

# 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

John Moosey

## BOROUGH ATTORNEY

Nicholas Spiropoulos



## BOROUGH ASSEMBLY

Jim Sykes, District 1

Matthew Beck, District 2

George McKee, District 3

Ted Leonard, District 4

Dan Mayfield, 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, NOVEMBER 27, 2018

## I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, November 27, 2018, 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:** 7 - Assemblymember Jim Sykes, Assemblymember Matthew Beck, Assemblymember George McKee, Assemblymember Ted Leonard, Assemblymember Dan Mayfield, Assemblymember Jesse Sumner, and Assemblymember Tam Boeve

## III. APPROVAL OF AGENDA

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

Mr. Moosey requested to postpone Ordinance Serial No. 18-094, which is under unfinished business, to December 18, 2018.

Mayor Halter queried if there was any objection.

There was no objection noted.

**The agenda was approved as amended by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck,  
Assemblymember McKee, Assemblymember Leonard,  
Assemblymember Mayfield, Assemblymember Sumner, and  
Assemblymember Boeve

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

The pledge of allegiance was led by Ms. Kelley Griffin, a member of the audience.

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

[18-133](#)

1. Special Meeting Minutes: 10/16/18
  2. Regular Meeting Minutes: 10/16/18
  3. Joint Assembly/Planning Commission Meeting Minutes: 10/23/18
- The minutes were approved as presented without objection.

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

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

###### **1. Reports From Cities**

Mayor Bert Cottle, city of Wasilla, reported on the activities of the city.

Mr. Thomas Olsen, Group Supervisor, Anchorage District Office Tactical Diversion Squad, reported on ways to combat the opioid crisis.

###### **2. Matanuska-Susitna Borough School District**

There was no report provided.

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

###### **1. Joint Assembly/School Board Committee On School Issues**

Mr. George Hays, Deputy Borough Manager, reported on the most recent meeting.

###### **2. Assembly Public Relations**

There was no report provided.

##### **C. MANAGER COMMENTS**

###### **1. State/Federal Legislation**

## **2. Strategic Planning Issues**

Mr. Eric Wyatt, Information Technology Director, provided a recovery status regarding the July 2018 Cyber-Attack.

### **D. ATTORNEY COMMENTS**

Mr. Spiropoulos advised that he may request an executive session in January or February. Reported on the activities of his office.

### **E. CLERK COMMENTS**

Ms. Kilborn advised that Ordinance Serial No. 18-021, regarding race track regulations was inadvertently left off the agenda but will be added to unfinished business on December 18. Stated that the joint meeting with the State Delegation is being proposed for January 3, 2019, at 10 a.m. and queried if this was a meeting the Assembly would like to schedule.

Mayor Halter queried if there was any objection.

There was no objection noted.

Ms. Kilborn stated that it was suggested, but not officially scheduled, for the Assembly to have a Planning Session on Saturday, January 19, 2019, at 10 a.m. and queried if this was a meeting the Assembly would like to schedule.

Mayor Halter queried if there was any objection.

There was no objection noted.

### **F. CITIZEN AND OTHER CORRESPONDENCE**

[18-131](#)

1. Agriculture Advisory Board: 05/16/18
  2. Board of Adjustment and Appeals: 09/22/18, Final Decision No. 18-02
  3. Caswell Lakes RSA Board of Supervisors: 04/04/18
  4. Historical Preservation Commission: 05/17/18
  5. MSB Fish and Wildlife Commission: 09/20/18
  6. Planning Commission: 10/08/18, 10/22/18, Resolution No. 18-26
  7. Platting Board: 08/02/18, 08/16/18, 09/20/18, 10/04/18
  8. Big Lake Community Council: 05/08/18
  9. Butte Community Council: 01/10/18, 03/14/18, 04/11/18, 05/09/18, 06/13/18, 07/11/18, 09/12/18
  10. Glacier View Community Council: 09/27/18
  11. Knik-Fairview Community Council: 08/15/18, 09/19/18
  12. Meadow Lakes Community Council: 09/12/18
  13. Susitna Community Council: 10/04/18
  14. Trapper Creek Community Council: 08/16/18
  15. Willow Area Community Organization: 10/03/18
- The citizen and other correspondence were presented and no comments were noted.

**G. INFORMATIONAL MEMORANDUMS**

[IM 18-160](#)

Reporting Of Conclusion Of Contract For Bid No. 18-123B To Northern Asphalt Construction Inc., For Carmel Road Improvements.

[IM 18-161](#)

Reporting Of Conclusion Of Contract For Bid No. 17-061B To Northern Asphalt Construction Inc., For Canter Place And Surrey Road Improvements.

[IM 18-162](#)

Reporting Of Conclusion Of Contract For Bid No. 17-101B To D&S Road Services, For 2018 Crack Sealing Services.

[IM 18-166](#)

Informing The Assembly Of The Borough Manager Entering Into A Land Lease Agreement For A 5-Year Term To Allow Lessee The Option To Purchase The Fee Simple Estate Of The Land Under Current Policy And Procedure, Part 60-10, For Lots 2 And 3, Stepan Lake Alaska Subdivision (ADL 19373/MSB001625).

[IM 18-170](#)

Informing The Matanuska-Susitna Borough Assembly Of The Fair Market Value Sale Of Boroughowned Land To The Alaska State Department Of Transportation And Public Facilities For Needed Right-Of-Way Turn Lane And Utility Corridor For The Glenn Highway Milepost 34 To Milepost 42 Reconstruction Project No. OA15024/Z58104 (MSB0072).

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.)**

There were no persons to be heard.

### **B. PUBLIC HEARINGS (Three Minutes Per Person.)**

[OR 18-098](#)

An Ordinance Adopting The 2018-2022 Coordinated Human Services Transportation Plan.

Ms. Kilborn read the legislation into the record.

Mayor Halter opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 18-098: Ms. Rosemary Vavrin, Mr. Jim Beck, Ms. Kim Schlasser, Mr. John Rozzi, Mr. Lamar Anderson, and Ms. Jennifer Tew, Executive Director of Valley Transport.

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

CONFLICT OF INTEREST: Assemblymember Sumner stated that he has a conflict of interest as he does business with one of the transport operators.

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

Assemblymember Sumner exited the meeting.

**Assemblymember Beck moved to adopt Ordinance Serial No. 18-098. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember Beck,  
Assemblymember McKee, Assemblymember Leonard,  
Assemblymember Mayfield, and Assemblymember Boeve

**Recused:** 1 - Assemblymember Sumner  
Assemblymember Sumner re-entered the meeting.

[OR 18-103](#) An Ordinance Accepting And Appropriating \$40,000 From The United States Fish & Wildlife Service To Project 47519, Fund 480, For The Collection Of Aerial Imagery And Lidar Elevation Data.  
RS 18-072: A Resolution Approving The Scope Of Work And Budget Of \$40,000 From The United States Fish & Wildlife Service For The Collection Of Aerial Imagery And Lidar Elevation Data.  
Ms. Kilborn read the legislation into the record.

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 Beck moved to adopt Ordinance Serial No. 18-103. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck,  
Assemblymember McKee, Assemblymember Leonard,  
Assemblymember Mayfield, Assemblymember Sumner, and  
Assemblymember Boeve

[OR 18-104](#)

An Ordinance Approving An Appropriation Of \$6,095,473 From The Reserve For Match For Paving And Calcium Chloride To Project No. 35467, Fund 430, For Paving Projects And Dust Control.  
Ms. Kilborn read the legislation into the record.

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 Beck moved to adopt Ordinance Serial No. 18-104.**

**Assemblymember Sykes moved a primary amendment to Ordinance Serial No. 18-104, by striking "\$6,095, 473" throughout the ordinance and inserting "\$3,095,473" in its place.**

**Assemblymember Mayfield moved to postpone Ordinance Serial No. 18-104 to December 18, 2018. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

### **C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)**

The meeting recessed at 7:15 p.m. and reconvened at 7:22 p.m.

The following persons spoke in opposition to the Borough regulating air quality: Mr. Brian Endle, Mr. Joe Schlanger, Mr. Ron Johnson, Mr. Dan Young, Mr. Kevin McCabe, Mr. Tom Idleman, Ms. Carol Carmen, Ms. Nicole Smith, Mr. Alan Cruce, Ms. Janet Johnson, and Mr. Dan Madison.

The following person spoke to the need for improvements to South This Way Road: Ms. Kelley Griffin.

The following persons spoke to the need for a wastewater and septage facility in the Borough: Mr. Tom Stoelting and Mr. Kelsey Trimmer.

The following person invited the Assembly to attend the Skeetawk Ski Area fundraiser: Mr. Kerby Coman.

The following person spoke to concerns with the LGBTQ lifestyle invading schools and negatively influencing children: Ms. Jess Vaudreuil.

The following person spoke to the need to harvest beetle killed spruce within the Borough: Ms. Candy Miller.

The following person spoke to concerns with the public process: Mr. Eugene Carl Haberman.

The following person spoke in support of postponement of Ordinance Serial No. 18-104: Mayor Bert Cottle, city of Wasilla.

### **D. CONSENT AGENDA**

#### **1. RESOLUTIONS**

[RS 18-076](#) A Resolution Approving The Amended Budgets And Transfer Of Grant Funds From Big Lake And South Big Lake Road Intersection Improvements, Project No. 35404, To Paved Pathway Adjacent To Old Glenn Highway In Butte, Project No. 35412, In The Amount Of \$197,285.59.

#### **2. ACTION MEMORANDUMS**



[AM 18-098](#) Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications.

[AM 18-099](#) Vacate A 20-Foot Wide Drainage Easement As First Shown On Plat 2004-157 And Currently Within Lots 5A & 5B, Lucky Lindy 2016, Plat 2017-12, And Replace It With A Drainage Easement Over The Actual Drainage Location And Provide More Buildable Area On The Proposed Lots. Located In The Northwest 1/4 Section 21, Township 18 North, Range 1 East, Seward Meridian.

Ms. Henry read the consent agenda into the record.

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

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[RS 18-077](#) A Resolution Approving Fiscal Year 2020 Borough Priorities And Project Funding.

Ms. Henry read the legislation into the record.

**Assemblymember Beck moved to adopt Resolution Serial No. 18-077**

**Assemblymember Beck moved a primary amendment to Resolution Serial No. 18-077, Borough Funding Priorities, to insert the following: "No. 5, Borough wastewater and septage facility." The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

**Assemblymember Sumner moved a primary amendment to Resolution Serial No. 18-077, Borough Funding Priorities, by striking No. 4, Willow Library project. The motion failed by the following vote:**

**Yes:** 3 - Assemblymember McKee, Assemblymember Leonard, and Assemblymember Sumner

**No:** 4 - Assemblymember Sykes, Assemblymember Beck, Assemblymember Mayfield, and Assemblymember Boeve

**The main motion passed as amended by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[RS 18-078](#) A Resolution Authorizing Participation In And Submission Of An Application Under The Federal Fiscal Year 2018 Community Development Block Grant Program For Grant Funds In An Amount Not To Exceed \$850,000 For Talkeetna Water And Sewer System Repairs And Upgrades.

Ms. Henry read the legislation into the record.

**Assemblymember Mayfield moved to adopt Resolution Serial No. 18-078.**

**Assemblymember Mayfield moved a primary amendment to Resolution Serial No. 18-078 as follows:**

- **by striking “Talkeetna Water and Sewer System Upgrades” and inserting in its place “Big Lake Dry Storage/Emergency Response Facility” throughout the legislation;**
- **by striking the sixth whereas clause in its entirety; and**
- **by striking “Talkeetna” and inserting in its place “Big Lake” in the eighth whereas clause.**

**The motion failed by the following vote:**

**Yes:** 1 - Assemblymember Mayfield

**No:** 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Sumner, and Assemblymember Boeve

**The main motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[AM 18-097](#) Matanuska-Susitna Borough Assembly Regular Meeting Schedule For 2019.

**Assemblymember Sykes moved to adopt AM No. 18-097.**

**Assemblymember Sykes moved a primary amendment to AM No. 18-097, by striking the July 2 and July 16 meetings. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

**The main motion passed as amended by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

## **VIII. UNFINISHED BUSINESS**

[OR 18-094](#) An Ordinance Reappropriating \$500,000 From The Major Repair And Renovation Reserve Fund 100, And \$500,000 From The Capital Expenditures Reserve Fund 100, To The Emergency Response Reserve Fund 100, For The Borough's Portion Of Costs Associated With The 2018 Cyber Incident.  
Postponed to December 18, 2018, under approval of the agenda.

## **IX. VETO**

There were no vetoes presented.

## **X. NEW BUSINESS**

### **A. INTRODUCTIONS (For Public Hearing 12/18/18, Assembly Chambers)**

[OR 18-105](#) An Ordinance Amending MSB 5.25.145, To Annex Property Located On Carney Road, Le Ellen Street, And Sleepy Hollow Circle Into The West Lakes Fire Service Area No. 136.

RS 18-073: A Resolution Finding The Annexation Of Properties On Carney Road, Le Ellen Street, And Sleepy Hollow Circle Into The West Lakes Fire Service Area No. 136 Serves The Public Interest Without The Placement Of The Question On The Ballot.

**Sponsors:** Sumner

[OR 18-106](#) An Ordinance Accepting And Appropriating \$100,000 From The Mat-Su Trail And Park Foundation To Fund 440, Project No. 15040, To Develop The Settlers Bay Coastal Park (MSB007387).

RS 18-074: A Resolution Approving The Scope Of Work And Budget For The Settlers Bay Coastal Park, Fund 440, Project No.15040, For Park Development.

[OR 18-107](#) An Ordinance Accepting And Appropriating Fiscal Year 2019 Community Assistance Program Funds In The Amount Of \$284,202 To Fund 475, Project No. 47033.

RS 18-075: A Resolution Approving The Scope Of Work And Budget For The Fiscal Year 2019 Community Assistance Program, Project No. 47033.

[OR 18-109](#) An Ordinance Adopting The City Of Houston Local Hazard Mitigation Plan And Amending MSB 15.24.030(B)(34), Comprehensive Plan.

Ms. Henry read the legislation into the record.

**Assemblymember Beck moved to introduce the legislation as read into the record by the Clerk and set the public hearings for December 18, 2018. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

## **B. MAYORAL NOMINATIONS AND APPOINTMENTS**

### **1. VACANCY REPORT**

**Sponsors:** Halter

**All terms begin January 1, 2019**

Agriculture Advisory Board

Jenny VanderWeele

Steven Sawyer

Lee Hecimovich

Jon Olsen

Animal Care and Regulation Board

Barbara Landi

Kelleigh Orthmann

Aviation Advisory Board

Robert Yundt

Board of Adjustment and Appeals

Tina Crawford

Borough Area Schools Site Selection Committee

Kristina Adamczak

Thomas Bergey

Ray Michaelson

Commercial Educational & Nonprofit Outdoor Shooting Facility

Working Group

Tim Hale

Emergency Medical Services Board

Thomas Check

Katrina Knowlton

Enhanced 911 Advisory Board

Christian Hartley

Zachary McRae

Health and Social Services Board

Michelle Sturgeon

Historical Preservation Commission

Eileen Haines

Joint Assembly/School Board Committee on School Issues

Sarah Welton

Kelsey Trimmer

Library Board

Alice Williams

Local Emergency Planning Committee

Christian Hartley

Kevin Munson

Rene Dillow

Bryen Bartgis

Cathi Kramer  
Dawn Hicks  
MSB Fish & Wildlife Commission  
Michael Wood  
Larry Engel  
Howard DeLo  
Terry Niniger, resignation  
Parks, Recreation & Trails Advisory Board  
Stuart Leidner, resignation  
Patricia Owens  
Chris Wilson  
Roy Wahl  
Thomas Phillips  
Planning Commission  
Mary Anderson  
Colleen Vague  
Platting Board  
Dennis VauDell  
Port Commission  
Robert Brown  
Transportation Advisory Board  
Joshua Cross  
Wastewater & Septage Advisory Board  
William Nall  
Archie Giddings  
Butte FSA No. 2  
Robert Hicks  
Central Mat-Su FSA No. 130  
Jimmy Jameson  
Greater Palmer Consolidated FSA No. 132  
Ted Stuff  
West Lakes FSA No. 136  
Cathi Kramer  
Cindy Michaelson  
Willow FSA No. 35  
Michael Jonrowe  
Bogard RSA No. 25  
Joseph Merrill  
Fairview RSA No. 14  
Daniel Elliott  
Gold Trail RSA No. 28  
Micah Schoming  
Colin Fay  
North Colony RSA No. 23  
Barbara Gerard

Talkeetna Sewer & Water Service Area No. 36

Colby Coombs

Whitney Wolff

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

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, 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 thanked the public for their participation in the meeting.

Assemblymember Leonard thanked the public for their participation. Noted that the street lights are up in the Williwaw Subdivision. Commented that he was proud of the way the community worked together to make that happen.

Assemblymember McKee spoke to concerns with air quality regulations. Spoke to concerns with putting reusable construction materials into the landfill.

Assemblymember Sykes thanked the public for their input. Noted that the Borough has a septage issue. Noted that there is also a wetlands mitigation issue. Opined that the body should have a discussion on legislation when it is up for introduction so that they are better prepared for the public hearing. Spoke to concerns with the lack of regulation of air quality and the negative impacts it could have on the Borough. Opined that the Borough needs a work session on air quality regulation.

Assemblymember Sumner requested a memorandum outlining the impacts of terminating the Memorandum of Agreement regarding air quality.

Assemblymember Mayfield thanked the public for their participation. Wished everyone a good evening

Assemblymember Beck noted that he enjoyed the meeting this evening. Welcomed Representative Delena Johnson to meeting. Thanked the body for the meeting. Noted that importance of the Borough constructing a wastewater and septage facility.

Mayor Halter acknowledged Representative Delena Johnson and wished her a great legislative session with the new administration. Spoke in support of a wastewater and septage facility. Related that the Planning Commission will be taking up a resolution regarding air quality on Monday, December 3. Opined that the Big Lake Dry Storage Project is important and that he does support it. Opined it was a great meeting. Spoke in support of funding for road service area projects.

## **XIII. EXECUTIVE SESSION**

There was no executive session.



#### **XIV. ADJOURNMENT**

The meeting adjourned at 9:12 p.m.