

MATANUSKA-SUSITNA BOROUGH

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

BOROUGH MAYOR

Vern Halter

BOROUGH CLERK

Lonnie R. McKechnie, CMC

BOROUGH MANAGER

Michael Brown

BOROUGH ATTORNEY

Nicholas Spiropoulos



BOROUGH ASSEMBLY

Tim Hale, District 1
Stephanie Nowers, District 2
George McKee, District 3
Robert Yundt, District 4
Mokie Tew, District 5
Jesse Sumner, District 6
Tam Boeve, District 7

MEETING MINUTES

ASSEMBLY CHAMBERS

350 EAST DAHLIA AVENUE, PALMER

ASSEMBLY REGULAR MEETING

6:00 PM

TUESDAY, JUNE 1, 2021

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, June 1, 2021, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Vern Halter.

II. ROLL CALL

Present: 5 - Assemblymember Tim Hale, Assemblymember Stephanie Nowers, Assemblymember Mokie Tew, Assemblymember Jesse Sumner, and Assemblymember Tam Boeve

Telephonic: 2 - Assemblymember George McKee, and Assemblymember Robert Yundt

III. APPROVAL OF AGENDA

The agenda was approved as presented without objection.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by the Audience.

V. MINUTES OF PRECEDING MEETINGS

- A. Regular Meeting Minutes: 05/04/21
- B. Budget Public Hearing Minutes: 05/06/21
- C. Budget Deliberations Minutes: 05/11/21
- D. Budget Deliberations Minutes: 05/13/21
- E. Special Meeting Minutes: 05/18/21
- F. Regular Meeting Minutes: 05/18/21

Mayor Halter queried if there were any changes to the minutes as presented.

Ms. McKechnie advised that there are corrections to names for May 11 and May 18, special meeting minutes. Advised that those corrections would be made if the Assembly has no objection.

Mayor Halter queried if there was any objection to the minutes as amended.

There was no objection noted.

VI. REPORTS/CORRESPONDENCE

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

1. Reports From Cities

Mayor Glenda Ledford, Wasilla City Mayor, reported on the activities of the city.

2. Matanuska-Susitna Borough School District

There was no report provided.

3. State of Alaska

Mr. Todd Smolden, Executive Director of Governor Dunleavy's Office, reported on the activities of the Governor.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee On School Issues

There was no report provided.

2. Assembly Public Relations

There were no reports provided.

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

3. State Redistricting Update

Mr. Peter Torkelson, Executive Director of the Alaska State Redistricting Board, provided an update regarding the activities of the State redistricting Board.

[21-140](#)

Alaska State Redistricting Update

D. ATTORNEY COMMENTS

Mr. Brown spoke to his recent work with the Alaska Industrial Development and Export Authority regarding entering into a memorandum of agreement for West Susitna Access Phase III, which will not be ready until August or September at which time the Assembly can determine if you would like to do that or not.

Mr. Spiropoulos noted that a bid protest has been filed for AM 21-048, which is awarding the bid for construction of Houston Middle School. Advised that one of the bidders is appealing the Purchasing Officer's decision. Stated that means it must go before the Office of Administrative Hearings. Noted that the record is due to the Clerk's Office on Thursday, at which time the Clerk will issue a notice of hearing and briefing schedule. Recommended that the Assembly move forward with an amendment to the AM that states "execution of the contract will not occur unless the Hearing Officer upholds the Purchasing Officer's determination upon appeal." If the Hearing Officer does uphold the Purchasing Officer's decision, then the contract can be executed by the Purchasing Officer and construction can begin. Spoke to the Hearing Officer's heavy schedule and that the appeal hearing may not be able to occur until July.

Ms. Henry advised that the Hearing Officer has a heavy schedule but that she would discuss with him scheduling the hearing in a timely manner.

E. CLERK COMMENTS

Ms. McKechnie spoke to the upcoming meeting schedule.

F. CITIZEN AND OTHER CORRESPONDENCE

[21-131](#)

1. Butte Community Council: 04/14/21
 2. Central Mat-Su FSA Board of Supervisors: 01/11/21, 04/12/21
 3. Greater Talkeetna RSA Board of Supervisors: 04/08/21
 4. Knik-Fairview Community Council: 03/17/21, 04/21/21, 05/05/21, Resolution No. 21-01
 5. Local Road Service Area Advisory Board: 04/15/21
 6. Meadow Lakes Community Council: 02/10/21
 7. Parks, Recreation, and Trails Advisory Board: Resolution No. 20-02
 8. Planning Commission: 05/03/21, Resolution No. 21-07, 21-10
 9. Platting Board: 03/18/21
 10. South Knik River Community Council: 02/18/21, 03/18/21
 11. Tanaina Community Council: 05/11/21
 12. Willow Area Community Organization: 02/03/21, 03/03/21
- The citizen and other correspondence were presented and no comments were noted.

G. INFORMATIONAL MEMORANDUMS

[IM 21-099](#)

Informing The Assembly Of A Grant Amendment From The Alaska State Department Of Natural Resources That Will Be Presented To The Borough Manager For Signature.

[IM 21-113](#)

Informing The Assembly Of The Borough's Intent To Enter Into A Letter Of Agreement With The Matanuska-Borough Employee's Association That Will Change The Work Period For 56-Hour Employees From 27 Days To 14 Days Effective June 21, 2021. The informational memorandum was presented and no comments were noted.

VII. SPECIAL ORDERS

A. PERSONS TO BE HEARD (MSB 2.12.081; Three Minutes Per Person.)

B. PUBLIC HEARINGS (Three Minutes Per Person.)

OR 21-025

An Ordinance Adopting MSB 17.31, Supplemental Wetlands Mitigation Provisions For Projects Requiring United States Army Corps Of Engineers Individual Permits Under Section 404 Of The Clean Water Act That Permanently Impact 10 Or More Acres Of Waters Of The United States; And Amending MSB 1.45.100, Schedule Of Fines For Infractions.

Ms. McKechnie read the legislation into the record.

Mr. Ted Eischeid, Planner II, provided a staff report.

Mayor Halter opened the public hearing.

The following persons spoke in support of the legislation: Ms. Kendra Zamzow; Ms. Patti Fisher; Mr. Mark Bailey; Mr. Jeremy Huston; Ms. Melissa Hoyer, Executive Director of the Susitna River Coalition; Ms. Whitney Wolfe; Mr. Ray Nix; Ms. Jessica Winnestaffer; Mr. Jim Sykes; and Mr. Eric Wooten.

The following person spoke to items he would like the Assembly to consider: Mr. Dan Graham, General Manager, Donlin Gold Project.

The following persons spoke in opposition to the legislation: Ms. Yvonne Sumner, Mr. Rick Sumner, Mr. Joel Fuller, Ms. Beth Fread, Mr. Larry Michaelson, Mr. Ron Johnson, Mr. Lyle Downing, and Mr. Brian Endle.

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

Assemblymember Boeve moved to adopt Ordinance Serial No. 21-025.

Assemblymember Hale moved a primary amendment by inserting subparagraph MSB 17.31.040(A)(1)(a), to read: "Permittee-responsible mitigation projects shall be within the boundary of the Matanuska-Susitna Borough." The motion passed by the following vote:

Yes: 4 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Yundt, and Assemblymember Boeve

No: 3 - Assemblymember McKee, Assemblymember Tew, and Assemblymember Sumner

Assemblymember Tew called for the question (to stop debate). The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

The main motion failed as amended by the following vote:

Yes: 3 - Assemblymember Hale, Assemblymember Nowers, and Assemblymember Boeve

No: 4 - Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, and Assemblymember Sumner

The meeting recessed at 8:10 p.m. and reconvened at 8:16 p.m.

[OR 21-046](#)

An Ordinance Approving A One-Year Extension For The Management Agreement Between The Borough And The Willow Area Community Organization And Modifying Shared Expenses During Construction Of The New Willow Library And Community Center Upgrades.

Ms. McKechnie read the legislation into the record.

Mr. Eric Phillips, Community Development Director, provided a staff report.

Mayor Halter opened the public hearing.

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

Assemblymember Boeve moved to adopt Ordinance Serial No. 21-046. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

[OR 21-047](#)

An Ordinance Enacting MSB 1.15.095 Standardizing Rules Of Timeliness, Proof, And Presumptions Regarding Tax Payments. Ms. McKechnie read the legislation into the record.

Mr. Nicholas Spiropoulos, Borough Attorney, provided a staff report.

Mayor Halter opened the public hearing.

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

Assemblymember Boeve moved to adopt Ordinance Serial No. 21-047. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

[OR 21-048](#)

An Ordinance Reappropriating \$97,914.14 From Project No. 10178-1805, Fund 435, And \$22,085.86 From Project No. 10178-1806, Fund 435, To Project No. 10063, Fund 435, Dorothy Swanda Jones Administrative Building Annex To Replace The Matanuska-Susitna Borough Network Operations Center Roof And Extending The Time Limit Of Project No. 10178-1805. RS 21-051: A Resolution Amending The Scope Of Work And Budget For Project No. 10178 Fireweed Building To Include The Matanuska-Susitna Borough Network Operations Center Roof Replacement.

Ms. McKechnie read the legislation into the record.

Mr. Mike Brown, Borough Manager, provided a staff report.

Mayor Halter opened the public hearing.

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

Assemblymember Boeve moved to adopt Ordinance Serial No. 21-048 and Resolution Serial No. 21-051. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

The following persons spoke in opposition to Resolution Serial No. 21-054: Ms. Dawn Harris and Mr. Bill Stearns.

D. CONSENT AGENDA

1. RESOLUTIONS

[RS 21-053](#) A Resolution Amending The Scope Of Work For Project No. 47525 To Include Equipment And Build Out Costs For The Montana Mountain Networking And Repeater Site.

[RS 21-060](#) A Resolution Amending The Scope Of Work And Budget For Project No. 47532, Federal Cares Relief Act (COVID-19).

2. ACTION MEMORANDUMS

[AM 21-047](#) Approval Of Contract Amendment To Contract No. 20-146P With Kinney Engineering For The Official Streets And Highways Plan Update To Extend The Project Completion Date To August 16, 2021.

[AM 21-049](#) Award Of Proposal No. 21-142P To Kinney Engineering, LLC. In The Contract Amount Of \$200,902.70 To Design The Felton Street Extension.

Ms. McKechnie read the legislation into the record.

Assemblymember Boeve moved to approve the consent agenda as read into the record by the Clerk. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

[RS 21-054](#) A Resolution Approving A Change To The Fiscal Year 2022 Schedule Of Rates And Fees For Central Landfill And The Transfer Sites To Go Into Effect July 1, 2021.

Sponsors: Tew

Assemblymember Boeve moved to adopt Resolution Serial No. 21-054. The motion passed by the following vote:

Yes: 4 - Assemblymember Hale, Assemblymember McKee, Assemblymember Yundt, and Assemblymember Tew

No: 3 - Assemblymember Nowers, Assemblymember Sumner, and Assemblymember Boeve

[RS 21-061](#) A Resolution In Support Of Butte Community Council's Application For Permits To Place Community Signage Within The Right-Of-Way Along The Old Glenn Highway.

Sponsors: Hale

no objection.

Assemblymember Hale moved to adopt Resolution Serial No. 21-061. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

[AM 21-048](#) Award Of Bid No. 21-150B To Roger Hickel Contracting, Inc. In The Contract Amount Of \$33,270,169 To Construct Houston Middle School.

Ms. McKechnie read the legislation into the record.

Assemblymember Boeve moved to adopt AM 21-018.

Assemblymember Boeve moved a primary amendment by inserting the following language before the recommendation of administration, to read: "The execution of the contract will not occur unless the Hearing Officer upholds the Purchasing Officer's determination on appeal."

The motion passed by the following vote:

Yes: 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, and Assemblymember Boeve

No: 1 - Assemblymember Sumner

The main motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. VETO

There were no vetoes presented.

X. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing 06/15/21, Assembly Chambers)

- [OR 21-049](#) An Ordinance Approving A Reappropriation Of \$12,500 From The Fiscal Year 2021 Community Development Department Operating Budget 203.170.141, Project No. 15040, To Fund 440, Settlers Bay Coastal Park Project.
RS 21-052: A Resolution Amending The Budget For The Settlers Bay Coastal Park, Project No. 15040, Fund 440, For Ongoing Park Construction And Development.
- [OR 21-050](#) An Ordinance Accepting And Appropriating \$20,980 From The Mat-Su Trails And Parks Foundation To Project No. 15040, Fund 440, To Continue Development Of The Settler's Bay Coastal Park.
RS 21-055: A Resolution Approving The Scope Of Work And Budget For The Settlers Bay Coastal Park, Project No.15040, Fund 440, For Continued Park Development.
- [OR 21-051](#) An Ordinance Approving A Supplemental Appropriation Of \$1,500,000 From The Unrestricted Net Assets In The Solid Waste Division Enterprise Fund, Fund 510, To Solid Waste Project No. 25029, Fund 420, To Procure Gravel Removal Services At The Central Landfill.
RS 21-056: A Resolution Establishing The Project, Scope Of Work, And Budget For A Supplemental Appropriation Of \$1,500,000 From The Unrestricted Net Assets In The Solid Waste Division Enterprise Fund, Fund 510, To Solid Waste Project No. 25029, Fund 420, To Procure Gravel Removal Services At The Central Landfill.
- [OR 21-052](#) An Ordinance Accepting and Appropriating \$14,874 Of Revenues From Fiscal Year 2021 Public Donations Into Project No. 10151, Fund 435.
RS 21-057: A Resolution Amending The Budget For Project No. 10151, Fund 435, To Fix The Black Mold Problem In The Kennel Area And Improve The Quality Of Care For The Dogs.
- [OR 21-053](#) An Ordinance Reappropriating \$152,000 From The Planning Department Fiscal Year 2021 Operating Budget, Fund 100.130.130.411.100 Permanent Wages, To Fund 480, Project No. 47513, Planning Department On-Call Positions.
RS 21-058: A Resolution Approving The Scope Of Work And Budget For Project No. 47513, Planning Department On-Call Positions.

[OR 21-060](#)

An Ordinance Reappropriating \$69,432 From The Port Enterprise Fund's Fiscal Year 2021 Operating Budget, Fund 520 To Fund 450, Port Infrastructure/Capital Projects.

RS 21-059: A Resolution Amending The Scope Of Work And Budget For Port Mackenzie Dock Improvements/Repairs, Project No. 70012.

Ms. McKechnie read the legislation into the record.

Assemblymember Boeve moved to introduce the legislation as read into the record by the Clerk and to set the public hearings for June 15, 2021. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

B. MAYORAL NOMINATIONS AND APPOINTMENTS

Boeve moved.

no objection.

1. VACANCY REPORT

[21-137](#)

Mayoral Requests for Confirmation

Sponsors: Halter

Board of Ethics

Patrick McKay

Assemblymember Boeve moved to confirm the appointments requested by the Mayor. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

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.

XI. RECONSIDERATION

There were no reconsiderations.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Assemblymember Sumner spoke to concerns with reducing fees at the landfills without an equal increase of revenue to make up for the difference.

Assemblymember McKee stated that Mat-Su Convention and Visitor's Bureau (MSCVB) was supposed to provide the Assembly with a copy of their expenditures. Noted that he has not seen it yet, but he would like to soon.

Mayor Halter summarized a history of the MSCVB. Noted the huge impacts that COVID-19 had on bed tax revenues. Noted that there are many ways that the MSCVB works to increase tourism that is essential to the Borough.

XIII. EXECUTIVE SESSION

There was no executive session.

XIV. ADJOURNMENT

The meeting adjourned at 9:15 p.m.