacey-hoffman/18/a2b/66a/](http://www.linkedin.com/pub/stacey-hoffman/18/a2b/66a/)

QuickBooks Certified Pro Advisor Website: <http://proadvisor.intuit.com/quickbooks-help/stacey-hoffman>

**EDUCATION:** **Central Connecticut State University; Post University**

**TECHNOLOGY:** Microsoft Office, Access, Excel, Outlook, QuickBooks, Enterprise Solutions, Mac, LibreOffice

**EXPERIENCE:** **OWNER**

**Moving Mountains Services, LLC**

**Present**

- Certified QuickBooks Pro Advisor
- Providing local small businesses with as needed bookkeeping
- Organizational consulting
- Member of the Certified QuickBooks Pro Advisors team, as well as various local business associations
- [www.MovingMountains.BIZ](http://www.MovingMountains.BIZ)

**BOOKKEEPER**

**Connecticut Audubon Society – Glastonbury**

- Audited, entered and manipulated internal data with the highest level of accuracy & speed on Excel spreadsheets.
- Maintain professional and productive relations with vendors and worked with other departments in a professional manner.
- Assisted in keeping vendor & client accounts updated and accurate.
- Returned or resolved quality control issues
- Meet or exceeded individual productivity requirements.
- Followed standard procedures and introduced all new procedures into daily routine.

**EVENT COORDINATOR/SUPPORT SPECIALIST**

**Michael's Craft Store**

- Organized, supervised and promoted events within the store.
- Used multiple phone lines and multitasked while ringing registers.
- Serviced customers.
- Maintaining store sales records including daily store deposit
- Maintaining human resources and payroll records and facilitating inbound direct freight shipments and paperwork.
- Human resources and payroll file management
- Daily sales reporting
- Cash balancing

- Deposit receiving and processing of direct shipments

**PUBLIC RELATIONS/EVENT**

**PLANNING/MARKETING/SUPERVISION**

**West Hartford Chamber of Commerce**

- Reported to the Executive Director with responsibility for promoting the Chamber and planning/coordinating Chamber Activities.
- Created various promotional documents including mailings, articles, program flyers, press releases and media alerts for members and community
- Assisted with design and updated the Chamber website [www.WHChamber.com](http://www.WHChamber.com).
- Maintained membership database using Access
- Worked with the Executive Director and bookkeeper regarding billings and funds collected from members.
- Liaison for membership, program, marketing and golf committees.
- Provided direction to paid staff, volunteers, membership coordinator, bookkeeper and administrative assistant.
- Produced the West Hartford Chamber of Commerce television show.

**VOLUNTEER:**

Susitna Rotary Club, Treasurer – current, Appalachian Mountain Club, Executive Committee – past, Connecticut Audubon Society, Banff Mountain Film Committee – past, Hartford Rescue Mission – past, Greater Hartford Jaycees, Executive Committee – past, Greater Hartford Jaycees Foundation, Executive Committee – past Travelers Championship, Executive Committee – past, Not Your Typical Women’s Group - past

**STACEY G. HOFFMAN**  
2521 East Mountain Village Drive  
STE B PMB 465  
Wasilla, AK 99654  
907.414.3727  
Stacey@MovingMountains.BIZ

---

**Organization name: Susitna Rotary - Wasilla, AK**

**Position held in the organization: Treasurer**

Time period at the organization: November 2013 – Present

**Organization description: Manage club funds**

Collect and submit dues and fees

Report on the state of your club's finances

Work with The Rotary Foundation

Help the club secretary and president prepare the semiannual report

**Organization name: Greater Wasilla Chamber of Commerce**

**Position held in the organization: Budget Committee**

Time period at the organization: February 2014 – January 2015

**Organization description: The Budget Committee is responsible for the preparation of an operating budget covering all activities of the Chamber. The Budget committee also suggests ways and means of conserving and increasing revenues.**

**Organization name: BNI - Money Makers - Wasilla, AK**

**Position held in the organization: Vice President**

Time period at the organization: June 2013 – October 2014

**Organization description: In the absence of President, run chapter meeting according to the BNI Agenda.**

- Assist President in providing leadership, motivation and direction to the chapter.

- Maintain attendance, referral, visitor, CEU & TYFCB data records (will receive tracking procedures @ Training).

- Update Goal Boards in the meeting each week displaying 6 months of goals & actuals; use for VP...

**Organization name: Appalachian Mountain Club**

**Position held in the organization: Executive Committee Member; Programs Committee Chairperson**

Time period at the organization: January 2012 – January 2013

**Organization description: Plan events, research and secure featured internationally known as well as local speakers, research and secure locations for various events ranging from 100 to 300 participants, manage reservations and registration, maintain club event equipment, handle event set-up and clean-up, and coordinate with other AMC committees.**

**Organization name: Rotary - Newington, CT**

**Position held in the organization: Sergeant at Arms**

Time period at the organization: March 2012 – December 2012

**STACEY G. HOFFMAN**  
2521 East Mountain Village Drive  
STE B PMB 465  
Wasilla, AK 99654  
907.414.3727  
Stacey@MovingMountains.BIZ

**Organization name: Travelers Championship**

**Position held in the organization: Concessions Chairman**

Time period at the organization: September 2006 – June 2008

Organization description: Recruited and oversaw 1,000 plus volunteers - many recruited from local corporations. Helped train volunteers for POS registers as well as credit card transactions. Worked with food service corporation on managing volunteers/groups shifts on daily basis during tournament days. Was on Executive Committee Board for Travelers Championship through the Great Hartford Jaycees.

**Organization name: Greater Hartford Jaycees Foundation**

**Position held in the organization: Director of Public Relations**

Time period at the organization: January 2007 – December 2007

Organization description: Public Relations Director developed and implemented the GHJCF overall strategic public relations programs. Programs included media relations, community relations and internal communications. Served on the board of directors helping establish distribution of grants in the local area.

**Organization name: Greater Hartford Jaycees**

**Position held in the organization: Public Relations Director**

Time period at the organization: January 2006 – December 2007

Organization description: Public Relations Director developed and implemented the Jaycees overall strategic public relations programs. Programs included media relations, community relations and internal communications.

**Organization name: Greater Hartford Jaycees**

**Position held in the organization: Trail Maintenance Chairman**

Time period at the organization: May 2005 – October 2005

Organization description: From start to finish implemented an event with the Connecticut Forest & Parks Association on Trail Maintenance. With a group of people gathered from advertising the event on various internet and non internet based avenues, the Metacomet Trail was cleaned up and reblazed.

**Organization name: West Hartford Community Television**

**Position held in the organization: "Our Incredibles" Roast & Toast of Jonathan Harris and Kevin Connors Committee Member**

Time period at the organization: January 2005 – May 2005

Organization description: Helped via committee the planning of the event that took place on Monday, May 2, 2005. Helped gather sponsorships, wrote and distributed press releases, obtained food for the event as well as items as needed the day of the event.

**Additional Organizations**

Better Business Bureau (BBB), QuickBooks Pro Advisors, Rotary Club - Newington, Appalachian Mountain Club - CT Chapter, Newington Chamber of Commerce, Glastonbury Chamber of Commerce, Metro Chamber of Commerce, H.Y.P.E. along with the Metro Hartford Alliance

## Debra Wetherhorn

---

**From:** STACY ESCOBEDO <Stacy.Escobedo@matsuk12.us>  
**Sent:** Thursday, April 02, 2015 9:06 AM  
**To:** Lonnie McKechnie  
**Cc:** Jamie Newman; Debra Wetherhorn  
**Subject:** Joint Borough/District Committee

Hello,

At last night's School Board meeting Kelsey Trimmer was selected to serve on the Joint Borough/District noon committee.

Please forward his name to the Mayor for approval.

Thank you! Stacy

*JNT School Board member 1  
10/21/15*

*Stacy Escobedo*

Administrative Assistant to the School Board  
Matanuska-Susitna Borough School District  
501 N. Gulkana Street  
Palmer, AK 99645  
(907) 746-9272  
[Stacy.Escobedo@matsuk12.us](mailto:Stacy.Escobedo@matsuk12.us)

Disclaimer Notice: This email and any attachments to it may be confidential and are intended solely for the use of the individual to whom it is addressed. Any views or opinions expressed are solely those of the author and do not necessarily represent those of the Matanuska-Susitna Borough School District. If you are not an intended recipient for this email, you are hereby notified that this is not a waiver of confidentiality and that you must not take any action based upon its contents, and any dissemination, distribution, or copying of this information is strictly prohibited.

If you believe you have received this information in error, please notify the sender immediately by reply email and immediately delete this message from your system.

MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE  
350 E. Dahlia Avenue Palmer, AK 99645  
Phone: 861-8683 Fax: 861-7845

DATE RECEIVED  
**RECEIVED**  
**MAR 10 2015**  
**CLERKS OFFICE**

**BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM**

**INSTRUCTIONS**

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: MAT-SU BOROUGH LIBRARY BOARD  
(For example, Board of Equalization, Member 3)

Applicant Name: Patricia Josephine Grosz

Residence Address: #34089 South Mount Dall Drive

Mailing Address: Post Office Box 629 Talkeetna, Alaska 99676

Home phone: (907) 733-3614 Work phone: \_\_\_\_\_ Email: trunorth@mtaonline.net

Name and Address of Employer: \_\_\_\_\_

Can you regularly attend meetings? Yes  No  (Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: ON-CALL employee - husband, ORVILLE GROSZ  
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

How long have you lived in the Borough? About 25 years

Briefly explain, why you are you interested in serving on the board in which you are applying? I'm very interested in libraries. They've been a source of information and help to me and I'd like to pay that forward

List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications: Library user and a homemaker

List three professional or personal references:  
Name: Deborah Wetherhorn Phone: 907-733-1421  
Name: TRISHA COSTELLO Phone: 907 733 2354  
Name: JAMES SICKLER Phone: 907-841-3416

Applicant Signature: Patricia Grosz Date: March 9, 2015

Office Use Only: Precinct: 10-030 Assembly District: 7 Service Area: N/A  
Position on Board: LIB TALKEETNA Term Ends: 12/31/2016  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>

Applicant Name: PATRICIA GROSZ

---

1. Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

2. Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

DATE RECEIVED: **RECEIVED**  
**APR 03 2015**  
**CLERKS OFFICE**

**BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM**

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Board and position for which I am applying: Local Emergency Planning Committee, Env/Bus/Tech 9  
(For example, Board of Equalization, Member 3)

Applicant Name: Norman Straub

Residence Address: 3500 Tern Ct, Palmer, AK 99645

Mailing Address: 3500 Tern Ct, Palmer, AK 99645

Home phone: 907-746-5233 Work phone: 907-775-7275 Email: njstraub@liiassociates.com

Name and Address of Employer: LII Associates (owner), 3500 Tern Ct, Palmer AK 99645

Can you regularly attend meetings? Yes  No  (Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: \_\_\_\_\_  
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

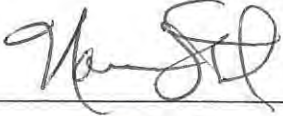

How long have you lived in the Borough? 20 years

Briefly explain, why you are you interested in serving on the board in which you are applying? I wish to share my technical training as a Chemist and prior employment in the Environmental Consulting industry to make our communities safer through preparedness for future emergencies.

List professional or personal experiences that qualify you for membership on the board? You may **attach a brief resume** to highlight your qualifications: Over 20 years of state, federal and private sector employment managing environmental projects and personnel; familiarity with Incident Command System functions, roles, and responsibilities; collaborative team member and leader.

List three professional or personal references:

Name: <u>Heather Vest</u>	Phone: <u>907-841-1674</u>
Name: <u>Crystal Nygard</u>	Phone: <u>907-444-5828</u>
Name: <u>Susan Pougher</u>	Phone: <u>907-373-4781</u>

Applicant Signature:   Date: 4/3/15

Office Use Only: Precinct: <u>11-055</u>	Assembly District: <u>1</u>	Service Area: <u>NIA</u>
Position on Board: <u>LEPC Env/Bus/Tech 9</u>	Term Ends: <u>12/31/2017</u>	
Residence Checked: <input checked="" type="checkbox"/> Yes	Map Checked: <input type="checkbox"/> Yes	Code Checked: 1 <sup>st</sup> <input checked="" type="checkbox"/> 2 <sup>nd</sup> <input checked="" type="checkbox"/>

Applicant Name: Norman Straub

---

1. Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?     NO     YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

2. Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  
 NO     YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

**EDUCATIONAL EXPERIENCE****B.S. Chemistry, Slippery Rock University, 1990**

Dual-discipline curriculum that included focus on physical sciences and secondary education

**Pennsylvania State University, 1983-1986**

Engineering curriculum with emphasis on chemical engineering and fuel sciences

**OCCUPATIONAL EXPERIENCE****Managing Member, LII Associates, LLC, May 2014 - Present.**

Provides management, scientific, and technical consulting expertise for public, private, and commercial clients in the resource development and services industries.

**Project Manager, WHPacific, Inc. (formerly ASTS/Sivunig), Oct 2008 - May 2014.**

Served as Senior Project Manager and also provided key support on federal contracts, primarily to the US Army Space and Missile Defense Command in Alaska, Marshall Islands, and at Continental US project sites. Contract Task Assignments included Construction Management, Engineering Services, Environmental Remediation, and Compliance Related services. Concurrently managed multiple task assignments individually valued to over \$5M while providing senior technical and marketing support to others. Project types include treatment system construction, munitions site inspection and clearance, demolition, special waste decontamination, site investigations, compliance services and cleanup, NEPA, and permitting.

**Environmental Program Manager, Alaska Army National Guard, July 1996 - Oct 2008.**

Served as Project Manager (1996-2006) and State Environmental Program Manager (2006-2008) for the Alaska Army National Guard environmental office. Ensured successful compliance with federal and state environmental laws. Coordinated and oversaw projects for over 70 AKARNG facilities, training areas, and contaminated sites throughout the state. Supervised up to ten full time positions and three contract employees. Sponsored and administered up to \$5M annually from state and federal appropriations. Formed and administered contracts for cleanup and compliance projects. Worked extensively on AKARNG real estate issues related to permitting, access, use, and disposal on federal, state, municipal, native interest, and private lands. Programmed \$30M in funding for munition response and monitored \$13M+ in related response contracts.

**Field Supervisor and Technician, Radian International LLC, May 1996 - July 1996.**

Provided supervision and support for a variety of sampling, investigation, remediation, and emergency response activities. Responsible for up to three technicians at a time. Interfaced with office staff, provided scheduling support, trained temporary and subcontractor employees, and supervised remediation activities. Performed regulated waste management.

**Environmental Chemist, TetraTechNUS (formerly Brown & Root / Halliburton NUS Corporation), Oct 1990 - May 1995.**

Served in multiple capacities supporting environmental investigation and remediation projects. Responsibilities included technical writing, reviewing, and editing, presenting and discussing analytical results, performing risk assessments, reporting results, as well as project management for a variety of government and industry clients. Applied extensive knowledge of CERCLA, RCRA, TSCA, state regulations, and investigation protocols to projects in USEPA Regions I, II, III, IV, VII, and X. Is familiar with a variety of analytical methods, data validation and reporting requirements.

**Crew Chief / Laborer, Straub Engineers and Surveyors, 1981 to 1990**

Performed in all capacities of land surveying. Field and office duties ranged from rodman to crew chief and archive researcher to draftsman on design, platting, horizontal construction, coal mining and processing projects.

**Research Assistant, Pennsylvania State University Fuel Combustion Laboratory, 1986**

Part-time position supporting char and coking process research. Performed a variety of kinetics experiments, summarized and reported data, and setup, operated and managed a physical chemistry laboratory.

**Analytical Chemist, Pennsylvania State University Pesticide Research Laboratory, 1985**

Accepted part-time position in support of private contract administered by University staff. Developed analytical methods for various pesticide/PCB compounds in biological and environmental media.

**NOTABLE CERTIFICATION / TRAINING / AWARDS**

- DOD Secret Security Clearance (inactive)
- Certifications: USDOT / IATA / IMO Transportation, HAZWOPER 40-hr, 8-hr, and Supervisor, AHERA Building Inspector, Certified Erosion and Sediment Control Lead, Construction Quality Management
- Memberships: Air and Waste Management Association, Project Management Institute
- Awards: National Guard Bureau, Environmental Security Award Winner / Department of Army, Runner-up – Restoration (2005)



BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM

MAC MEMBER 10 SALES

INSTRUCTIONS

MAC MEMBER 1 GROWER.

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: MARIJUANA Advisory Committee / MAC member 11 to 13  
(For example, Board of Equalization, Member 3)

Applicant Name: TERRY L. GOOSEN CITIZEN OUTSIDE CITY

Residence Address: 919.3 W. MARGIN WAY

Mailing Address: 919.3 W. MARGIN WAY

Home phone: 8924435 Work phone: 8924435 Email: ALASKANARTIST@MTAONLINE.NET

Name and Address of Employer: SELF EMPLOYED ARTIST

Can you regularly attend meetings? Yes  No  (Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: \_\_\_\_\_  
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

How long have you lived in the Borough? 24 YEARS

Briefly explain, why you are you interested in serving on the board in which you are applying?  
FAIRNESS TO ALL ALASKAN MEDICAL CARD HOLDER.

List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications: 4 years in ALASKA, 8 years SALES, 10 year REAL ESTATE 25 years ARTIST, MEDICAL CARD HOLDER and grower for me.

List three professional or personal references: Name: WILL ATTWOOD Phone: 907-3547142  
Name: JERRY GALESPY Phone: 907-5633877  
Name: SENATOR FRED DYSON Phone: 907-694-3744 - HM 907-465-2199 - WK.

Applicant Signature: Terry L. Goosen Date: 02/02/2015

(N)

Office Use Only: Precinct: OB-135 Assembly District: 7 Service Area: RSA meadow LAKES FSA West LAKES  
Position on Board: \_\_\_\_\_ Term Ends: \_\_\_\_\_  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>

Applicant Name: TERRY L. GOOSEN

---

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE  
350 E. Dahlia Avenue Palmer, AK 99645  
Phone: 861-8683 Fax: 861-7845

DATE RECEIVED: **RECEIVED**  
**JAN 26 2015**  
**CLERKS OFFICE**

**BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM**

**INSTRUCTIONS**

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: Marijuana Advisory Committee, Member 1  
(For example, Board of Equalization, Member 3)

Applicant Name: Jason Coe

Residence Address: 3800 N. McCormick Ln, Wasilla AK 99654

Mailing Address: same as above

Home phone: (907) 373-7323

Work phone: (907) 336-0388

Email: ajcoe@alaska.com

Name and Address of Employer: self-employed - Coles Plant Care LLC - 3800 N. McCormick Ln, Wasilla, AK 99654

Can you regularly attend meetings? Yes  No  (Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: N/A  
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

How long have you lived in the Borough? ten years

Briefly explain, why you are you interested in serving on the board in which you are applying? I'm interested in being a legal marijuana producer in the Matanuska Valley and would like to have input on creating smart, practical regulations for a healthy, successful

List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications: see attached resume.

List three professional or personal references:  
Name: Stuart Bond Phone: 907-721-5507  
Name: Margaret DeBate Phone: 907-622-2017  
Name: Melissa Empton Phone: 907-321-5147

Applicant Signature: [Signature]

Date: 1/23/15

**(N)**

**CENTRAL MAT-SU**  
**GOLD TRAIL**

Office Use Only: Precinct: 10-015 Assembly District: 6 Service Area: GOLD TRAIL  
Position on Board: \_\_\_\_\_ Term Ends: \_\_\_\_\_  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>

Applicant Name: Jason Coe

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.  
N/A

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.  
N/A

Resume of Qualifications for Serving on the Marijuana Advisory Committee for the  
Matanuska-Susitna Bureau

- I have owned and operated a successful horticulture company in Alaska for approximately thirteen years. Our main areas of expertise are in commercial interior and exterior plant services and commercial greenhouse crop production.
- I have owned and operated commercial production greenhouses in the Matanuska Valley for approximately ten years. We specialize in growing high quality flowers, vegetables, and herbs.
- I currently have a medical grow license, so I have experience growing marijuana as a medicine and understand the needs of medical patients in Alaska for needing to have a practical and functional medical marijuana system.
- I also believe in smart regulation for recreational marijuana that creates a viable legal system for growing, producing, and distributing legal marijuana for personal use.
- I have young children and deeply understand the concern of keeping legal marijuana away from minors and especially the need for labeling and deterring edibles from being accessed by minors.
- I have a balanced personality and appreciate the value of each perspective in determining how to regulate marijuana responsibly and successfully.

Thanks for your consideration,

Jason Coe

RECEIVED  
DATE RECEIVED:  
**FEB 03 2015**  
CLEARKS OFFICE

**BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM**

**INSTRUCTIONS**

**Complete and sign the application. Do not leave any blank fields.** Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to **debra.wetherhorn@matsugov.us** or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: Marijuana advisory board  
(For example, Board of Equalization, Member 3)

Applicant Name: Jeanine Erickson **INTERESTED MARIJUANA GROWER 1 MEMBER 9**

Residence Address: 4260 Old Glenn Hwy. Palmer AK 99645

Mailing Address: P.O. Box 3713 Palmer AK 99645

Home phone: 745-1672 Work phone: 775-1565 Email: JErickson61@hotmail.com

Name and Address of Employer: Odom Corporation **TEXT ONLY** 125W. 3rd Ave. Anch.

Can you regularly attend meetings? Yes  No  (Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: Butte Community Council Board Member  
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

How long have you lived in the Borough? 28 years

Briefly explain, why you are you interested in serving on the board in which you are applying? I believe I can provide both valuable and reasonable input.

List professional or personal experiences that qualify you for membership on the board? You may **attach a brief resume** to highlight your qualifications: I possess knowledge of both marijuana and its present legalities. I also have knowledge in horticulture working both in a nursery setting and landscape maintenance.

List three professional or personal references: Name: Pattie Kallam Phone: 745-6205  
Name: Jerry Kallam Phone: 745-6205  
Name: Don Thompson Phone: 777-6761  
I am also familiar with medical break throughs concerning marijuana please see other side ->

Applicant Signature: Jeanine Erickson Date: 2/2/2015

**(N)**

Office Use Only: Precinct: 12-220 Assembly District: 1 Service Area: FSA-Butte RSA-62 Butte  
Position on Board: \_\_\_\_\_ Term Ends: \_\_\_\_\_  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>

Applicant Name: Jeanine Erickson

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Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?

NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

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I have knowledge of current nj case law and appellate court decisions. I am an honorary life time member of FFA. I have been keeping myself <sup>abreast</sup> of the legalities occurring in other states.

MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE  
350 E. Dahlia Avenue Palmer, AK 99645  
Phone: 861-8683 Fax: 861-7845



**BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM**

**INSTRUCTIONS**

**Complete and sign the application.** Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to **debra.wetherhorn@matsugov.us** or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

**Board and position for which I am applying:** Marijuana Advisory Board member 1,3, 11-13  
*(For example, Board of Equalization, Member 3)*

Applicant Name: Mark Weeks

Residence Address: 2644 Holobinko rd Wasilla ak 99654

Mailing Address: Same

Home phone: 907-373-5664 Work phone: 907-982-1554 Email: markw@chazltd.com

Name and Address of Employer: Chaz limited collision 1581 East Financial Dr Wasilla Ak

Can you regularly attend meetings? Yes  No  *(Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")*

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: I would like to be on the marijuana advisory board  
*(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)*

How long have you lived in the Borough? 21 years

Briefly explain, why you are you interested in serving on the board in which you are applying? I would like to help see or approach to governing this new industry done responsibly and effectively with everyones interest in mind. I feel the Matsu boroughs balanced approach is correct

List professional or personal experiences that qualify you for membership on the board? You may **attach a brief resume** to highlight your qualifications: Operations Director Chaz ltd since 2013, Chaz limited store manager since 2007, Borough Resident since 1994, Police officer Merrimac Ma 1987-1994 Father of two.

List three **professional or personal** references:

Name: <u>Dan Degraffenried</u>	Phone: <u>907-632-5411</u>
Name: <u>Tiffany Wholers</u>	Phone: <u>907-631-1053</u>
Name: <u>Joe Beckham</u>	Phone: <u>907-376-7352</u>

Applicant Signature: Mark Weeks Digitally signed by Mark Weeks  
DN: cn=Mark Weeks, o, ou, email=markw@chazltd.com, c=US  
Date: 2015.02.03 13:28:27 -0800 Date: 2-3-15

N

Office Use Only: Precinct: <u>10-015</u>	Assembly District: <u>b</u>	Service Area: <u>FSA - West Lakes RSA - Gold Trail</u>
Position on Board: _____	Term Ends: _____	
Residence Checked: <input checked="" type="checkbox"/> Yes	Map Checked: <input checked="" type="checkbox"/> Yes	Code Checked: 1 <sup>st</sup> <input checked="" type="checkbox"/> 2 <sup>nd</sup> <input checked="" type="checkbox"/>

Applicant Name: Mark Weeks

---

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?     NO     YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?

NO     YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

RECEIVED  
DATE RECEIVED: FEB 09 2015  
CLERKS OFFICE

BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM

INSTRUCTIONS

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: Marajuana Advisory Committee - Member 11, 12, 13, 1, 3  
*(For example, Board of Equalization, Member 3)*

Applicant Name: Casey Steinau *(Kath. Mine) = VREMS 1st name*

Residence Address: 14063 Halston Avenue, Big Lake

Mailing Address: PO Box 521329, Big Lake, AK 99652

Home phone: 892-7653 Work phone: 841-9830 Email: caseysteinau@gmail.com

Name and Address of Employer: US Senate/self-employed

Can you regularly attend meetings? Yes  No  *(Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")*

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: property owner  
*(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)*

How long have you lived in the Borough? 13+ years

Briefly explain, why you are you interested in serving on the board in which you are applying? I am interested in contributing to the responsible growth of this new industry as well the development of reasonable regulation. It would be my pleasure to serve my community.

List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications: see attached vitae

List three professional or personal references:  
Name: Cora Carleson Phone: 982-5700  
Name: Janice Strong Phone: 223-5284  
Name: Senator Mark Begich Phone: on request

Applicant Signature: Casey St Date: January 31, 2014

(N)

Office Use Only: Precinct: OB-155 Assembly District: 5 Service Area: FSA - West Lakes  
RSA - Big Lake  
Position on Board: \_\_\_\_\_ Term Ends: \_\_\_\_\_  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>

Applicant Name: Casey Steinau

---

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  
 NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

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As evidenced by my 20-year career in real estate and my work as field representative for U.S. Senator Mark Begich, I am a self-initiating worker and effective team member. A love of complex problem solving and experience in the use of tact have allowed me to successfully create relationships in a variety of arenas and across perceived divides be they economic, educational, racial or social. I strive to be well informed and knowledgeable in the areas I work while continuing to embrace learning as a lifetime goal. I am proud to fulfill my responsibilities to my employers and my community.

It is my genuine concern for the well-being of all peoples and belief that it is a function of society to ensure that all its members are served that have led me to seek a position as a member of the Marijuana Advisory Committee. As a member Senator Begich's staff I have been fortunate to develop a variety of relationships across the state and U.S. These interpersonal connections, combined with a long and successful business career and lifetime of community activism, would make me a strong asset to the committee.

## Experience

### **Field Representative, U.S. Senator Mark Begich, Mat-Su.** Feb 2013- January 2015.

- Managed Mat-Su Valley office while acting as a field representative of the Senator. Studied to be well-informed and knowledgeable of current issues while fostering professional relationships, private and public sectors. Coordinated with security and organize private and public meetings.
- Directly supervised interns.
- Staffed senator and other federal dignitaries on official visits.
- Prepared briefing materials, issued advisories and informational reports for state and DC offices.
- Responsible for managing and facilitating constituent requests, opinions and inquiries, and processing of case work on behalf of the Senator maintaining a high level of confidentiality via written, telephonic, electronic and in person process.
- In-state point person for Senator on Agriculture issues
  - Worked on Farm Bill implementation, worked with Farm Service Agency (FSA), Cooperative Extension, implement farmer and rancher outreach statewide.
  - Representative at Circumpolar Agricultural Meeting, Sustainable Agriculture Conference, Farmer's Union, Mat-Su ACES Summit.
- Attended community councils and Advisory Boards
  - Talkeetna, Willow, Big Lake, Knik, Point McKenzie, Glacier View, Sutton, Butte, Lazy Mountain; Mat-Su Borough (MSB) Assembly; MSB Health and

Human Services, Aviation, Transportation, and Wastewater Septage advisory boards.

- Spoke publically routinely presenting letters and information to the community from the Senator at events great and small, 10-20 events per month; used strong leadership and communication skills to explain policy positions and federal procedures to a diverse range of audiences.
- Functioned as liaison to the Mayors' offices and Chambers of Commerce in Houston, Palmer and Wasilla. Effectively performed outreach to local Native corporations and Tribal governments, Mat-Su School District, Job Corp, USDA agencies. Regularly attended local private-public coalitions for both transportation and senior issues as well as Mat-Su Area Partnership for non-profit agencies.

**Real Estate Sales: Re/Max Dynamic of the Valley, Wasilla, Alaska 2001 – 2013**

(Through a series of acquisitions, office was also Coldwell Banker & Dynamic Properties)

- Self-directed position selling commercial and residential real estate included: Marketing; Networking; Data collection; On-line research; Documentation.
- Communicated with clients and general public via telephone, email and text; Worked with other agents on team projects.
- Negotiated and Mediated on clients' behalf;
- Helped clients and customers navigate finance options through various government agencies and lending bodies, including public, private, and non-profit.
- Performed complex problem solving; Demonstrated ability to comfortably deal with people from varied socio- economic and cultural backgrounds with tact and respect.
- Gained excellent geographical knowledge of Mat-Su Valley and its individual communities.
- Performed daily office tasks.

**Licensed Real Estate Salesperson 1992-2002 Illinois, 1991-1992 New York**

**Owner, Big Lake Self Storage, Big Lake, Alaska 2008 – present**

- Bookkeeping; public outreach; advertising; collections.

**Education and Additional Experience**

- BA, General Studies Philosophy, Shimer College, Waukegan, Illinois 1989
- Graduate Studies, Philosophy/Ethics, Roosevelt University, Chicago, Illinois 1990
- Additional Studies: Oxford, England and Belize, Central America
- Graduate of Realtor Institute
- Certified Commercial Investment Member Courses
- At Home With Diversity Certified

MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE  
350 E. Dahlia Avenue Palmer, AK 99645  
Phone: 861-8683 Fax: 861-7845

RECEIVED  
DATE RECEIVED:  
FEB 17 2015  
CLERKS OFFICE

BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM

INSTRUCTIONS

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: Marijuana Advisory Board, Member 3, 7, or 1 (respectively)  
*(For example, Board of Equalization, Member 3)*

Applicant Name: Carol Zo Herriges

Residence Address: 6471 N Talgach View Drive

Mailing Address: 6471 N Talgach View Drive Wasilla 99654

Home phone: 907-864-0160 Work phone: 907-351-5786 Email: czherriges@gmail.com

Name and Address of Employer: Self - I own Wise Sisters Wizardry, an Herbs and Crafts shop.

Can you regularly attend meetings? Yes  No  *(Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")*

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: \_\_\_\_\_  
*(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)*

How long have you lived in the Borough? 8 years

Briefly explain, why you are you interested in serving on the board in which you are applying? As an Herbalist  
I have a vested interest in helping insure herbs grown and distributed here are safe for human consumption

List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications: Practicing Herbalist who understands both the plant and the issues surrounding it. 34yr Alaskan with experience in government. Please see attached qualifications.

List three professional or personal references:  
Name: Diane Lytle/ Business Owner Phone: 907-315-0360  
Name: Leslie Turner/ Client Phone: 907-441-1937  
Name: Connie McAffrey/ Client Phone: 907-522-4720

Applicant Signature: C. Zo Herriges (N) Date: 02/13/2015

Office Use Only: Precinct: 09-628 Assembly District: b Service Area: FSA - Gr. Palmer FSA - Gold Trail  
Position on Board: \_\_\_\_\_ Term Ends: \_\_\_\_\_  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>

Applicant Name: CAROL Zo HERRIGES , AK DL # 0721934

1. Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

2. Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

# CAROL Z. HERRIGES

6471 N Talgach View Drive • Wasilla, AK 99654 • 907-864-0164 • [czherriges@gmail.com](mailto:czherriges@gmail.com)

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## Brief Resume of Public Service Qualifications

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- Current Mat-Su Business Owner. Practicing Herbalist specializing in Boreal Forest Herbs. Mat-Su Borough Resident for 8 years. Mat-Su property owner for 11 years. Alaska Resident for 34 years.  
*I am an Alaskan with a vested interest in keeping Alaskans safe, healthy, and employed.*
- 15 years of experience serving on boards and commissions in Alaska:  
*While a resident of the City of Wrangell, Alaska (18 years), I was an elected City Council-member for Seat E on the Wrangell City Council; Wrangell's voting Member to the Project Management Committee (PMC) for the Four Dam Pool Hydroelectric Projects; President of the Board for KSTK Radio/Wrangell Radio Group; and an advising member on both Port and Parks and Recreation committees. I acted for 5 years as a registered, unpaid lobbyist for the City of Wrangell. All positions were unpaid, volunteer positions. I understand how government functions, its constraints, and its obligations.*
- University of Alaska 2010 graduate, *cum laude*, with a vocational degree in Business Administration.  
*Coursework focused on Interpersonal Relationships, Business Law, and Financial and Managerial accounting.*
- Small Business Manager and occasional consultant for multiple businesses in Alaska over the past 20 years.  
*I understand the needs of small business in Alaska.*
- Proven record of willingness to commit the time required by the position.  
*I know what I am getting into should I be chosen as a member of the Marijuana Advisory Board*

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## Key Skills

Governmental Processes/ Interpersonal Management / Financial Accounting

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BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM

INSTRUCTIONS

**Complete and sign the application. Do not leave any blank fields.** Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: Interested Marijuana Retailer  
(For example, Board of Equalization, Member 3)

Applicant Name: Annett Sue Thompson

Residence Address: 6299 S. Aurora Dr. Wasilla AK 99654

Mailing Address: P.O. Box 877958 Wasilla AK 99687

Home phone: 373-7202 Work phone: 352-8918 Email: Susie4359@icload.com

Name and Address of Employer: SOA DCS 695 E Parks Hwy #3 Wasilla AK

Can you regularly attend meetings? Yes  No  (Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: \_\_\_\_\_  
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

How long have you lived in the Borough? 28 yrs.

Briefly explain, why you are you interested in serving on the board in which you are applying? \_\_\_\_\_

Interested due to health benefits and regulation needed for growing & retail selling of product.

List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications: I have worked in a wide range of jobs from

Industrial Construction, Assisted Living homes, Child Support & office of child's services where I was on the FOM IFAD: Antel.com committee.

List three professional or personal references: Name: Jennifer Clark Phone: 232-9024  
Name: Jennifer Hansen Phone: 355-1359  
Name: Andrea Burton Phone: 715-9633

Applicant Signature: Annett Sue Thompson Date: 1/28/15

(N)

Office Use Only: Precinct: 08-140 Assembly District: 5 Service Area: Knik RSA  
Position on Board: \_\_\_\_\_ Term Ends: \_\_\_\_\_  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>

Applicant Name: Annett Sue Thompson

---

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?

NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE  
350 E. Dahlia Avenue Palmer, AK 99645  
Phone: 861-8683 Fax: 861-7845

DATE RECEIVED  
**RECEIVED**  
FEB 25 2015  
**CLERKS OFFICE**

**BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM**

**INSTRUCTIONS**

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: Marijuana Task Force member 04A  
*(For example, Board of Equalization, Member 3)*

Applicant Name: Peggy A. Mulligan

Residence Address: 4860 N Werner Road Palmer, AK 99645

Mailing Address: PO Box 3348 Palmer, AK 99645

Home phone: 745-2043 Work phone: 745-4891 Email: peggy@mvfcuonline.org

Name and Address of Employer: Matanuska Valley FCU

Can you regularly attend meetings? Yes  No  *(Pursuant to MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")*

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: lobbiest  
*(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)*

How long have you lived in the Borough? 60 years

Briefly explain, why you are you interested in serving on the board in which you are applying? we feel the board needs to have a financial institutions take on the marijuana laws

List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications: Have worked 39 years for Matanuska Valley FCU the last 3 yrs as their BSA Compliance Specialist

List three professional or personal references: Name: AL Strawn Phone: 745-4891  
Name: Brad Lewis Phone: 745-3120  
Name: Dave Combs Phone: 745-2147

Applicant Signature: Peggy A Mulligan **(N)** Date: 2-25-2015

Office Use Only: Precinct: 09-622 Assembly District: 1 Service Area: FSA-EAR Palmer RSA-Southway  
Position on Board: member 04A - Financial AIT Term Ends: 6/30/2018  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>  **(R)**

Applicant Name: Peggy A. Mulligan

---

1. Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

2. Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE  
350 E. Dahlia Avenue Palmer, AK 99645  
Phone: 861-8683 Fax: 861-7845



BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM

INSTRUCTIONS

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683

Board and position for which I am applying: Marijuana Advisory Committee  
*(For example, Board of Equalization, Member 3)*

Applicant Name: Emily Hardy Wasilla citizen

Residence Address: 2051 Pinnacle Court Wasilla, AK 99654

Mailing Address: 2051 Pinnacle Court, Wasilla, AK 99654

Home phone: 907 7076799 Work phone: \_\_\_\_\_ Email: aanderkhardy@gmail.com

Name and Address of Employer: N/A

Can you regularly attend meetings? Yes  No  *(Pursuant to (MSB 4.05.030), "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause."*

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: \_\_\_\_\_  
*(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)*

How long have you lived in the Borough? 11 years total

Briefly explain, why you are you interested in serving on the board in which you are applying? I would like to be involved in decisions that are made regarding the regulation of marijuana in the Mat-Su Borough.

List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications: I have a background in massage therapy and nutritional therapy, and have seen firsthand the benefits of marijuana for medicinal purposes, and take time to research things properly before making

List three professional or personal references. Name: Carleen Hall Phone: 841-5523  
Name: Bob Kuntz Phone: 775-0243  
Name: Julia Crane Phone: 414-7164

Applicant Signature: Emily K. Hardy Date: 1/20/15



Office Use Only: Precinct: 07-125 Assembly District: 4 Service Area: FSA-Central Mat-Su  
RSA-City Wasilla  
Position on Board: Member 07A Health Comm AH Term Ends: 6/30/2018  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>

Applicant Name: Emily Hardy

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?

NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

RECEIVED  
FEB 17 2015  
CLERKS OFFICE

Dear Mayor DeVilbiss,

As per our conversation earlier today, I have faxed over some of my documents regarding my healthcare field background. I hope you find them useful in considering my application for the committee. I wanted to take the time to tell you as well that I feel I would be an excellent candidate for the advisory committee because I represent a large and varied group of people in that I am someone with religious views, yet unlike most of my peers and family members, voted for the regulation of marijuana, have experience in using cannabis as an alternative to prescription medication, I have homeschooled and public schooled my children, and have a healthcare field background. I have also served on several boards and committees in the community both religious and secular. You looked a bit overwhelmed today in taking on yet another responsibility with organizing this committee and I know you have a lot on your plate already. Thank you for your time and efforts. I hope this letter and my resume makes your job a little easier in choosing another committee member who will help make things run smoothly. Feel free to call me if you have any questions or concerns.

Sincerely,

Emily K. Hardy  
907-707-6799

**Emily K. Hardy**  
907-707-6799  
2051 Pinnacle Court Wasilla, AK 99654

**Profile:**

Community service oriented citizen with years of experience serving in various positions throughout the community. Held licenses/certifications in the field of massage therapy and nutritional therapy.

**Community Service Experience:**

Hold position on APC board at Twindly Bridge Charter School 2015

Member of Conservative Patriots Group 2010-present

Held position on Parent's Guild at Birchtree Charter School 2009/2010

Served as Sunday school teacher and children's choir pianist in community church 2004-present.

**Professional Experience:**

Licensed Massage Therapist at Mountain View Chiropractic, Larson Chiropractic 2008-2014

Licensed Massage Therapist at Mountainview Family Medical 2002, 2005

Nutritional Therapy Practitioner at Nutritional Art 2007-2008

**Education:**

Certificate of completion Nutritional Therapy Association 2008

Certificate of completion Nevada School of Massage Therapy 2001

Colony High School graduate 1999

# Nevada School of Massage Therapy

The Administration of  
the Nevada School of Massage Therapy  
does hereby declare that

## Emily Kaye Farnsworth

has completed the 42 Credit hour  
Professional Massage Therapy Program.



Given on this twenty-fourth day of May, two thousand one.

*Kakula Awa*

DIRECTOR



*J.P. Galpin*

EDUCATION COORDINATOR

*Certified*

**NUTRITIONAL THERAPY  
PRACTITIONER™**

*Emily Hardy, NTP*

Is hereby awarded the designation Nutritional Therapy Practitioner™, NTP.

Having successfully completed the Nutritional Therapist Training course of study and duly passed all the required examinations, the recipient is certified by the Nutritional Therapy Association, Inc., and authorized by its Board of Directors to use the designation of Nutritional Therapy Practitioner™.

*Certified Since June 2008*



**Nutritional Therapy  
Association, Inc.®**

Gray Graham, BA, NTP  
Director of Public Policy

#000673

Certificate Expires July 31<sup>st</sup>, 2012

# BOHLER INSTITUTE

for

## Continuing Education

Certifies that

*Emily K. Hardy*


Has Satisfactorily Completed a Course in

## MEDICAL TERMINOLOGY

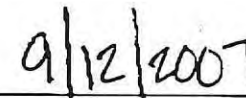
and has obtained 50 Hours of

NCBTMB Category A Continuing Education.

In Witness Whereof, the Director of Education at this  
Facility has Affixed an Authorized Signature.



DIRECTOR OF EDUCATION, Karen E. Bohler



Completion Date

RECEIVED

DATE RECEIVED:

JAN 29 2015

CLERKS OFFICE

MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE  
350 E. Dahlia Avenue Palmer, AK 99645  
Phone: 861-8683 Fax: 861-7845

BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM

INSTRUCTIONS

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Board and position for which I am applying: MAC Member 11 - Citizen 1 Outside City Limits  
(For example, Board of Equalization, Member 3)

Applicant Name: Michael W. Hemmer

Residence Address: 252 N. Brimar St. Palmer, AK 99645

Mailing Address: 252 N. Brimar St. Palmer, AK 99645

Home phone: (907)745-4320 Cell phone: (907)240-7773 Email: aklabman@gmail.com

Name and Address of Employer: Retired DOT-FAA

Can you regularly attend meetings? Yes  No  (Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: \_\_\_\_\_  
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

How long have you lived in the Borough? 10 Yrs.

Briefly explain, why you are you interested in serving on the board in which you are applying? I want to be involved in the process of implementing and sucessfully creating a regulatory framework for the possible future financial health of the Mat Su Borough and it's citizens.

List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications: See Attached

List three professional or personal references: Name: Robert Phillips Phone: (907)376-1382  
Name: Kody Bull Phone: (907)223-0898  
Name: Robert Maloney Phone: (907)727-1047

Applicant Signature:  Date: 01/29/2015

(N)

Office Use Only: Precinct: 12-220 Assembly District: 1 Service Area: FSA - BUTTE  
RSA GR. BUTTE  
Position on Board: member 11A - citizen 1 Alt Term Ends: 6/30/2018  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>

Applicant Name: Michael W. Hemmer

---

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES *Red light Infractions 2/13/15 in Anchorage*

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  
 NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

## Michael Hemmer

252 N Brimar Street  
Palmer, AK 99645  
mhemmer@mtaonline.net

Landline phone: 907 745-4320

### Profile

**Able to prioritize and operate proactively. Able to coordinate several tasks simultaneously. Able to lead others in high-demand situations. Commended for reliability and trustworthiness.**

### Experience

#### AVIATION TECHNOLOGY

**Air Traffic Control Specialist, FAA Academy Instructor. USAF/FAA/DOT.** 1978 - 2007. Primary duties are to control flow of air traffic so that it is most efficient and safe as can be. To achieve this objective, the following job tasks are/can be required: direct pilots to the runway, alert pilots as to additional air traffic in the area, issue instructions for takeoff and landing, direct airplane pilots while enroute to their destinations and maintain contact with the pilots during travel to aid pilots in reaching their destination. In the event of an emergency or should an airplane encounter problems, provide flight path changes for bad weather and in extreme circumstances, direct pilots to a specific area for emergency landings. Job duties also include the efficient hand over of control to the airplane's destination traffic control tower by maintaining clear concise contact. Certain clerical tasks may include analyzing weather reports and fuel requirements, compile pilots reports and flight plan documentation, complete daily logs, keep messages from the aircraft and review all reports for clarity and completeness.

- Elevated standards of ATC performance by submitting accepted suggestions of change to then current air traffic control operation procedures.
- Received numerous timeoff awards and Superior Contribution pay increases for these efforts.
- Worked as Air Traffic Control Trainer at FAA Academy, Oklahoma City, OK.
- I was chosen as part of a hand selected group of US air traffic controllers who developed the present intra and inter facility radio communication system that is currently in use here in the United States and throughout the world.

### Education

**Air Traffic Controller.** Lowry AFB, Denver CO, 1978.

**Air Traffic Control.** Green River Community College, Auburn WA, 1981. GPA: 3.0 Out of 4.5.

**Instrument Pilot Ground School.** Anchorage Community College, Anchorage AK, 1985.

**Academy Instructor Training.** FAA Academy, Oklahoma City, OK, 1991.

**Elem Russian.** UAA, Anchorage AK, 1990.

**Management by Objectives.** FAA Chief ATCT, Anchorage AK, 1987.

**A Positive Approach To Discipline.** FAA Chief ATCT, Anchorage AK, 1987.

**Human Relations In Supervision.** FAA Chief ATCT, Anchorage AK, 1987.

DATE RECEIVED  
**RECEIVED**  
**FEB 06 2015**  
**CLERKS OFFICE**

**BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM**

**INSTRUCTIONS**

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**Board and position for which I am applying:** Marijuana Advisory Comm. 10 Sales/marketing member  
*(For example, Board of Equalization, Member 3) member 11-13 Citizen 3*

**Applicant Name:** Jacque J. Brittain

**Residence Address:** 13706 Grassland Cr. Palmer, AK 99645

**Mailing Address:** same

**Home phone:** 746-7810 **Work phone:** \_\_\_\_\_ **Email:** jjlbrittain@yahoo.com

**Name and Address of Employer:** \_\_\_\_\_

Can you regularly attend meetings? Yes  No  *(Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")*

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: \_\_\_\_\_  
*(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)*

How long have you lived in the Borough? 5 years

Briefly explain, why you are you interested in serving on the board in which you are applying? Interested in initiative & helping with new laws.

List professional or personal experiences that qualify you for membership on the board? You may **attach a brief resume** to highlight your qualifications: experience with medicinal use

List three professional or personal references: Name: Cindy Dunlap Phone: 775-315-8286  
Name: Sharon Cherrutte Phone: 907-360-1479  
Name: Bustin Dunlap Phone: 530-721-2701

**Applicant Signature:** Jacque J. Brittain **Date:** 2-6-2015

(N)

**Office Use Only:** Precinct: 11-005 Assembly District: 2 Service Area: FSA - GR Palmer  
RSA - south colony  
Position on Board: \_\_\_\_\_ Term Ends: \_\_\_\_\_  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>

Applicant Name: Jacque J. Brittain

---

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  
 NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

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MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE  
350 E. Dahlia Avenue Palmer, AK 99645  
Phone: 861-8683 Fax: 861-7845

DATE RECEIVED  
**RECEIVED**  
JAN 23 2015  
**CLERKS OFFICE**

**BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM**

**INSTRUCTIONS**

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: MARIJUANA ADVISORY COMMITTEE  
(For example, Board of Equalization, Member 3)

Applicant Name: TYREL R. HENKEL

Residence Address: 1932 S. CREEKSIDE DR, WASILLA ALASKA 99654

Mailing Address: 1932 S. CREEKSIDE DR, WASILLA, ALASKA 99654

Home phone: 907-982-8475 Work phone: 907-746-2499 Email: TYREL.HENKEL@ME.COM

Name and Address of Employer: T&J GRAVEL PRODUCTS, INC. 7870 E. FIREWEED RD, PALMER AK 99645

Can you regularly attend meetings? Yes  No  (Pursuant to (MSB 4.05.030), "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: N/A  
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

How long have you lived in the Borough? 20 years

Briefly explain, why you are you interested in serving on the board in which you are applying? I believe the borough needs regular citizens to be involved in marijuana regulation and I think I can help.

List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications: 6 years of experience in the Navy, I grew up in the valley and am familiar with the issue, I work at a family run business, I feel I can bring common sense to the committee.

List three professional or personal references: Name: Lynn Grathis Phone: 907-378-0300  
Name: Sharon Hewiser Phone: 907-222-1134  
Name: Robert Springer Phone: 907-575-3772

Applicant Signature: [Signature] Date: 1/23/15

**(N)**

Office Use Only: Precinct: 12-205 Assembly District: 3 Service Area: Central Mat Su Fairview  
Position on Board: member Term Ends: 6/30/2018  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>

Applicant Name: TYREL R. HENKEL

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?

NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

DATE RECEIVED:  
**RECEIVED**  
**JAN 29 2015**  
**CLERK'S OFFICE**

**BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM**

**INSTRUCTIONS**

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: Marijuana Advisory Committee - city limits <sup>outside</sup>  
(For example, Board of Equalization, Member 3)

Applicant Name: Robin Jeffery

Residence Address: 13875 W Aero Lane Big Lake

Mailing Address: PO 520672 99652

Home phone: 907-892-1301 Work phone: NA Email: maryschild2@gmail

Name and Address of Employer: NA

Can you regularly attend meetings? Yes  No  (Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: NA  
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

How long have you lived in the Borough? Jan 1 - 1993 - 22 yrs

Briefly explain, why you are interested in serving on the board in which you are applying? As a medical retiree my concerns would be basic public health + safety in Mat-Su.

List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications: Extensive history in Hospitality, 15 years as a liquor licensee in Mat-Su, Volunteer with Dept's of Revenue & Corrections

List three professional or personal references:

Name: <u>Jeff + P.J. Ross</u>	Phone: <u>232-0321</u>
Name: <u>Laura Castleman</u>	Phone: <u>892-8162</u>
Name: <u>WANNETTE Rucker</u>	Phone: <u>376-3555</u>

Applicant Signature: [Signature] Date: 1-29-15

Office Use Only: Precinct: <u>08-155</u>	Assembly District: <u>5</u>	Service Area: <u>FSA West Lakes RSA Big Lake</u>
Position on Board: _____	Term Ends: _____	
Residence Checked: <input checked="" type="checkbox"/> Yes	Map Checked: <input checked="" type="checkbox"/> Yes	Code Checked: 1 <sup>st</sup> <input checked="" type="checkbox"/> 2 <sup>nd</sup> <input checked="" type="checkbox"/>

Applicant Name: Robin S. Jeffery

---

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?         NO   X   YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  
  X   NO         YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

Robin S. Jeffery

Jan 29 '15

Two civil judgments, both arising out of the same event. Employee P.S. had a wreck and subsequent D.U.I., Oct. 2009., two hours after work and testified she had gotten herself drunk at work. Plaintiffs discovered I had insurance and I was next. These people were injured by P.S.

Kasheena Radner v. R.J. DBA Robins Landing  
Personal Injury 3AN-11-10782 CI  
Settled (OOC) Jan. 2013 \$20K

Terrence Radner v. R.J. DBA Robins Landing  
Personal Injury 3AN-14-09703 CI  
Settled (OOC) Jan 2015 \$5K

MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE  
350 E. Dahlia Avenue Palmer, AK 99645  
Phone: 861-8683 Fax: 861-7845

RECEIVED  
DATE RECEIVED:  
JAN 27 2015  
CLERKS OFFICE

BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM

INSTRUCTIONS

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: Marijuana Advisory Committee, member 11-13  
(For example, Board of Equalization, Member 3) City Limits

Applicant Name: Jamie Sadler

Residence Address: 5125 E Big Rock Dr. Wasilla AK 99654

Mailing Address: PO Box 4317 Palmer AK 99645

Home phone: 8541399 Work phone: 771 2832 Email: Jamie.Sadler@me.com

Name and Address of Employer: Nana Wortey Parsons 3700 Centerpoint Dr. Anchorage 99503

Can you regularly attend meetings? Yes  No  (Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: NA  
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

How long have you lived in the Borough? 7 years

Briefly explain, why you are you interested in serving on the board in which you are applying? I may decide to farm this in the future and I would like to help w/ the regulations if possible.

List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications: See attached resume.

List three professional or personal references: Name: Hugo Gutierrez (he lives outside us) Phone: hugo\_eg@cox.net  
Name: MIKE HUDSON Phone: 343-5434  
Name: Vickie Westphal Phone: 232-2331

Applicant Signature: Jamie Sadler Date: 27 Jan 2015

(N)

Office Use Only: Precinct: <u>09-628</u>	Assembly District: <u>6</u>	Service Area: <u>GOLD TRAIL GR. PALMER FSA</u>
Position on Board: _____	Term Ends: _____	
Residence Checked: <input checked="" type="checkbox"/> Yes	Map Checked: <input checked="" type="checkbox"/> Yes	Code Checked: 1 <sup>st</sup> <input checked="" type="checkbox"/> 2 <sup>nd</sup> <input checked="" type="checkbox"/>

Applicant Name: Jamie Sadler

---

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

NA

---

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?

NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

NA

---

Jamie M Sadler  
Po Box 4317 Palmer Ak 99645  
907-854-1399, jamiesadler@me.com

**Accomplished Supply Chain Manager, with 16 years' of experience in cutting cost, team leadership, organization, budget controls and training with a strong ability to focus on meeting customer expectations, often exceeding them.**

## **Education**

**Masters Business Administration, University of Phoenix**

**Bachelor of Science, Integrated Supply Chain Management, University of Phoenix**

**Six Sigma Lean/DFSS Certification**

## **Experience**

**Field Buyer/Material Specialist II, NANA WorleyParsons**

**Nov 13- Pres**

*Procurement duties as required for ExxonMobil, Pt. Thomson Project*

**Purchasing and Warehouse Manager, Era Aviation**

**May 11-Nov 13**

*Managed a team of 5-12 employees, responsible for a \$5.5 million inventory, \$500,000 annual purchases*

- *Reduced shipping costs by 10% annually*
- *Decreased repair turn time on parts to less than 30days, 90% of the time*
- *Reorganized warehouse layout for better optimization and work flow*
- *Implemented process flow for accounting documents to ensure expeditious payment*
- *Created inventory flow and departmental procedures to accommodate the purchase of two additional aircraft and spare parts*

**Buyer, Ryan Air**

**Dec 09- May 11**

- *Identified surplus inventory for sale, approximately \$100,000*
- *Conducted annual inventory at remote locations with 95% accuracy*
- *General purchasing duties as required*

Jamie M Sadler  
Po Box 4317 Palmer Ak 99645  
907-854-1399, jamiesadler@me.com

**Logistics Manager, Northern Air Maintenance**

**Sept 07-Sept 09**

- *Reorganized warehouse layout for better optimization of \$7 million inventory*
- *Performed annual inventory audit with over 98% accuracy*
- *Created inventory flow to accommodate the purchase of two additional aircraft*

**Supervisor Material Control, HNV, US Airways**

**Sept 05-Sept 07**

- *Travelled to multiple locations to aid in heavy check materials processing*
- *Integral part of implementation of processes and procedures during merger with America West*

**Buyer and Material Control Specialist, TIMCO**

**Nov 98-Mar 01 & June 02-Sept 05**

- *Identified surplus inventory for sale*
- *Managed multiple aircraft types for numerous customers*
- *Handled procurement functions for multiple customers and contracts upwards of 20 million dollars.*

**Other**

- *Proficient in various MRP systems, including AS400, Trax, Sceptre, SPM*
- *Microsoft Office Business and Apple iWork suites*
- *Strong communication, negotiating, team building, and leadership skills.*
- *Willing to travel up to 90% of the time, domestic and international*
- *Completed the Point Thomson Safety and Leadership Course 2014*
- *NSTC / Arctic Pass Tier II qualified, July 2014*
- *OSHA 10 Hour- Construction Safety Course*

RECEIVED  
DATE RECEIVED: FEB 03 2015  
CLERKS OFFICE

BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM

INSTRUCTIONS

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: Marijuana Advisory Board  
(For example, Board of Equalization, Member 3)

Applicant Name: Sally L. Johnson

Residence Address: 13293 Ellis White Circle Wasilla, AK 99623

Mailing Address: Same

Home phone: 376-2855 Work phone: 352-9500 Email: sj92659@yahoo.com

Name and Address of Employer: Mat Su Borough School District 501 N. Gulkana Palmer, AK 99655

Can you regularly attend meetings? Yes  No  (Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: N/A  
(For example: employee, emergency responder, RSA or TSA area supervisor, board member, contractor etc.)

How long have you lived in the Borough? 55 years

Briefly explain, why you are you interested in serving on the board in which you are applying? I am very passionate about this issue. I do not want to see this over-regulated

List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications: Homesteaded in Knik 1960. Grew up in AK during the de-criminalization. Have waited for the legalization for years. Would like to help build the guidelines for success during this transition.

List three professional or personal references:  
Name: Lisa Jensen Phone: 315-8180  
Name: Chrissy Mulhewax Phone: 355-7842  
Name: Claudia Cottle Phone: 376-3795

Applicant Signature: [Signature] Date: 1/28/15

(N)

Office Use Only: Precinct: 08-140 Assembly District: 5 Service Area: FSA-Central Mat-Su  
Position on Board: \_\_\_\_\_ Term Ends: \_\_\_\_\_  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>

Applicant Name: Sally L. Johnson

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

DATE RECEIVED: **RECEIVED**  
**FEB 10 2015**  
**CLERKS OFFICE**

**BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM**

**INSTRUCTIONS**

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: Marijuana Advisory Board  
*(For example, Board of Equalization, Member 3)*

Applicant Name: Lily Harig

Residence Address: 2680 Terrace Loop

Mailing Address: 2680 Terrace Loop Wasilla, Ak 99623

Home phone: 440-2628 Work phone: \_\_\_\_\_ Email: pittnrotths@yahoo.com

Name and Address of Employer: unemployed

Can you regularly attend meetings? Yes  No  *(Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")*

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: \_\_\_\_\_  
*(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)*

How long have you lived in the Borough? 1991

Briefly explain, why you are you interested in serving on the board in which you are applying? Matsu Valley has a unique ability to progress and prosper with prop #2, applied properly. I listen.

List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications: The personal experience of cultivating and applying it to medical use.

The knowledge of marijuana and hemp practical uses. I listen to others for their solutions, ideas.

List three professional or personal references:

Name: <u>Steve Hodgdon</u>	Phone: <u>242-4472</u>
Name: <u>Stephanie Michel</u>	Phone: <u>229-3422</u>
Name: <u>Kelle Hüntzman</u>	Phone: <u>317-8739</u>

Applicant Signature: Lily Harig  Date: 2/10/15

Office Use Only: Precinct: DB-140 Assembly District: 5 Service Area: FSA - Central Mat-Su  
Position on Board: \_\_\_\_\_ Term Ends: \_\_\_\_\_  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>

Applicant Name: Lily Harig

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1. Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

2. Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE  
350 E. Dahlia Avenue Palmer, AK 99645  
Phone: 861-8683 Fax: 861-7845

RECEIVED  
DATE RECEIVED  
JAN 28 2015  
CLERKS OFFICE

BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM

INSTRUCTIONS

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to **debra.wetherhorn@matsugov.us** or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: Marijuana Reform Committee  
(For example, Board of Equalization, Member 3)

Applicant Name: Thomas (Tom) J Rainey living outside of  
3 cities

Residence Address: 8580 E. Highlander Circle

Mailing Address: Same cell # 715-9992

Home phone: 745-7487 Work phone: 907-887-7423 Email: alaskamusher@gmail.com

Name and Address of Employer: U.S.G.S. 4210 University Dr. Anchorage

Can you regularly attend meetings? Yes  No  (Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: \_\_\_\_\_  
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

How long have you lived in the Borough? 20 years

Briefly explain, why you are you interested in serving on the board in which you are applying? I bring a  
"child of The 60's" view & want to make sure minds are open

List professional or personal experiences that qualify you for membership on the board? You may **attach a brief resume** to highlight your qualifications: Born in Washington D.C. Teenager during  
The 60's, 3 years in ANTI-POI grows Law enforcement U.S. Coast Guard

List three professional or personal references: \* Name: Kat Wheeler Phone: 786-7074  
\* Currently out of town Name: Chris Cady Phone: 786-7116  
Name: Heidi Frost Phone: 269-3567  
Shirley Nowak 355-2686

Applicant Signature: Thomas J Rainey Date: 1/28/15

Office Use Only: Precinct: 09-628 Assembly District: 6 Service Area: FSA - Gr. Palmer  
RSA - Southcentral  
Position on Board: \_\_\_\_\_ Term Ends: \_\_\_\_\_  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>

Applicant Name: Thomas J. Rainey

---

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  
 NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---


**SUBJECT:** AN ORDINANCE AMENDING MSB 15.24.031 INITIATING AND AMENDING LAKE MANAGEMENT PLANS, BY PLACING A TEMPORARY MORATORIUM ON INITIATION AND AMENDMENTS TO LAKE MANAGEMENT PLANS.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Refer to Planning Commission for recommendation.

**APPROVED BY** *for* JOHN MOOSEY, BOROUGH MANAGER: *George Alan Hayes*

Route To:	Department/Individual	Initials	Remarks
	Originator: E. Probasco	EP	
	Planning and Land Use Director	EP	
	Borough Attorney	NS	
	Borough Clerk	JAM	4/13/15 

**ATTACHMENT(S):** Fiscal Note: NO X YES       
 Ordinance Serial No. 15-063 (3 pp)  
 MSB 15.24.031 (2 pp)  
 Draft PC Resolution 15-19 (2 pp)

**SUMMARY STATEMENT:**  
 This ordinance is being brought forward at the recommendation of Borough Manager, John Moosey.

In 1999 the borough adopted MSB 15.24.031 Initiating and Amending Lake Management Plans. The intent of this ordinance was to provide consistency and clarity to the Lake Management Plan (LMP) process, which is initiated by the community. There are currently 41 Lake Management Plans adopted into MSB 15.14, with corresponding enforceable regulations outlined in MSB 17.59 Lake Management Plan implementation.

In some cases, the process of creating a new or amending an existing LMP goes smoothly. However, even a simple plan requires a substantial amount of staff time, including overtime

for evening meetings. In several cases, the process has become controversial to the point of consuming one staff member's time for several months, and taking away from other pressing projects and assembly priorities.

In an effort to conduct borough business efficiently and focus on Assembly priorities, as well as allow time for staff to explore a more efficient process, staff is suggesting that a temporary moratorium (36 months) be placed on MSB 15.24.031 Initiating and Amending Lake Management Plans. The attached ordinance is intended to keep the existing LMP's in place as adopted in 15.24.030(C), and keep the existing enforceable regulations in MSB 17.59 Lake Management Plan Implementation. The ordinance would only temporarily suspend the process.

This amendment is consistent with one of the Assembly's 2015 #1 Priority Focus points identified at their Planning Retreat in February, 2015; "Administrative Restructure" which is to streamline our government processes, and use our borough resources more efficiently and effectively.

**RECOMMENDATION OF ADMINISTRATION:**

Staff recommends adoption of an ordinance Amending MSB 15.24.031 Initiating and Amending Lake Management Plans by placing a temporary moratorium on the initiation and amendment of lake management plans.

By: Eileen Probasco  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 15-19**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING ADOPTION OF AN ORDINANCE PLACING A TEMPORARY (36 MONTHS) MORATORIUM ON MSB 15.24.031 INITIATING AND AMENDING LAKE MANAGEMENT PLANS.

WHEREAS, in 1999 the borough adopted MSB 15.24.031 Initiating and Amending Lake Management Plans to provide consistency and clarity to the Lake Management Plan (LMP) process, which is initiated by the community; and

WHEREAS, There are currently 41 Lake Management Plans adopted into MSB 15.14, with corresponding enforceable regulations outlined in MSB 17.59 Lake Management Plan Implementation; and

WHEREAS, in some cases, the process of developing the LMP has become controversial to the point of consuming one staff member's time for several months, and taking away from other pressing projects and assembly priorities; and

WHEREAS, staff would like time to explore other options for the lake management plan process; and

WHEREAS, this ordinance is intended to keep the existing LMP's in place as adopted in 15.24.030(C), and keep the existing

enforceable regulations in MSB 17.59 Lake Management Plan Implementation; and

WHEREAS, in an effort to conduct borough business efficiently and focus on Assembly priorities, and to allow staff time to consider an alternate method of conducting the LMP process, a temporary (36 months) moratorium on MSB 15.24.031 Initiating and Amending Lake Management Plans is recommended.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends adoption of an ordinance placing a temporary (36 months) moratorium on MSB 15.24.031 Initiating and Amending Lake Management Plans.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this \_\_\_ day of \_\_\_, 2015.

\_\_\_\_\_  
JOHN KLAPPERICH, Chair

ATTEST

\_\_\_\_\_  
MARY BRODIGAN, Planning Clerk

(SEAL)

YES:

NO:

**15.24.031 INITIATING AND AMENDING LAKE MANAGEMENT PLANS.**

(A) The following process shall be followed to initiate a lake management plan.

(1) A petition shall be submitted to the planning department requesting a lake management plan for a specific lake or lakes. The petition must include the signatures of property owners (as listed by borough tax assessment records) of at least 50 percent of all parcels within 600 feet upland of the respective lake shoreline or signatures of property owners (as listed by borough tax assessment records) of 50 parcels within 600 feet upland of the respective lake shoreline, whichever is less. Borough, State, and Federally owned parcels, not held in trust, will not be counted toward the petition threshold.

(2) Within 60 calendar days of receipt of a petition, the planning department shall mail numbered notices to all property owners (as listed by borough tax assessment records) within 600 feet upland of the lake shoreline requesting the property owner to indicate whether or not they are in favor of initiating a lake management plan. One notice per parcel will be mailed. A return envelope addressed to the planning department, and a deadline of not less than 60 calendar days for responding in writing shall be specified in the notice. The notice shall state that a lake management plan will be initiated if a majority of the property owners responding to the planning department prior to the deadline are in favor of developing a lake management plan.

(3) The written responses returned to the planning department prior to the deadline will be tabulated. A lake management plan will be initiated if the majority of the property owners responding are in favor of developing a lake management plan. Borough, State, and Federally owned parcel not held in trust, will not be counted toward the tabulation.

(4) The planning department shall notify all property owners (as listed by borough tax assessment records) within 600 feet upland of the lake shoreline whether or not a lake management plan will be initiated.

(5) When a lake management plan is initiated, the planning department shall provide a notice to the appropriate community council, post a notice at the public access points to the respective lake as identified through current use, and post a notice in a newspaper of general circulation distributed within the borough.

(6) All lake management plan meetings shall be open to the public and advertised in a newspaper of general circulation distributed within the borough.

(B) The following process shall be followed to amend an adopted lake management plan:

(1) Lake management plan amendments shall be in compliance with MSB [15.24.030](#).

(2) A petition shall be submitted to the planning department requesting an amendment to an adopted lake management plan for a specific lake or lakes. The petition must include a general description of the proposed amendment and include the signatures of property owners (as listed by borough tax assessment records) of at least 50 percent of all parcels within 600 feet upland of the respective lake shoreline, or signatures of property owners of 50 parcels within 600 feet upland of the respective lake shoreline, whichever is less. Borough, State, and Federally owned parcels, not held in trust, will not be counted toward the petition threshold.

(3) Within 60 calendar days of receipt of a petition to amend an adopted lake management plan, the planning department shall mail numbered notices to all property owners (as listed by borough tax assessment records) within 600 feet upland of the lake notifying them of the request to amend the lake management plan. One notice per parcel will be mailed. The notice shall include the proposed amendment and request the property owner to

IM15-104  
OR15-063

indicate whether or not they are in favor of initiating a process to consider the amendment. A return envelope addressed to the planning department, and a deadline of not less than 60 calendar days for responding in writing, shall be specified in the notice. The notice shall state that the process will be initiated if a majority of the property owners responding to the planning department prior to the deadline are in favor of considering the amendment.

(4) The written responses returned to the planning department prior to the deadline will be tabulated. The process will be initiated if the majority of the property owners responding are in favor of initiating the process. Borough, State, and Federally owned parcels, not held in trust, will not be counted toward the tabulation.

(5) The planning department shall notify all property owners (as listed by borough tax assessment records) within 600 feet upland of the lake shoreline whether or not the amendment process will be initiated.

(6) When an amendment to a lake management plan is initiated, the planning department shall provide a notice to the appropriate community council, post a notice at the public access points to the respective lake as identified through current use, and post a notice in a newspaper of general circulation distributed within the borough.

(7) All lake management plan meetings shall be open to the public and advertised in a newspaper of general circulation distributed within the borough.

(

IM15-104  
OR 15-063

CODE ORDINANCE

Sponsored by:

John Moosey

Introduced:

Public Hearing:

Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-063**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 15.24.031, INITIATING AND AMENDING LAKE MANAGEMENT PLANS, BY PLACING A TEMPORARY MORATORIUM ON INITIATION AND AMENDMENTS TO LAKE MANAGEMENT PLANS.

---

WHEREAS, in 1999 the borough adopted MSB 15.24.031 Initiating and Amending Lake Management Plans to provide consistency and clarity to the Lake Management Plan (LMP) process, which is initiated by the community; and

WHEREAS, There are currently 41 Lake Management Plans adopted into MSB 15.14, with corresponding enforceable regulations outlined in MSB 17.59 Lake Management Plan Implementation; and

WHEREAS, in some cases, the process of developing the LMP has become controversial to the point of consuming one staff member's time for several months, and taking away from other pressing projects and assembly priorities; and

WHEREAS, staff would like time to explore other options for the lake management plan process; and

WHEREAS, this ordinance is intended to keep the existing LMP's in place as adopted in 15.24.030(C), and keep the existing enforceable regulations in MSB 17.59 Lake Management Plan

Implementation; and

WHEREAS, in an effort to conduct borough business efficiently and focus on Assembly priorities, and to allow staff time to consider an alternate method of conducting the LMP process, a temporary (36 months) moratorium on MSB 15.24.031 Initiating and Amending Lake Management Plans is being implemented.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of section. MSB 15.24.031 is hereby amended by inserting the following paragraph, prior to sub section A, as follows:

15.24.031 INITIATING AND AMENDING LAKE MANAGEMENT PLANS.

A temporary moratorium on the initiation of new lake management plans and the amendment of adopted lake management plans is hereby implemented. This moratorium will be in affect 3 years from the date of adoption of this ordinance, unless otherwise deemed necessary by the assembly. The temporary moratorium will be in effect until:

This moratorium does not affect the existing lake management plans in MSB 15.24.030 (C), and the existing regulations in MSB 17.59 Lake Management Plan implementation,

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

LARRY DeVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**I. CALL TO ORDER**

The special meeting of the Matanuska-Susitna Borough Assembly was held on March 24, 2015, 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 for the purpose of conducting a joint Assembly/Planning Commission meeting.

**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. Dan Mayfield, Assembly District No. 5  
Ms. Barbara J. Doty, Assembly District No. 6

Assembly members absent and excused were:

Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)  
Mr. Steve Colligan, Assembly District No. 4  
Mr. Vern Halter, Assembly District No. 7

Planning Commission members present and establishing a quorum were:

Mr. Brian Endle, Seat 1  
Mr. John Klapperich, Seat 3 (*Planning Commission Chair*)  
Mr. Bruce Walden, Seat 4  
Mr. Bill Kendig, Seat 5  
Mr. Tom Adams, Seat 6  
Mr. Vern Rauchenstein, Seat 7

Planning Commission members absent and excused:

Mr. Thomas Healy, Seat 2

Staff in attendance were:

Ms. Brenda J. Henry, Assistant Clerk  
Mr. John Moosey, Borough Manager  
Mr. Nicholas Spiropoulos, Borough Attorney  
Ms. Eileen Probasco, Planning and Land Use Director  
Mr. Mike Brown, Capital Projects Director  
Mr. Alex Strawn, Development Services Manager  
Mr. Joshua Allen, Planner II  
Ms. Lauren Driscoll, Chief of Planning  
Mr. Paul Hulbert, Platting Officer

### **III. APPROVAL OF AGENDA**

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

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

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

The pledge of allegiance was led by Mr. John Moosey, Borough Manager.

### **V. AUDIENCE PARTICIPATION**

The following persons spoke in support of an amendment to Planning Commission Resolution Serial No. 09-14, which would modify language regarding community council review: Mr. Mark Bertels, Mr. Steve Renner, and Mr. John Pinnix.

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

The following person spoke to concerns with the process for creation of special use districts and opined that the name should be changed to special zoning district: Mr. Ethan Williams.

The following person spoke to the traffic congestion at Engstrom Road and Bogard Road: Ms. Kathleen Jones.

### **VI. ITEMS OF BUSINESS**

#### **A. Platting Board Update *(Requested by Assembly)***

Mr. Paul Hulbert, Platting Officer, reported on the activities of the Platting Board.

#### **B. MSB Fish and Wildlife Commission Efforts *(Requested by Administration)***

Mr. Larry Engle, MSB Fish and Wildlife Commission Chair, reported on the activities of the MSB Fish and Wildlife Commission.

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

#### **C. Presentation On the P3 (Public - Private - Partnerships) Model *(Requested by Administration)***

Ms. Lauren Driscoll, Chief of Planning, provided a presentation regarding the benefits of the P3 Model.

#### **D. Housing Summit Update *(Requested by Administration)***

Mr. Joshua Allen, Planner II, provided an update regarding the recently held Housing Summit.

- E. Title 43 – Subdivisions *(Requested by Administration)*
  - 1. Phase I Update
  - 2. Phase II Update – Transportation Topics

Ms. Eileen Probasco, Planning and Land Use Director, provide an update regarding Phase I and Phase II of the update to Title 43.

- F. Driveways, Old Records, “Weight” Restrictions *(Requested by Administration)*

Mr. Alex Strawn, Development Services Manager, reported on the status of all permitting services, how old records are being retained, and building structural issues being encountered due to the weight of old records.

- G. Title 17 Restructure – Process Improvement *(Requested by Mayor DeVilbiss)*

Ms. Eileen Probasco, Planning and Land Use Director, provided a history of the current process and reported on ways that the special land use creation process could be updated and improved.

- H. GIS Data Library Cleanup – SPUDS *(Requested by Administration)*

Ms. Eileen Probasco, Planning and Land Use Director, reported on how the GIS Division is working to ensure that special use district boundaries are accurate in order to provide a better service to the public; and the map and code changes that could be coming forward in relation to that project.

## **VII. MAYOR, ASSEMBLY, PLANNING COMMISSION, AND STAFF COMMENTS**

Mr. Moosey spoke to the need to be mindful of how special land use district uses are enforced after they are created.

Planning Commissioner Rauchenstein thanked staff for their hard work in providing better services to the public.

Planning Commissioner Adams:

- noted that the problems that are occurring with development are due to growth, which is a good thing; and
- spoke to the need to continue to move forward with streamlining processes.

Planning Commissioner Kendig stated that he would like to see Development Services have additional staff in order to process permits more quickly.

Planning Commissioner Walden:

- noted that with major growth come issues that must be addressed; and
- opined it is constructive when the bodies are able to have a joint meeting to address those issues.

Planning Commissioner Endle stated that he is looking forward to reviewing how the special land use district creation process can be improved.

Planning Commission Chair Klapperich:

- spoke to the way the Planning Commission Members participate in meetings;
- spoke to the need for consistency in government; and
- thanked the body for the meeting.

Assemblymember Sykes:

- thanked the body for the meeting;
- stated that he appreciates substantive discussion of the issues before them;
- noted that the problems that are being dealt with were not necessarily created by the current body; and
- wished everyone a good evening.

Assemblymember Beck:

- spoke to his appreciation of being a part of the process; and
- thanked staff for all their hard work in dealing with the day-to-day issues.

Assemblymember Mayfield:

- spoke to his appreciation of all the presentations that were provided;
- summarized the reasons that the special meeting regarding the Big Lake incorporation that was scheduled for March 17 did not occur; and
- stated that he would like to schedule another meeting for that discussion.

MOTION: Assemblymember Mayfield moved to schedule a special meeting for April 7, 2015, at 4 p.m. to discuss the Big Lake incorporation.

VOTE: The motion passed without objection.

Assemblymember Doty:

- opined that there was good discussion this evening;
- spoke in support of the updates to Titles 43 and 17;
- thanked the public for their participation;
- spoke to the excellent work of staff in putting together the presentations; and
- noted that she enjoyed her first joint Assembly/Planning Commission meeting.

Mayor DeVilbiss:

- thanked the Planning Commission for the work they do;
- opined that this has been one of the most substantive joint meetings he recalls;
- suggested that the Planning Commission give consideration to the length of time of the process when they review the special land use district creation process;
- spoke to concerns with the possibility of the lack of marijuana regulation by the State before the end of the legislative session; and
- thanked the body for the meeting.

## **VIII. ADJOURNMENT**

The meeting adjourned at 9:30 p.m.

**I. CALL TO ORDER**

The special meeting of the Matanuska-Susitna Borough Assembly was held on April 7 2015, at the Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 5 p.m. by Mayor DeVilbiss for the purpose of discussing the Big Lake Incorporation and Resolution Serial No. 15-034.

**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 (*arrived at 4:03 p.m.*)
- Mr. Dan Mayfield, Assembly District No. 5
- Ms. Barbara Doty, Assembly District No. 6
- Mr. Vern Halter, Assembly District No. 7

Assembly members absent and excused were:

- Ms. Barbara Doty, Assembly District No. 6

Staff in attendance were:

- Ms. Lonnie R. McKechnie, Borough Clerk
- Mr. John Moosey, Assistant Manager
- Mr. Nicholas Spiropoulos, Borough Attorney
- Ms. Jamie Newman, Deputy Clerk
- Ms. Tammy Clayton, Finance Director
- Mr. Eric Phillips, Community Development Director

**III. APPROVAL OF AGENDA**

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

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

**IV. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Mr. Jim Faiks, a member of the audience.

**V. AUDIENCE PARTICIPATION**

The following person spoke to concerns with the Borough's website and public process:  
Mr. Eugene Carl Haberman.

## VI. ITEMS OF BUSINESS

- A. Discussion On The Big Lake Incorporation  
1. Petitioners and Representatives Presentations

Mr. Jim Faiks spoke to the history of the Big Lake incorporation effort.

Mr. Floyd Shilanski spoke to how incorporation would improve services to Big Lake residents.

Mr. Leo von Scheben spoke to road conditions within the Big Lake Road Service Area and the challenges in bringing the roads up to Borough road standards as currently required.

Ms. Casey Steinau spoke to the demographics of the Big Lake community.

Mr. Bill Kramer spoke to the financial resources available to the residents of Big Lake without any tax increase.

Mr. Jim Faiks spoke to the proposed boundaries for the city of Big Lake.

Mr. Darren Zimmer read the testimony of Mr. Bill Allen into the record, which spoke to how incorporation is in the best interest of the residents and land owners of the Big Lake community.

- B. **Resolution Serial No. 15-034:** A Resolution Directing The Manager To Present An Ordinance To The Assembly For The Acceptance Of An Intergovernmental Cooperation Agreement Including The Approval Of The Transfer Of Certain City Of Big Lake Powers To The Borough If The Incorporation Is Approved By The Voters. *(Sponsored By Assemblymember Mayfield)*  
1. IM No. 15-090

MOTION: Assemblymember Mayfield moved to adopt Resolution Serial No. 15-034.

VOTE: The motion passed without objection.

## VII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Assemblymember Mayfield:

- thanked the petitioners and representatives for coming out today; and
- congratulated them on the incorporation effort.

Assemblymember Beck stated he is thankful for the work done by the petitioners and representatives in the incorporation effort.

Assemblymember Halter expressed that Assembly District 7 will be pleased to have Big Lake as an incorporated city.

Mayor DeVilbiss:

- expressed his support of the incorporation effort;
- opined that it may be a hard sell to the residents of Big Lake; and
- wished the petitioners well in the effort.

### **VIII. ADJOURNMENT**

The special meeting adjourned at 5:25 p.m.

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on April 7, 2015, 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

Assembly members absent and excused were:

Ms. Barbara Doty, Assembly District No. 6

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk  
Mr. John Moosey, Borough Manager  
Mr. Nicholas Spiropoulos, Borough Attorney  
Ms. Jamie Newman, Deputy Borough Clerk  
Mr. Mike Brown, Capital Projects Director  
Ms. Tammy Clayton, Finance Director  
Mr. Terrance Dolan, Public Works Director  
Mr. Eric Phillips, Community Development Director  
Mr. Michael Brown, Capital Projects Director  
Mr. Eileen Probasco, Planning Director  
Mr. Paul Hulbert, Platting Officer  
Ms. Elaine Flagg, Micrographic Scanning Technician

**III. APPROVAL OF AGENDA**

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

Ms. McKechnie:

- reported that Aviation Advisory Board Member Archie Giddings contacted her office today to convey that he would not be in attendance this evening due to scheduling conflicts; and
- that his agency report would be rescheduled to the next regular Assembly meeting agenda.

Mr. Moosey requested that the Assembly postpone Ordinance Serial No. 14-129 indefinitely at the request of the applicant.

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

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

The Pledge of Allegiance was led by Mr. Richard Stryken, a member of the audience.

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

A. Regular Assembly Meeting: 03/17/15

Mayor DeVilbiss inquired if there were any changes or corrections to the regular meeting minutes of March 17, 2015.

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

#### **VI. SPECIAL ORDERS OF THE DAY**

A. Proclamation In Recognition of Safe Digging Month

Mayor DeVilbiss presented Ms. Lindsay Hobson of Enstar Natural Gas Company with a proclamation in recognition of safe digging month.

#### **VII. REPORTS/CORRESPONDENCE**

A. AGENCY REPORTS

1. Reports from cities

*(There were no reports provided.)*

2. Matanuska-Susitna Borough School District

Mr. Luke Fulp, Assistant Superintendent of Business and Operations:

- spoke to the upcoming high school graduation season;
- related that graduation dates have been provided to the Borough Clerk;
- advised that if any Assembly Members would like to attend a graduation ceremony, VIP seating and parking is available to them;
- requested that the members RSVP attendance at a graduation ceremony through the Borough Clerk; and
- spoke to bills pending in the Alaska State Legislature related to education funding.

3. Mat-Su Convention and Visitors Bureau – Ms. Bonnie Quill

Ms. Quill spoke to the activities of the Mat-Su Convention and Visitors Bureau.

~~4. Aviation Advisory Board – Mr. Archie Giddings~~

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Beck:

- related that all school bond construction projects are on schedule or ahead of schedule;
- related that work has been stalled on the effort to standardized power generators in schools;
- spoke to the teacher/student ratio within the School District; and
- spoke to financial challenges faced by the School District as a result of reductions in State funding.

2. Joint MSB Assembly/MOA Assembly Transportation Subcommittee

Assemblymember Colligan related that a joint Transportation Advisory Board/Municipality of Anchorage Transit Board meeting is scheduled to be held on Thursday, April 9, in Eagle River.

3. Assembly Public Relations

Assemblymember Colligan:

- related that he attended the groundbreaking ceremony for the new Wasilla library;
- noted that the facility will house community meeting rooms;
- reported on his recent trip to Juneau;
- announced that MSB Fish and Wildlife Commissioner Bruce Knowles received a proclamation from the Alaska State Legislature; and
- spoke to the good work of the MSB Fish and Wildlife Commission.

Assemblymember Beck spoke favorably about the honors band concert he recently attended at Colony High School.

Assemblymember Sykes:

- spoke to the Central Mat-Su Fire Department annual awards ceremony he attended on March 31; and
- spoke to the dedication of local responders.

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

3. ~~Tax and Local Improvement District Sale Process – Ms. Nancy Hereford~~

4.

5. Bond Report - Ms. Tammy Clayton
6. Talkeetna Utilities Study Report - Mr. Terry Dolan

Mr. Moosey:

- invited Mr. Richard Stryken to come forward to speak about his restoration project of the former School District Administration building on Evergreen Avenue in Palmer; and
- announced that Ms. Hereford's report on tax and local improvement district sale process has been rescheduled to the next regular Assembly meeting.

Mr. Stryken provided a report of the work that is being done where the former School District Administration building on Evergreen Avenue used to be.

Ms. Clayton provided a staff report on recent bond sales.

Mr. Dolan:

- spoke to road projects underway by the Public Works Department; and
- reported on the Talkeetna Utilities Study.

Mr. Moosey:

- reported on bills pending in the Alaska State Legislature that will impact the Borough; and
- advised that he has requested that the current generator bid be postponed for further review.

MOTION: Assemblymember Beck moved to request that Manager Moosey write a letter and send it by Friday, April 10, 2015 to Governor Walker's Office and the Mat-Su delegates in Juneau on behalf of the Assembly in strong support of the Governor's proposed Medicaid expansion.

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

#### D. ATTORNEY COMMENTS

Mr. Spiropoulos:

- reported on the lawsuit filed by the Ketchikan Gateway Borough against the State of Alaska regarding the local contribution of the State's education funding formula;
- added that the Supreme Court has issued a stay on the Trial Courts ruling in the case;
- further added that as a result, the minimum funding law is in place;
- related that Ketchikan asked for reconsideration and the State's opposition was due last week;
- added that as of today, he was not able to locate a ruling on the reconsideration;
- spoke to the Borough's PERS litigation case;
- related that the plaintiff's motion for class certification was denied today by the Federal Court;
- added that the Borough continues to wait on the statute of limitations ruling in the case; and
- further added that he is working on an updated litigation report for the Assembly.

Discussion ensued regarding how changes in State law this legislative session may impact the Ketchikan Gateway Borough case.

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- related that the April 14, joint Assembly/School Board meeting agenda has been provided;
- reported that the first meeting of the newly created Marijuana Advisory Commission is scheduled for April 27, at 2 p.m.; and
- added that Deputy Clerk Jamie Newman will serve as acting clerk from April 21 through April 24.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Big Lake RSA Board of Supervisors: 08/21/14
- b. Greater Talkeetna RSA Board of Supervisors: Resolution Nos. 14-01, 14-02
- c. Historical Preservation Commission: 01/09/14, 02/13/14, 03/13/14, 04/10/14, 05/08/14, 06/12/14, 08/14/14, 09/11/14, 10/30/14, 11/17/14
- d. Library Board: 01/17/15, Resolution No. 15-01
- e. Local Road Service Area Advisory Board: 01/15/15
- f. MSB Fish and Wildlife Commission: 12/18/14
- g. Parks, Recreation, and Trails Advisory Board: 10/27/14, Resolution Nos. 15-01, 15-02
- h. Planning Commission: 12/01/14, 12/15/14, 01/05/15, 02/02/15, Resolution Nos. 15-05, 15-08, 15-10, 15-11
- i. Platting Board: 01/02/15
- j. West Lakes FSA Board of Supervisors: 02/09/15
- k. Willow FSA Board of Supervisors: 01/09/14, 02/13/14, 03/13/14, 05/08/14, 06/12/14, 08/14/14, 09/11/14, 10/16/14, 11/14/14, 12/11/14, 01/08/15, Resolution No. 15-01

2. Community Council Minutes:

- a. Big Lake Community Council: 01/13/15
- b. Butte Community Council: 02/09/11, 01/11/12, 02/08/12, 04/11/12, 05/09/12, 05/08/13, 07/10/13, 04/09/14, 05/14/14, 06/11/14, 07/09/14, 08/13/14, 09/10/14, 01/14/15
- c. Glacier View Community Council: 02/25/14, 03/25/14, 04/22/14, 05/27/14, 10/23/14
- d. Meadow Lakes Community Council: 09/10/14, 12/11/14, 01/15/15
- e. Pt. MacKenzie Community Council: 10/09/14, 12/18/14

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

## G. INFORMATIONAL MEMORANDUMS

*(There were no informational memorandums presented.)*

*(The meeting recessed at 7:01 p.m. and reconvened at 7:10 p.m.)*

## VIII. 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. 15-036:** An Ordinance Amending Title 43, Subdivisions, To Address Housekeeping And Procedural Items Outlined In The Planning Department Staff Memorandum Dated March 1, 2013. *(Sponsored by Assemblymember Beck)*
  - a. IM No. 15-058

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. 15-036.

MOTION: Assemblymember Beck moved a primary amendment to Ordinance Serial No. 15-036, noted below, as recommended by Administration:

- MSB 43.05.003 Definition of Terms: Under the definition of easement by striking the words “Abbreviated Plat, Waiver Or Forty-Acre Exemption” after the word “plat” at the end of the last sentence, to read: “Easement means any strip of land reserved by the subdivider for public utilities, drainage, sanitation or other specified use, the title to which shall remain in the property owner, subject to the right of use designated on the subdivision plat or other document. For the purpose of this title and easement shall not be interpreted to be a fee dedication when noted or granted on a plat.”
- MSB 43.05.003 Definition of Terms: Under the definition of Snow Storage Easement, by inserting the words “normally adjoining a road right-of-way” after the word “storage” and strike the words “and maintenance dedicated or reserved to the municipality” at the end of the sentence to read: “Snow Storage Easement means an easement for snow storage normally adjoining a road right-of-way.”
- MSB 43.10.030 Compensation: In subsection (A), by inserting the words “of \$50 per meeting” and strike the words “established by the assembly” to read: “(A) Board members shall be compensated at a rate of \$50 per meeting for regular and special meetings, not to exceed four meetings in a calendar month.

All requests for reimbursement shall be for actual expenses incurred on authorized board business.”

- MSB 43.10.030 Compensation: by inserting subsection “B” to read as follows: “(B) In instances where a word is not included in this section nor in the applicable section, reference will be made first to the most recent publication of “The Illustrated Book Of Development Definitions” then to “Webster’s New Universal, Unabridged Dictionary.”
- MSB 43.15.012 Forty-Acre Exemption: by striking the number “15” and insert in its place “10” after the word “within” to read: “(E) the decision of the platting officer in this matter is final unless appealed to the platting board in writing within 10 days.”
- MSB 43.20.281 Area: In subsection (H), by inserting the words “Where lots, tracts, or parcels exceed five acres in size, the platting authority may accept a reduced number of test holes or other supporting information, accomplished under the direct supervision of a state of Alaska registered engineer” and striking the words “or are proposed to be combined” to read: “(H) Where lots, tracts, or parcels exceed five acres in size, the platting authority may accept a reduced number of test holes or other supporting information, accomplished under the direct supervision of a state of Alaska registered engineer.”

[Clerk note: the public hearing was inadvertently closed before a member of the public who signed up to testify was called to speak.]

Mayor DeVilbiss asked if there was objection to reopening the public hearing.

There was no objection noted.

Mayor DeVilbiss reopened the public hearing.

The following person spoke to concerns with Ordinance Serial No. 15-036: Mr. Eugene Carl Haberman.

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

VOTE: The primary amendment passed without objection.

Mr. Hulbert provided a staff report.

MOTION: Assemblymember Mayfield moved a primary amendment to MSB 43.10.065(B)(2) by striking “21” and inserting in its place “30” after the word “least” in the first sentence to read: (2) notices shall be mailed at least 30 days before the public hearing to.”

WITHDRAWAL: Assemblymember Mayfield moved to withdraw his primary amendment.

There was no objection noted.

VOTE: The main motion passed as amended without objection.

2. **Ordinance Serial No. 15-037:** An Ordinance Accepting And Appropriating Additional Grant Funds In The Amount Of \$15,461.92 From The Alaska State Division Of Homeland Security And Emergency Management Grant, Project No. 45158, Fund 425, For Reimbursement Of Communications Equipment.
  - a. **Resolution Serial No. 15-033:** A Resolution Amending The Scope Of Work And Budget For The Alaska State Division Of Homeland Security And Emergency Management Grant, Project No. 45158, Fund 425, To Include Reimbursement For Communications Equipment.
    - (1) IM No. 15-066

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 Ordinance Serial No. 15-037 and Resolution Serial No. 15-033.

VOTE: The motion passed without objection.

3. **Ordinance Serial No. 15-038:** An Ordinance Appropriating \$404,304 To Fund 400, For Issuance Costs From The Proceeds Of The 2015 Series "A" School Refunding General Obligation Bonds.
  - a. IM No. 15-072

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 Ordinance Serial No. 15-038.

VOTE: The motion passed without objection.

4. **Ordinance Serial No. 15-039:** An Ordinance Placing A Moratorium On The Acceptance And Processing Of Applications To Dispose Of Fee Simple Interests Of Previously Disposed Agricultural Property. *(Sponsored by Assemblymember Sykes)*
  - a. IM No. 15-073

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. 15-039.

MOTION: Assemblymember Halter moved to refer Ordinance Serial No. 15-039 to the Agriculture Advisory Board and Planning Commission for 120 days.

MOTION: Assemblymember Beck moved to postpone Ordinance Serial No. 15-139 to a time certain of May 5, 2015.

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

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke to the need for a Borough-wide sewer system: Ms. Helen Munoz

The following person spoke regarding incentives to encourage recycling: Ms. Sammy Taylor, Mid-Valley Recycling

The following person spoke regarding public process and the action taken on Ordinance Serial No. 15-036: Mr. Eugene Carl Haberman.

D. CONSENT AGENDA

1. RESOLUTIONS

a. **Resolution Serial No. 15-035:** A Resolution Approving The Amended Budgets And Transfer Funds From The Hawk Lane Upgrade Project, Project No. 35405, To Caswell Lakes Road Upgrade Project, Project No. 35408, In The Amount Of \$99,462 And To Big Lake Road Intersections Project, Project No. 35404, In The Amount Of \$178,227.

(1) IM No. 15-085

b. **Resolution Serial No. 15-036:** A Resolution In Support Of Alaska's Military Forces In The Rally For Our Troops Campaign.

(1) IM No. 15-087

2. ACTION MEMORANDUMS

a. **AM No. 15-020:** Authorization To Amend Contract No. 15-035P With The Boutet Company In The Amount Of \$45,250 To Allow For Phase 2 Of The Matanuska River Mitigation Acquisition Project.

- b. **AM No. 15-024:** Modify A 30-Foot Telephone And Electric, And Natural Gas Easement Within Lot 1, Snowgoose Landing, Plat No. 2010-3, Located In Section 25, Township 18 North, Range 01 East, Seward Meridian.
- c. **AM No. 15-028:** Award Of Request For Proposal No. 15-103P To Wirtanen Commercial, LLC. In The Contact Amount Of \$400,000 For Government Peak Chalet Upgrades.
- d. **AM No. 15-029:** Keyhole Vacation Of A 6.78-Foot Portion Of East Cottle Loop Right-Of-Way Within D.J. Subdivision East, Plat No. 2006-142, Located In Section 1, Township 17 North, Range 1 West, Seward Meridian.
- e. **AM No. 15-031:** Award Of Invitation To Bid No. 15-094B, To General Fire Apparatus, Inc. In The Contract Amount Of \$494,516 To Purchase A Primary Response Engine For The Greater Palmer Fire Service Area.
- f. **AM No. 15-035:** Approval Of A Contract Amendment For Purchase Order No. 2014-1449 With Matanuska Telephone Association In The Amount Of \$193,984.55 For The South Big Lake Road Realignment, Project No. 30043.
- g. **AM No. 15-036:** Approval Of A Contract Amendment For Purchase Order No. 2014-1722 With Matanuska Telephone Association In The Amount Of \$99,462 For The Caswell Lakes Road Upgrade Construction, Project No. 35408.

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.

## IX. UNFINISHED BUSINESS

- 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

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

PENDING 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 Arvin moved to postpone Ordinance Serial No. 14-129 indefinitely.

VOTE: The motion to postpone Ordinance Serial No. 14-129 indefinitely passed without objection.

## X. VETO

*(There were no vetoes presented.)*

## XI. NEW BUSINESS

### A. INTRODUCTIONS (For public hearing – 04/21/15 Assembly Chambers)

1. **Ordinance Serial No. 15-040:** An Ordinance Confirming The Assessment Roll For The Field Of View Park Subdivision Community Water Local Improvement District No. 476 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
  - a. **Ordinance Serial No. 15-041:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$332,000 Principal Amount Of Special Assessment Bonds For The Field Of View Park Subdivision Community Water Local Improvement District No. 476, And Fixing Details Of Said Bonds.
    - (1) IM No. 15-077
  
2. **Ordinance Serial No. 15-042:** An Ordinance Confirming The Assessment Roll For The South Big Lake Road And West Susitna Parkway Natural Gas Local Improvement District No. 508 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
  - a. **Ordinance Serial No. 15-043:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$867,000 Principal Amount Of Special Assessment Bonds For The South Big Lake Road And West Susitna Parkway Natural Gas Local Improvement District No. 508, And Fixing Details Of Said Bonds.
    - (1) IM No. 15-078
  
3. **Ordinance Serial No. 15-044:** An Ordinance Confirming The Assessment Roll For The East Carney Road Natural Gas Local Improvement District No. 534 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
  - a. **Ordinance Serial No. 15-045:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$97,000 Principal Amount Of Special Assessment Bonds For The East

- Carney Road Natural Gas Local Improvement District No. 534, And Fixing Details Of Said Bonds.
- (1) IM No. 15-079
  
  4. **Ordinance Serial No. 15-046:** An Ordinance To Enter Into A Lease With Matanuska Telephone Association For A Communication Site (MSB007021).
    - a. IM No. 15-070
  
  5. **Ordinance Serial No. 15-047:** An Ordinance Appropriating \$63,655,000 To Fund 400, School Projects, For The Acquisition, Construction, And Installation Of School And Related Capital Improvements Within The Borough And \$511,579 To Fund 400 For Related Issuance Costs From The Proceeds Of The 2015 Series “B” General Obligation Schools Bonds.
    - a. IM No. 15-083
  
  6. **Ordinance Serial No. 15-048:** An Ordinance Appropriating \$1,600,000 To Fund 430, For The Construction, Additions, Improvements, Betterments, Repair, Reconstruction, Or Acquisition Of Public Roads And Facilities And Acquisition Of Lands Or Rights In Lands Related Thereto Which Would Address Urgent Safety Issues And Transportation Needs And \$17,481 To Fund 430 For Related Issuance Costs From The Proceeds Of The 2015 Series “C” General Obligation Transportation Bonds.
    - a. IM No. 15-084
  
  7. **Ordinance Serial No. 15-049:** An Ordinance Accepting And Appropriating \$2,790,927 From The Alaska State Department Of Transportation And Public Facilities, To Fund 430, Project No. 35403, For The Road Improvements To South Clapp Street And Realignment Intersection At Knik Goose Bay Road Project.
    - a. **Resolution Serial No. 15-037:** A Resolution Approving The Scope Of Work And Budget, Authorize The Manager To Enter Into A Transfer Of Responsibilities Agreement With The Alaska State Department Of Transportation And Public Facilities, Approve A Contract Amendment To Bristol Environmental Remediation Services, LLC. Contract No. 14-160B In An Amount Not To Exceed \$2,480,825 And Approve Award Of Contract To Hattenburg, Dilley, And Linnell For Construction Management Services In An Amount Not To Exceed \$206,735 For Road Improvements To South Clapp Street Realignment And Intersection At Knik Goose Bay Road Project, Project No. 35403.
      - (1) IM No. 15-086
  
  8. **Ordinance Serial No. 15-050:** An Ordinance Adopting MSB 4.80, Establishing The Agriculture Advisory Board And Its Composition, Functions, And Duties.
    - a. IM No. 15-088

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 hearing for April 21, 2015.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following appointments and resignations for confirmation:

Aviation Advisory Board  
Stephen Pavish (resignation)

Board of Equalization  
Annemarie Weiland (resignation)  
DeKay Bayliffe  
Traci Barickman

MOTION: Assemblymember Arvin moved to approve the Mayor's appointments and resignations up for confirmation.

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.)*

**XII. RECONSIDERATION**

*(There was no reconsideration presented.)*

**XIII. MAYOR, ASSEMBLY, AND STAFF COMMENTS**

Mr. Moosey commented on the level of interest in the Agricultural Advisory Board and the Marijuana Advisory Board.

Assemblymember Colligan commented on when the proposed city of Big Lake may decide to hold their regular meetings.

Assemblymember Beck:

- thanked staff and members of the public for attending tonight's Assembly meeting;
- opined that the Assembly engaged in great debate this evening; and
- stated that he appreciates serving on the Assembly.

Assemblymember Sykes:

- spoke to information he has requested from Administration related to the budget that he has not yet received;
- spoke to decreased revenue and the effect on the budget;
- spoke to options for increasing revenue;
- thanked the Finance Department for providing a copy of the Borough's chart of accounts;
- spoke in support of transparency in the budget process;
- added that there is now a dedicated link to budget information on the Borough's website;
- thanked the Assembly for approving the cost of community services study;
- opined that the Assembly may not have all the information it needs to make good decisions on the budget;
- spoke in favor of starting work on the budget in late January or early February; and
- expressed concern with events surrounding the Nancy Lake warm storage fire station property purchase.

Assemblymember Mayfield:

- spoke to the Big Lake incorporation effort;
- thanked the petitioners for attending the 4 p.m. special meeting to share information on the incorporation effort;
- thanked the Assembly for adopting Resolution Serial No. 15-034;
- thanked Chief Bill Gambell for serving as the Interim Director of Emergency Services; and
- expressed concern with events surrounding the Nancy Lake warm storage fire station.

Assemblymember Halter:

- spoke to a letter he wrote regarding the Nancy Lake warm storage fire station;
- spoke in support of setting a reasonable mill rate for the Willow Fire Service Area;
- spoke in support of lowering the ISO rating for properties within the Willow Fire Service Area;
- noted that he does not support setting the mill rate through a ballot question;
- added that the mill rate will be set by the Assembly;
- spoke to the Borough's tax limitation levy;
- spoke to the budget process; and
- commented on the State's financial crises and measures that could be taken to ease the burden.

Assemblymember Arvin:

- spoke to Ordinance Serial No. 15-039;
- spoke to the unintended consequences of the moratorium placed on timber harvests;
- added that the moratorium was supposed to be for 6 months; however it took 5 years to be lifted; and
- related that he looks forward to further discussion on Ordinance Serial No. 15-039.

Assemblymember Beck requested clarification on comments made by Assemblymember Mayfield regarding events surrounding the Nancy Lake warm storage fire station property purchase.

Mayor DeVilbiss:

- spoke to events surrounding the Nancy Lake warm storage fire station property purchase;
- thanked the Assembly for postponing Ordinance Serial No. 15-039;
- spoke to implications of Ordinance Serial No. 15-039; and
- shared historical information on three proposed railroad routes under consideration for Alaska in 1917.

#### **XIV. EXECUTIVE SESSION**

*(There was no executive session held.)*

#### **XV. ADJOURNMENT**

The regular meeting adjourned at 8:45 p.m.