

MATANUSKA-SUSITNA BOROUGH

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

BOROUGH MAYOR
Edna DeVries

BOROUGH CLERK
Lonnie R. McKechnie, CMC

BOROUGH MANAGER
Michael Brown

BOROUGH ATTORNEY
Nicholas Spiropoulos



BOROUGH ASSEMBLY
Tim Hale, District 1
Stephanie Nowers, District 2
Dee McKee, District 3
Robert Yundt, District 4
Mokie Tew, District 5
Jesse Sumner, District 6
Ron Bernier, District 7

MEETING MINUTES

ASSEMBLY CHAMBERS
350 EAST DAHLIA AVENUE, PALMER

ASSEMBLY REGULAR MEETING

6:00 PM

TUESDAY, DECEMBER 7, 2021

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, December 7, 2021, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:01 p.m. by Mayor Edna DeVries.

II. ROLL CALL

Present: 5 - Assemblymember Stephanie Nowers, Assemblymember Dee McKee, Assemblymember Mokie Tew, Assemblymember Jesse Sumner, and Assemblymember Ron Bernier

Telephonic: 2 - Assemblymember Tim Hale, and Assemblymember Robert Yundt

III. APPROVAL OF AGENDA

Mayor DeVries queried if there were any changes to the agenda.

Mr. Brown requested to pull Resolution Serial No. 21-134 from the consent agenda for discussion and that it be taken up immediately following audience participation so that the presenters could head back to Anchorage before the weather got any worse.

Mayor DeVries queried if there was any objection.

There was no objection noted.

Mayor DeVries queried if there were any other changes to the agenda.

The agenda was approved as amended without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Bill Kendig, a member of the audience.

V. SPECIAL ORDERS OF THE DAY

A. Appointment of Deputy Mayor - Jesse Sumner

Mayor DeVries requested a moment of silence in recognition of Pearl Harbor Day.

A moment of silence was observed.

Mayor DeVries queried if there was any objection to Jesse Sumner being appointed as Deputy Mayor.

There was no objection noted.

VI. MINUTES OF PRECEDING MEETINGS

- 21-222** A. Special Assembly Election Certification Meeting: 11/16/21
 B. Regular Assembly Meeting: 11/16/21
 The minutes were approved as presented.

VII. REPORTS/CORRESPONDENCE

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

1. Reports From Cities

There was no report provided.

2. Matanuska-Susitna Borough School District

There was no report provided.

3. State of Alaska

Mr. Todd Smoldon, Executive Director of Governor Dunleavy's Mat-Su Office, reported that Governor Dunleavy is pleased with the continuing push-back about vaccine mandates. Advised that Governor Dunleavy will be releasing his budget on or by December 15, as is constitutionally required. Requested that the Assembly let him know what their priorities are.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee On School Issues

Assemblymember Nowers reported on the current and coming activities of the Committee.

2. Assembly Public Relations

Mayor DeVries requested a round of applause in recognition of Mr. Mike Brown on the anniversary of his first year as Borough Manager.

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

Mr. Brown reported that the employee food drive for Thanksgiving was a success and that 60 families received a Thanksgiving meal as a result. Noted that Resolution Serial No. 21-130, listed under introductions will be up for public hearing on December 21. Stated that this legislation contains any increases to rates and fees and that he wanted it out to the public for comment. Requested to schedule a meeting to discuss the Strategic Plan.

[Clerk's note: The Assembly discussed dates that might work for this meeting and it will be scheduled at a later date.]

D. ATTORNEY COMMENTS

Mr. Spiropoulos reported that the litigation regarding redistricting will be on the agenda under Executive Session until the Borough's lawsuit is resolved. Advised that no judge has been assigned yet and will not be until the deadline to file these suits has passed. Summarized the process of the Assembly referring legislation to the Planning Commission.

E. CLERK COMMENTS

Ms. McKechnie spoke to the upcoming meeting schedule. Advised that Mr. Brown requested to schedule the annual joint Assembly/State Legislative Delegation meeting. Stated that the Legislative Information Office suggested January 7, 2022, at 10 a.m. and queried if the Assembly would like to schedule that meeting.

Mayor DeVries queried if there was any objection.

There was no objection noted.

Ms. McKechnie advised that the December 14, 2021, Joint Assembly/School Board meeting agenda had been sent to the body, but that it did not include the resolution that is on the agenda. Advised that she would send that out first thing in the morning.

F. CITIZEN AND OTHER CORRESPONDENCE

21-219

1. Big Lake Community Council: 10/12/21
2. Big Lake RSA Board of Supervisors: 04/10/21, 09/15/21, 05/17/21, Resolution Nos. 21-0901, 21-0902
3. Central Mat-Su FSA Board of Supervisors: 10/11/21
4. Chickaloon Community Council: 08/11/21
5. Fairview RSA Board of Supervisors: 08/12/21, Resolution No. 21-01
6. Greater Talkeetna RSA Board of Supervisors: 10/14/21
7. Local Road Service Area Advisory Board: 10/21/21, Resolution No. 21-05
8. Meadow Lakes Community Council: 10/13/21
9. Meadow Lakes RSA Board of Supervisors: 08/03/21, 09/09/21, Resolution No. 21-02
10. MSB Fish and Wildlife Commission: 10/21/21
11. North Colony RSA Board of Supervisors: 11/08/21, Resolution No. 21-01
12. Parks, Recreation, and Trails Advisory Board: Resolution No. 21-02
13. Planning Commission: 10/18/21, Resolution Nos. 21-28, 21-29
14. Susitna Community Council: 10/07/21
15. Tanaina Community Council: 10/12/21, 10/26/21, 11/09/21
16. Trapper Creek RSA Board of Supervisors: 08/04/21, Resolution No. 21-01
17. West Lakes FSA Board of Supervisors: 09/13/21

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

G. INFORMATIONAL MEMORANDUMS

- IM 21-248** Reporting The Conclusion Of Contract For Bid 19-115B With Northstar Excavation And Asphalt, Inc. In The Final Contract Amount Of \$1,167,555.86 For The 2019 Roads Paving Project.
The informational memorandum was presented.

VIII. SPECIAL ORDERS**A. PERSONS TO BE HEARD (MSB 2.12.081; Three Minutes Per Person.)**

There were no persons to be heard.

B. PUBLIC HEARINGS (Three Minutes Per Person.)

OR 21-109 An Ordinance Accepting And Appropriating A Grant From The Alaska State Division Of Homeland Security And Emergency Management For Equipment And Training.
RS 21-118: A Resolution Approving The Scope Of Work And Budget For The Alaska State Division Of Homeland Security And Emergency Management Grant For Equipment And Training.
Ms. McKechnie read the legislation into the record.

Ms. Cheyenne Heindel, Finance Director, provided a staff report.

Mayor DeVries opened the public hearing.

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

Assemblymember Sumner moved to adopt Ordinance Serial No. 21-109 and Resolution Serial No. 21-118. The motion passed by the following vote:

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

OR 21-110 An Ordinance Approving An Appropriation Of \$574,786 From The Areawide Fund Balance, For Bridge And Railroad Crossing Major Maintenance And Repair; And The Dust Control Program (50 Percent Road Service Area Construction/50 Percent Dust Control).
Ms. McKechnie read the legislation into the record.

Ms. Cheyenne Heindel, Finance Director, provided a staff report.

Mayor DeVries opened the public hearing.

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

Assemblymember Sumner moved to adopt Ordinance Serial No. 2-110. The motion passed by the following vote:

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

OR 21-111 An Ordinance Approving An Appropriation From The Willow Fire Service Area Fund Balance To An Existing Project For An Underground Water Tank, Paving, And A Gravel Pad At Willow Station 12-5.
RS 21-119: A Resolution Approving The Amended Budget For An Underground Water Tank, Paving, And A Gravel Pad At Willow Station 12-5.

Ms. McKechnie read the legislation into the record.

Mr. Ken Barkley, Emergency Services Director, provided a staff report.

Mayor DeVries opened the public hearing.

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

Assemblymember Bernier moved to adopt Ordinance Serial No. 21-111 and Resolution Serial No. 21-119. The motion passed by the following vote:

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

OR 21-112 An Ordinance Amending MSB 15.08.010 (C), Compensation Of The Planning Commission; And Amending MSB 43.10.030(A), Compensation Of The Platting Board, Based On The Commission On Salaries And Emoluments Recommending An Increase To The Per Meeting Compensation For Both Boards.

Sponsors: Sumner

Ms. McKechnie read the legislation into the record and provided the staff report.

Mayor DeVries opened the public hearing.

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

Assemblymember Sumner moved to adopt Ordinance Serial No. 21-112. The motion passed by the following vote:

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

OR 21-113 An Ordinance Accepting And Appropriating \$10,000,000 From The Alaska State Department Of Commerce, Community, And Economic Development For Pavement Rehabilitation Through The Mat-Su Population Corridor.

RS 21-122: A Resolution Approving The Scope Of Work And Budget, And Authorizing The Borough Manager To Enter Into The Grant Agreement For Pavement Rehabilitation Through The Mat-Su Population Corridor.

Ms. McKechnie read the legislation into the record.

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

Mayor DeVries opened the public hearing.

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

Assemblymember Sumner moved to adopt Ordinance Serial No 21-113 and Resolution Serial No. 21-122.

Assemblymember Yundt moved a primary amendment to Resolution Serial No. 21-122 and IM No. 21-236, as follows:

- **In the resolution strike the scope of work in its entirety and insert in its place: “This funding will be applied to the standalone Felton Street project and the transportation bond projects listed in Proposition 1, except for the Multi-Modal Wasilla Depot project, approved by borough voters on November 2, 2021. \$1.5 million of this funding will be allocated to the Felton Street project with the remainder allocated to the bond projects based upon a percentage of project cost to total transportation package cost.”**
- **In the IM, starting on the second page, strike the wording starting at “Staff has developed...”; strike all the projects listed on pages 2 and 3; strike the last paragraph (see attached) and insert in its place: “This funding will be applied to the standalone Felton Street project and the transportation bond projects listed in Proposition 1, except for the Multi-Modal Wasilla Depot project, approved by borough voters on November 2, 2021. \$1.5 million of this funding will be allocated to the Felton Street project with the remainder allocated to the bond projects based upon a percentage of project cost to total transportation package cost.”**

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

The main motion passed as amended by the following vote:

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

OR 21-114 An Ordinance Amending MSB 3.08.220, Solicitation And Acceptance Of Bids; and MSB 3.08.260, Competitive Sealed Proposals; Negotiated Procurement.

Ms. McKechnie read the legislation into the record.

Mr. Russ Krafft, Purchasing Officer, provided a staff report.

Mayor DeVries opened the public hearing.

The following persons opined that the Borough should always support local business even if it is more costly: Esther Huddleston and Tran Smyth.

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

Assemblymember Sumner moved to adopt Ordinance Serial No. 21-114. The motion passed by the following vote:

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

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

The following persons spoke in opposition to the west Susitna Access Road: Kathleen Harms, Carol Tyler, Mark Miller, John Faeo, Steve H. Perrins, II; Steve H. Perrins, I, Rainy Pass Lodge owner; Gabe Kitter, Becky Long, Laura Wright, Melissa Loyer, Susitna River Coalition Director; Tristen Vixon, Winter Lake Lodge owner; Whitney Wolff, Monica Stern, Carl Dixon, Phil Sommerville, Jessica Winstaffer, Dennis Ransy, Sandra Lewis, Steve Olson, Brian Emerson, and Casey Long.

The following person spoke in opposition to Ordinance Serial Nos. 22-002 and 22-003: Norman Godfrey

The following person spoke in support of a Jonesville Public Use Management Plan: Brian Largent, and Esther Huddleston.

The following person spoke in support of Resolution Serial No. 21-128: George McKee.

The following person spoke in support of the West Susitna Access Road: Andrew Traxler.

The following person spoke to concerns with the Port MacKenzie rail extension and in opposition to the West Susitna Access Road: Tran Smyth.

The following person spoke in opposition to the west Susitna Access Road and to Ordinance Serial Nos. 22-002 and 22-003: Ruth Wood.

The meeting recessed at 8:27 p.m. and reconvened at 8:43 p.m.

RS 21-134 A Resolution In Support Of The Alaska Industrial Development And Export Authority's Effort To Advance Phase 3 Of The West Susitna Access Project Feasibility Study Towards An Application To The Governing Regulatory Agency.
Ms. McKechnie read the legislation into the record.

Mr. Brad Sworts, Borough Predesign and Engineering Manager; and Jesse Peterson, Senior Manager, Project Finance and Asset Management with Alaska Import and Development Export Authority; and Mr. Dave Heimek, Chief Operating Officer with Alaska Import and Development Export Authority provided a status report on the next phase of the West Susitna Access Road.

Assemblymember Sumner moved to adopt Resolution Serial No. 21-134.

Assemblymember Sumner moved to suspend the rules and to extend the meeting past 10 p.m. and not to exceed 11 p.m. The motion passed by the following vote:

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

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

Yes: 4 - Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Bernier

No: 3 - Assemblymember Hale, Assemblymember Nowers, and Assemblymember McKee

Assemblymember Nowers moved to postpone Resolution Serial No. 21-134 to December 21, 2021. The motion passed by the following vote:

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

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

D. CONSENT AGENDA

1. RESOLUTIONS

RS 21-133 A Resolution Amending The Scope Of Work For Project No. 10188, Fund 435, To Install Americans With Disabilities Compliant Door Openers At The Animal Care Facility; And Authorizing An Extension Of The Project To June 30, 2023.

2. ACTION MEMORANDUMS

AM 21-119 Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications.

AM 21-120 Approval Of Contract Extension To February 26, 2022, For Contract No. 20-129P with Respec Company, LLC. For A Metropolitan Planning Organization Coordinator.

AM 21-122 Approval Of Contract Extension For Bid 21-145B With Western Construction & Equipment, LLC. For A Final Completion Date Of August 31, 2022, For The Denelle Street And Sapphire Road Improvements Project.

AM 21-123 Approval Of Change Order No. 1 With Matanuska Telephone Association, Inc. To Increase The Purchase Order Allowance In The Amount Of \$32,583.53 For Birch Lake Drive, Simms Road, Spruce Court Improvements Project.

Ms. McKechnie read the legislation into the record.

Assemblymember Sumner 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 Bernier

RS 21-124 A Resolution Approving State Legislative Priorities For Fiscal Year 2023.

Ms. McKechnie read the legislation into the record.

Assemblymember Sumner moved to adopt Resolution Serial No. 21-124.

Assemblymember Sumner moved a primary amendment to Resolution Serial No. 21-124 and IM 21-240 as follows:

- **In the Informational Memorandum 21-240, by inserting the “Knik Arm Crossing” as project number 5 (page 1) and renumbering the projects thereafter; and**
- **In Resolution Serial No. 21-124, by inserting it as project number 5 (page 4) with the following description and renumbering the projects thereafter: "KNIK ARM CROSSING - Funds To Be Determined by ADOT&PF**
The Knik Arm Crossing (KAC) will provide connectivity between the state’s two largest population centers and their road networks, ports, airports, and rail corridors. The KAC will provide a more direct, alternate route from the MSB (Point MacKenzie and beyond) to Anchorage and stimulate growth in the southern portion of the Matanuska-Susitna Borough (MSB). Socioeconomic studies performed for the MSB indicate that this area will experience significant growth, and investment in infrastructure to support that growth should begin now in order to avoid costly highway expansion as is currently being experienced on Knik-Goose Bay Road, Parks Highway, and Glenn Highway corridors."

The primary amendment passed by the following vote:

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

Assemblymember Nowers moved a primary amendment to Resolution Serial No. 21-124 and IM No. 21-240 as follows: "Under Borough Action Priorities, in both the IM (pg 2) and Resolution (pg 2), to replace the language from "Support For The Alaska Health Transformation Project" with "Support for User-Friendly Transparent Healthcare Pricing including adoption of a state All-Payer Claims Database."

The primary amendment passed by the following vote:

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

Assemblymember Hale moved a primary amendment to Resolution Serial No. 21-124 and IM 21-240 as follows: "In both the resolution and the IM, to add a new heading, H. to read: "Support for Jonesville Public Use Area. The Alaska State Legislature established the Jonesville Public Use Area as an unfunded mandate. Funds should be appropriated to allow the Alaska State Department of Natural Resources to draft and implement a plan."

The primary amendment passed by the following vote:

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

The main motion passed as amended by the following vote:

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

RS 21-125 A Resolution Approving Federal Legislative Priorities For 2023.

Ms. McKechnie read the legislation into the record.

Assemblymember Sumner moved a primary amendment to Resolution Serial No. 21-125 and IM No. 21-241, as follows:

- **In IM No. 21-241, by inserting the “Knik Arm Crossing” as project number 5 (page 1) and renumbering the projects thereafter; and**
- **In Resolution Serial No. 21-125, by inserting it as project number 5 (page 4) with the following description and renumbering the projects thereafter: "KNIK ARM CROSSING - Funds To Be Determined by ADOT&PF**
The Knik Arm Crossing (KAC) will provide connectivity between the state’s two largest population centers and their road networks, ports, airports, and rail corridors. The KAC will provide a more direct, alternate route from the MSB (Point MacKenzie and beyond) to Anchorage and stimulate growth in the southern portion of the Matanuska-Susitna Borough (MSB). Socioeconomic studies performed for the MSB indicate that this area will experience significant growth, and investment in infrastructure to support that growth should begin now in order to avoid costly highway expansion as is currently being experienced on Knik-Goose Bay Road, Parks Highway, and Glenn Highway corridors."

The primary amendment passed by the following vote:

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

The main motion passed as amended without objection.

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

AM 21-118 Assembly Regular And Joint Meeting Schedule For 2022.

Ms. McKechnie read the legislation into the record.

Assemblymember Sumner moved to adopt AM No. 21-118.

Assemblymember Sumner moved a primary amendment to AM No. 21-118, by moving the November 15, 2022, regular Assembly meeting to November 22, 2022.

The primary amendment passed by the following vote:

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

The main motion passed as amended by the following vote:

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

AM 21-121 Award Of Proposal Number 22-038P To Burns And McDonnell In The Contract Amount Not To Exceed \$120,000 Annually To Provide Engineering Consulting Services For The Central Landfill.

Ms. McKechnie read the legislation into the record.

Assemblymember McKee moved to adopt AM No. 21-121. The motion passed by the following vote:

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

IX. UNFINISHED BUSINESS

There was no unfinished business.

X. VETO

There were no vetoes.

XI. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing 12/21/21, Assembly Chambers)

OR 21-115 An Ordinance Approving A Less Than Fair Market Value Sale Of Borough Land Identified As Parcel 1, Being The Southeast 1/4 Southwest 1/4 Of Section 2, Township 17 North, Range 2 West, Seward Meridian, Alaska, In The Amount Of Zero Dollars To The Meadow Lakes Community Council, Inc. For Purpose Of Public Recreation.

OR 21-116 An Ordinance Accepting And Appropriating Additional Disaster Relief Funds For The Port Mackenzie Facilities From Damages Sustained During The 2018 Cook Inlet Earthquake.
RS 21-129: A Resolution Amending The Budget For Additional Disaster Relief Funds For Port Mackenzie Facilities From Damages Sustained In The 2018 Cook Inlet Earthquake.

OR 21-117 An Ordinance Amending MSB 3.15.240 To Lower The Penalty For The First 30 Days Of Delinquent Real Property Taxes From Five Percent To One Percent.

Sponsors: Hale, Nowers and Sumner

OR 21-118 An Ordinance Adopting The Jonesville Public Use Area Management Plan; And Amending MSB 15.24.030, Comprehensive Plan And Purposes.

OR 21-119 An Ordinance Authorizing The Manager To Enter Into The Project Agreement For The Houston Middle School Replacement And Accepting And Appropriating \$9,000,000 From The Alaska State Department Of Education And Early Development For The Houston Middle School Rebuild Project.
RS 21-132: A Resolution Approving The Scope Of Work And Budget For The Construction Of The Houston Middle School Replacement.

RS 21-130 A Resolution Approving The Changes Needed To Update The Fiscal Year 2023 Schedule Of Rates And Fees Effective July 1, 2022.
Ms. McKechnie read the legislation into the record.

Assemblymember Sumner moved to introduce the legislation as read into the record by the Clerk and to set the public hearings for December 21, 2021. The motion passed by the following vote:

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

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

21-223

Mayoral Requests for Confirmation
Agriculture Advisory Board
Kenneth Hoffman
Animal Care and Regulation Board
Patricia Hurt
Enhanced 911 Advisory Board
Casey Cook (term begins 01/01/22)
Zachary McRae (term begins 01/01/22)
Health and Social Services Board
Janet Engan
Local Emergency Planning Committee
Casey Cook (term begins 01/01/22)
Donna Anthony (term begins 01/01/22)
MSB Fish and Wildlife Commission
Tim Hale
Port Commission
Robert Brown (term begins 01/01/22)
Rob Yundt
Transportation Advisory Board
Joshua Cross (term begins 01/01/22)
Big Lake RSA No. 21
Greg Quinton (term begins 01/01/22)

Assemblymember Sumner 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 Bernier

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)

OR 22-001 An Ordinance Repealing MSB 17.68, Outdoor Shooting Facilities.

Sponsors: Sumner and Tew

Ms. McKechnie read the legislation into the record.

Assemblymember Sumner moved to refer Ordinance Serial No. 22-001 to the Planning Commission for 90 days. The motion passed by the following vote:

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

OR 22-002 An Ordinance Amending MSB 17.30, Conditional Use Permit For Earth Materials Extraction Activities, To Allow For An Exemption Of 20,000 Cubic Yards Annually Without A Permit.

Sponsors: Tew

Ms. McKechnie read the legislation into the record.

CONFLICT OF INTEREST: Assemblymember Sumner declared a conflict of interest as if the legislation is adopted, he may sell gravel.

RULING: Mayor DeVries ruled that Assemblymember Sumner had a conflict of interest and would be recused from voting.

Assemblymember Sumner exited the meeting.

Assemblymember Tew moved to refer Ordinance Serial No. 21-002 to the Planning Commission for 90 days. The motion failed (tie vote) with Assemblymembers Yundt, Hale, and Tew in support and Assemblymembers McKee, Nowers, and Bernier opposed. The Mayor invoked her voting privilege in the positive and the motion passed and the legislation was referred to the Planning Commission for 90 days.

Assemblymember Sumner re-entered the meeting.

OR 22-003 An Ordinance Amending MSB 17.30.020, Conditional Use Permit For Earth Material Extraction Activities (Applicability), To Exclude The Conditional Use Permit Requirement Within The Boundaries Of The Central Landfill.

Sponsors: Sumner

Ms. McKechnie read the legislation into the record.

Assemblymember Sumner moved to refer Ordinance Serial No. 22-003 to the Planning Commission for 90 days. The motion passed by the following vote:

Yes: 6 - Assemblymember Hale, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Bernier

No: 1 - Assemblymember Nowers

XII. RECONSIDERATION

RS 21-128 A Resolution Directing The Borough Fish And Wildlife Commission To Become More Involved Regarding Issues Of Wildlife And Provide Quarterly Reports To The Assembly In 2022.

Sponsors: McKee

Ms. McKechnie read the legislation into the record.

Assemblymember Yundt moved to reconsider Resolution Serial No. 21-128. The motion passed by the following vote:

Yes: 5 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, and Assemblymember Tew

No: 2 - Assemblymember Sumner and Assemblymember Bernier

The main motion passed by the following vote:

Yes: 5 - Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Bernier

No: 2 - Assemblymember Hale and Assemblymember Nowers

XIII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Brown advised that staff is working on putting together requests for proposals for all projects that were approved by the voters through the bond package. Noted that funding will be needed to award design contracts. Stated that he is still moving forward while continuing to work on funding sources. Advised that legislation will be coming forward that will fund the design portions of those projects so that staff can continue to move forward in the process.

Mr. Spiropoulos welcomed all newly elected members.

Ms. Nowers stated that she would like more information on what the public process will be for the West Susitna access road.

Assemblymember Yundt thanked the body for support reconsideration. Stated that he is looking forward to future meetings of the body.

Assemblymember Hale congratulated Assemblymember Sumner on being appointed as Deputy Mayor.

Assemblymember Sumner stated that he believes there is confusion on the intent of Ordinance Serial No. 22-003. Stated that it is not meant to go mine through the greenbelt or disturb that area in anyway. Stated that the Borough has to dig large holes to accommodate the landfill and that the gravel has to go somewhere. Opined that the gravel should be sold to offset the cost of the landfill. Noted that he does not see any other viable solution. Stated that the conditional use permit application process is fairly restrictive. Noted that the landfill is already a nuisance and that he is unsure if exempting the landfill is an issue.

XIV. EXECUTIVE SESSION (For Matters, Which The Immediate Public Knowledge Of Would Clearly Have An Adverse Effect Upon The Finances Of The Borough; And Matters Which By Law, Municipal Charter, Or Ordinance Are Required To Be Kept Confidential; And To Discuss Matters Involving Consideration Of Borough Records That By Law Are Not Subject To Public Disclosure; And Discussion Of Matters Subject To Attorney/Client Privilege.)

A. Potential Litigation Regarding The 2021 State Redistricting Plan

There was no executive session held.

XV. ADJOURNMENT

The meeting adjourned at 10:57 p.m.



Mayoral Signature and Clerk Attestment

For

December 7, 2021, Assembly Regular Meeting Minutes

(22 pages)

EDNA DEVRIES, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 12/21/21