

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, FEBRUARY 1, 2022

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, February 1, 2022, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Edna DeVries.

II. ROLL CALL

Present: 4 - Assemblymember Dee McKee, arrived at 6:05 p.m.), Assemblymember Robert Yundt, Assemblymember Mokie Tew, and Assemblymember Jesse Sumner

Telephonic: 3 - Assemblymember Tim Hale, Assemblymember Stephanie Nowers, and Assemblymember Ron Bernier

III. APPROVAL OF AGENDA

The agenda was approved as presented without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Nick Spiropoulos.

V. MINUTES OF PRECEDING MEETINGS

- 22-021** A. Assembly Special Meeting Minutes: 01/11/22
 - B. Assembly Regular Meeting Minutes: 01/18/22
- The minutes were approved as presented.

VI. REPORTS/CORRESPONDENCE

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

1. Reports From Cities

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

2. Matanuska-Susitna Borough School District

There was no report provided.

3. State of Alaska

Mr. Todd Smoldon, Director of Governor Dunleavy's Mat-Su Office, reported on the activities of the State.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee On School Issues

There was no report provided.

2. Assembly Public Relations

There was no report provided.

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

3. Financial Audit Update

4. Fishhook Road to Pittman Road Transmission Line and Substation Siting Study

Mr. Brown inquired if there was any objection to him and the Mayor submitting a letter of support for Governor Dunleavy's State General Obligation Infrastructure Bond.

No objections noted.

Spoke to the Annual audit was rescheduled for March 1 and property assessment cards have been mailed out.

Jennifer Castro and Will Klatt gave update of Fishhook to Pittman Road Power Improvements substation siting and transmission line routing study.

D. ATTORNEY COMMENTS

Mr. Spiropoulos gave update on State Redistricting Litigation.

E. CLERK COMMENTS

Ms. McKechnie reported on the upcoming meeting schedule.

F. CITIZEN AND OTHER CORRESPONDENCE

22-024

1. Big Lake RSA Board of Supervisors: Resolution Nos. 21-1201, 22-112,
2. Butte FSA Board of Supervisors: 10/21/21
3. Central Mat-Su FSA Board of Supervisors: 12/13/21
4. Enhanced 911 Advisory Board: 10/12/21
5. Greater Butte RSA Board of Supervisors: 10/14/21
6. Greater Talkeetna RSA Board of Supervisors: 11/11/21
7. Knik-Fairview Community Council: 06/16/21, 07/21/21, 08/04/21, 08/18/21, 09/15/21, Resolution No. 21-03
8. Local Emergency Planning Committee Minutes: 04/21/21
9. Local Road Service Area Advisory Board: 11/18/21, Resolution Nos. 22-01, 22-02
10. Louise/Susitna/Tyone Community Association: 10/02/21
11. Meadow Lakes Community Council: 11/10/21
12. Platting Board: 11/18/21, Resolution No. 2021-137
13. South Colony RSA Board of Supervisors: 10/20/21
14. Susitna Community Council: 12/02/21
15. West Lakes FSA Board of Supervisors: 12/13/21
16. Willow Area Community Organization: 11/03/21, 12/01/21

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

G. INFORMATIONAL MEMORANDUMS

IM 22-016 Reporting Conclusion Of Contract For Bid No.19-113B To Orion Construction, Inc. For The Talkeetna Wastewater Treatment Plant Upgrades - Phase 1 Project.

IM 22-027 Reporting The Conclusion Of Contract For Bid 21-141B With Ficklin Construction, LLC. For A Final Contract Amount Of \$256,388 For The Cloudy Lake Fish Passage Improvements Project.

The informational memorandums were 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 person's to be heard.

B. PUBLIC HEARINGS (Three Minutes Per Person.)

OR 22-012 An Ordinance Accepting And Appropriating \$26,680 From The Alaska State Division Of Libraries, Archives, And Museums Easy American Rescue Plan Act Grant For Libraries Grant Program To The Five Borough Libraries.

RS 22-008: A Resolution Approving The Scope Of Work And Budget For Alaska State Division Of Libraries, Archives, And Museums Easy American Rescue Plan Act Grant For Libraries Grant Program To The Five Borough Libraries.

Ms. McKechnie read the legislation into the record.

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

Mayor DeVries opened the public hearing.

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

Assemblymember Sumner moved to adopt Ordinance Serial No. 22-012 and Resolution Serial No. 22-008.

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 22-013 An Ordinance Accepting And Appropriating \$236,810.18 In Additional Disaster Relief Funds For The Houston Middle School Temporary Relocation From Damages Sustained During The 2018 Cook Inlet Earthquake.

RS 22-009: A Resolution Amending The Budget For Additional Disaster Relief Funds For Houston Middle School Temporary Relocation From Damages Sustained In The 2018 Cook Inlet Earthquake.

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 presented who wished to testify, the public hearing closed and the discussion moved to the Assembly.

Assemblymember Sumner moved to adopt Ordinance Serial No. 22-013 and Resolution Serial No. 22-009.

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 concerns with Resolution Serial No. 21-135: DJ McBride, Shawn McBride, Betty Vehrs, Peter Johanknecht, Mike Alexander, Jim Sykes, Bill Haller, and Cindy Bettine.

The following persons spoke in opposition of Resolution Serial No. 21-135: Nate Suing, Irene Crowley, Terry Gorlick, Dave Musgrave, Mike Szymanski, Patti Fisher, John Strassenburg, Ruth Wood, Diane Woodruff, and Scott Wilson.

The following person requested that Assembly take advantage of expertise of LRAAB. Spoke to the list in AM 22-011 not being what the Meadow Lakes RSA submitted: Stephen Edwards, Primary, Meadow Lakes RSA No. 27.

The following person spoke concerns with paying too much for the RSA Contract in Big Lake since only 20 percent of Big Lake roads can be maintained at the contract level: Andrew Trayler.

The following person spoke in opposition to Resolution Serial No. 21-135 and the appointment of the Mayor's recommendation of the candidate to the Big Lake RSA No. 21: Dan Mayfield.

The following person encouraged Assembly the to reach out to RSA Boards for their experience: Mike Shields.

The following person spoke in support of Ordinance Serial No. 22-008 and in opposition of the Borough having an exemption for gravel permits at Central Land fill: Mark Masteller.

The following person spoke in support of the improvements to the rail road crossing: Tom Brewer.

The following persons spoke concerns with appraisal value increase: Carol Eubank and Erik McCabe.

The following person spoke concerns with the Assembly not using their own boards and in opposition to Resolution Serial No. 21-135: Dan Tucker.

The following person spoke to the Borough being responsible for maintaining Borough roads like Beaver Lake Road so residents do not have to: Timothy Baumgardner.

The following persons spoke in opposition to the north route of MEA's Fishhook to Pittman Power Improvements: James McDonnough and Ann McDonnough.

D. CONSENT AGENDA

1. RESOLUTIONS

- RS 22-012** A Resolution Approving The Scope Of Work And Budget For The Meadow Lakes Grade Crossing Signal System Relocation And Upgrade Project.
- RS 22-013** A Resolution Approving The Scope Of Work And Budget For The Lynx Lake Crossing Panel Upgrade Project.
- RS 22-014** A Resolution Approving The Scope Of Work And Budget For The Kashwitna Trail Grade Crossing Panel Upgrade Project.
- RS 22-016** A Resolution Authorizing The Manager To Enter Into An Agreement With Great Alaska Bowl Company Inc. For The Susitna River Timber Sale.

2. ACTION MEMORANDUMS

- AM 22-007** Award Of Bid No. 22-086C To Rosenbauer South Dakota, LLC. In The Contract Amount Of \$727,117 To Purchase A Pumper For The Greater Palmer Fire Service Area.
- AM 22-008** Authorization To Enter Into A Utilities Reimbursable Services Agreement With The Alaska Railroad Corporation In The Amount Of \$474,431 For The Meadow Lakes Signal Relocation And Upgrade Project.
- AM 22-009** Authorization To Enter Into A Utilities Reimbursable Services Agreement In The Amount Of \$417,100 With The Alaska Railroad Corporation For The Lynx Lake Grade Crossing Panel.
- AM 22-010** Authorization To Enter Into A Utilities Reimbursable Services Agreement With The Alaska Railroad Corporation In The Amount Of \$277,500 For The Kashwitna Trail Grade Crossing Panel.
- 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 21-135 A Resolution Directing Administration To Establish A Pilot Program And Provide Road Service Area Services Via A Time And Material Contract Structure In Big Lake Road Service Area 21 For The Period Of July 1, 2022, To June 30, 2023.

Sponsors: Tew

The meeting recessed at 8:30 p.m. and reconvened at 8:41 p.m.

Ms. McKechnie read the legislation into the record.

Assemblymember Tew moved to adopt Resolution Serial No. 21-135.

Assemblymember Tew moved to amend Resolution Serial No. 21-135 as follows:

- By inserting the following language in the title of the resolution “to create a task force to review and make a recommendation to the assembly regarding a time and material contract for RSA’s and should a recommendation come back favorable from the task force to;”**
- Insert the following “Now, Therefore, Be It Resolved” clause to read: Now, Therefore, Be It Resolved, the Assembly Directs Administration to create a task force to review and make a recommendation to the Assembly on a time and material contract for RSAs;**
- Change the “Now, Therefore, Be It Resolved Clause to a Be It Further Resolved Clause; strike “July 1, 2022 to June 30, 2023” and inserting in its place “July 1, 2023, to June 30, 2024;” and insert the language “should the task force find a time and material contract favorable.”**
- In the Be It Further Resolved Clause the add words “task force” and**
- Insert a Be It Further Clause that reads: Be It Further Resolved, that the Assembly directs Administration to uphold and enforce the specifications of the current contract while the task force meets and a pilot program is created.**

Assemblymember Nowers moved to postpone indefinitely.

The motion failed by the following vote:

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

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

Assemblymember Yundt moved to postpone Resolution Serial No. 21-135 to February 15, 2022.

Assemblymember Sumner called the question.

The motion passed by the following vote:

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

The motion to postpone to the February 15 meeting 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

RS 22-017 A Resolution Making A Recommendation For School Board Compensation, As Requested By The School Board.

Sponsors: Sumner

Ms. McKechnie read the legislation into the record.

Assemblymember Nowers moved to adopt Resolution Serial No. 22-017.

The motion failed by the following vote:

Yes: 1 - Assemblymember Sumner

No: 6 - Assemblymember Hale, Assemblymember Nowers,
Assemblymember McKee, Assemblymember Yundt,
Assemblymember Tew, and Assemblymember Bernier

AM 22-006 Award Of Bid No. 22-002B To Hamilton Construction Alaska Company In The Contract Amount Of \$860,875 To Repair The Point Mackenzie Rail Extension Bridges.

Ms. McKechnie read the legislation into the record.

Assemblymember McKee moved to adopt AM 22-066.

The motion passed by the following vote:

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

No: 1 - Assemblymember McKee

AM 22-011 Approval Of The Road Service Area Road Improvement Project List For 2022.

Sponsors: Bernier

~~Assemblymember Tew moved to adopt AM 22-011.~~

Assemblymember Tew moved to Amend AM 22-011 by the following:

RSA #21 Big Lake

Priority	Roads/Location	Description of Work	Total Est. Cost	RSA
1	RSA Wide	Optional Maintenance	\$20,000	\$20,000
2	RSA Wide	Pavement Maintenance	\$20,000	\$20,000
3	RSA Wide	Dust Control	\$75,000	\$75,000
4	Twin Papose, Tofson, Pond Lily, Melozzi Hot Springs, Artic Tern	Repair	\$400,000	\$400,000
5	Jolly Creek Drainage	Design	\$100,000	\$100,000
		TOTAL FUNDED:	\$615,000	\$615,000
6	Jolly Creek Drainage	Construction	tbd	tbd

The motion passed by the following vote:

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

VIII. UNFINISHED BUSINESS

There were no unfinished business presented.

IX. VETO

There were no vetoes presented.

X. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing 02/15/22, Assembly Chambers)

OR 22-008 An Ordinance Approving A Report Setting Forth Terms And Conditions Of The Borough's Municipal Property Assessed Clean Energy (PACE) Program And Related Matters.

Sponsors: Nowers

OR 22-011 An Ordinance Accepting And Appropriating A Community-Driven COVID-19 Response Grant In The Amount Of \$83,700 From The Mat-Su Health Foundation.

RS 22-007: A Resolution Approving The Scope Of Work And Budget For

OR 22-014 An Ordinance Amending MSB 17.23 To Exclude Pipeline And Conveyor Structures From Setback Requirements Under MSB 17.55, For The Port District Only.

OR 22-016 An Ordinance Accepting And Appropriating Additional Funds For The Mat-Su Borough Fish Passage 2025 Grant To Design And Construct Fish Passage Culvert Replacements.

RS 22-011: A Resolution Approving The Scope Of Work And Budget For The Mat-Su Fish Passage 2025 Project To Design And Construct Fish Passage Culvert Replacements.

OR 22-017 An Ordinance Accepting And Appropriating An Additional \$210,000 From The Alaska State Department Of Transportation And Public Facilities To Fund 480, Project No. 47038, Regional Transportation Organization For The Performance Of Premetropolitan Planning Organization Planning Efforts.

RS 22-015: A Resolution Approving Amendment No. 2 To Addendum A & B; Approving The Scope Of Work, Budget, And Schedule Of The Memorandum Of Agreement Between the Alaska State Department of Transportation and Public Facilities And The Borough To Continue The Premetropolitan Planning Organization Planning Activities.

Ms. McKechnie read the legislation into the record.

B. INTRODUCTIONS (For Public Hearing 03/15/22, Assembly Chambers)

OR 22-010 An Ordinance Creating Forest Lake Subdivision Natural Gas Local Improvement District No. 619, 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.

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 hearing for February 15, 2022 and March 15, 2022, respectively.

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. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

22-026

Mayoral Requests for Confirmation

Board of Equalization

Traci Barickman

David Heier

Joint Assembly/School Board

Mokie Tew

Library Board

Marty Kincaid

Local Emergency Planning Committee

Daniel Hansen, Resignation

Michael Gavarrete

Planning Commission

Curt Scoggin

Platting Board

Barb Doty, Resignation

Transportation Advisory Board

Terri Lyons

Central Mat-Su FSA #130

David Tyler

Big Lake RSA #21

Bill Heairet, Resignation

Pat Daniels

Lazy Mountain RSA #19

Daniel Keane

Robert Stone

South Colony RSA #30

Kelly Gordon

Assemblymember Sumner moved to confirm the appointments requested by the Mayor.

Assemblymember Nowers moved to divide the question to take the appointment of Pat Daiels to the Big Lake RSA No. 21 separately.

The motion failed by the following vote:

Yes: 2 - Assemblymember Hale and Assemblymember Nowers

No: 5 - Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Bernier

The main motion passed by the following vote:

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

D. OTHER NEW BUSINESS

There was no other new business.

E. 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 Hale spoke to concerns with allowing the Assembly to ask questions under Audience Participation.

XIII. 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. Litigation Regarding the 2021 State Redistricting Plan

There was no executive session.

XIV. ADJOURNMENT

The meeting adjourned at 9:59 p.m.



Mayoral Signature and Clerk Attestment

For

February 1 2022, Assembly Regular Meeting Minutes

(17 pages)

A handwritten signature in blue ink that reads "Edna DeVries".

EDNA DEVRIES, Borough Mayor

ATTEST:

A handwritten signature in blue ink that reads "Lonnie R. McKechnie".

LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 02/15/22