

# 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  
Dmitri Fonov, District 6  
Ron Bernier, District 7

## MEETING MINUTES

### ASSEMBLY CHAMBERS

350 EAST DAHLIA AVENUE, PALMER

ASSEMBLY REGULAR MEETING

6:00 PM

TUESDAY, JULY 18, 2023

## I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, July 18, 2023, 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:** 6 - Assemblymember Tim Hale, Assemblymember Stephanie Nowers, Assemblymember Dee McKee, Assemblymember Mokie Tew, Assemblymember Dmitri Fonov, and Assemblymember Ron Bernier

**Telephonic:** 1 - Assemblymember Robert Yundt

### III. APPROVAL OF AGENDA

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

Assemblymember Hale stated that two and a half years ago, he was contacted by a member of the public about a property that had a setback violation. Stated that he does not believe that he has a conflict on Ordinance Serial No. 23-049, but wanted to disclose the contact on record to be transparent.

Mayor DeVries stated that Assemblymember Hale had no conflict on Ordinance Serial No. 23-049

**Assemblymember Yundt moved to postpone Ordinance Serial No. 23-049 indefinitely and to direct the Manager to form a task force to devise a plan to address setback violations. The motion passed by the following vote:**

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

**Assemblymember Yundt moved to reschedule the public hearing for Ordinance Serial No. 23-065 to August 15, 2023.**

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

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

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

The agenda was approved as amended without objection.

### IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Assemblymember Hale.

### V. MINUTES OF PRECEDING MEETINGS

## **VI. REPORTS/CORRESPONDENCE**

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

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

There were no reports provided.

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

There was no report provided.

#### **3. State of Alaska**

There was no report provided.

### **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**

Mr. Brown spoke regarding:

- \* Ordinance Serial No. 23-077 and the transportation infrastructure program;
- \* Port MacKenzie rail extension grant;
- \* the Metropolitan Planning Organization; and
- \* the working group for waterbody setbacks.

Tom Adams, Public Works Director, spoke to the projects that would be funded through Ordinance Serial No. 23-077.

George Hays, Deputy Borough Manager, and Michael Carson spoke to the percentage allocations and preliminary distribution method of opioid remediation funds associated with Resolution Serial No. 23-073.

(Assemblymember Hale announced a family emergency and exited the meeting at 7:06 p.m.)

### **D. ATTORNEY COMMENTS**

There was no report provided.

### **E. CLERK COMMENTS**

Ms. McKechnie spoke to the upcoming meeting schedule and pertinent election dates.

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

#### [23-088](#)

1. Abbreviated Plat: 06/07/23, 06/14/23, 06/21/23, 06/28/23, 07/05/23
2. Big Lake Community Council: 05/09/23
3. Chickaloon Community Council: 04/12/23, 05/10/23
4. Enhanced 911 Advisory Board: 04/11/23
5. Planning Commission Resolution Nos. 23-27
6. Transportation Advisory Board: 03/31/23, Resolution No. 23-04
7. Joint West Lakes and Central Mat-Su FSA Board of Supervisors: 05/08/23

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

### **G. INFORMATIONAL MEMORANDUMS**

#### [IM 23-139](#)

Informing The Assembly Of The Manager's Authorization And Submittal Of A Grant Application To The Alaska Sustainable Salmon Fund For Fish Passage Improvements.

- [IM 23-148](#) Informing The Assembly Of A Grant Amendment To Be Presented To The Manager For Signature.
- [IM 23-150](#) Informing The Assembly Of A Grant Amendment For Grant No. 22-RR-002 To Be Presented To The Manager For Signature.
- [IM 23-161](#) Reporting Manager Waivers Of Formal Bidding Procedures In Accordance With MSB 3.08.320(B) For May and June of 2023. 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 persons to be heard.

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

- [OR 23-048](#) An Ordinance Amending MSB Title 17; Zoning, By Adding A Chapter 17.11, Sex Offenders, To Prohibit Registered Sex Offenders From Establishing Permanent Residency Within 1,000 Feet Of Schools, Daycare Facilities, And Public Parks After The Effective Date Of This Ordinance And Amending MSB Chapter 2.29; Office Of Administrative Hearings.

**Sponsors:** Bernier

Ms. McKechnie read the legislation into the record.

Alex Strawn, Planning and Land Use 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. 23-048.**

**Assemblymember Bernier moved to a primary amendment to Ordinance Serial No. 23-0489 by striking "day care facility" and inserting in its place "child care center" as defined by 7AAC57.990" throughout the legislation.**

**The primary amendment passed by the following vote:**

**Yes:** 6 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

**The main motion failed (tie vote).**

**Yes:** 3 - Assemblymember Yundt, Assemblymember Tew, and Assemblymember Bernier

**No:** 3 - Assemblymember Nowers, Assemblymember McKee, and Assemblymember Fonov

**The main motion passed with Mayor DeVries exercised her voting rights and broke the tie with an affirmative vote.**

[OR 23-049](#) An Ordinance Amending MSB 17.55; Setbacks And Screening Easements, To Allow Structures To Be Constructed Within 75 Feet Of A Waterbody, So Long As Certain Engineering Standards To Protect Water Quality Are Applied.

**Sponsors:** Tew and Yundt

[Clerk's Note: Ordinance Serial No. 23-049 was postponed indefinitely at approval of the agenda.]

[OR 23-062](#) An Ordinance Re-Creating Ridgefield And Drinkhouse Road Paving Local Improvement District No. 638, Re-Approving The Improvement Plan For The District, Re-Authorizing The Manager To Proceed With The Improvement, And Re-Assessing Equally Among The Properties Within The District The Costs Of The Improvement.

Ms. McKechnie read the legislation into the record.

Lyndsey Brisard, Revenue and Budget 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 McKee moved to adopt Ordinance Serial No. 23-062.**

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

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

[OR 23-063](#)

An Ordinance Re-Creating Moose Park Subdivision II Road Paving Local Improvement District No. 645, Re-Approving The Improvement Plan For The District, Re-Authorizing The Manager To Proceed With The Improvement, And Re-Assessing Equally Among The Properties Within The District The Costs Of The Improvement.

Ms. McKechnie read the legislation into the record.

Lyndsey Brisard, Revenue and Budget Manager, provided a staff report.

Mayor DeVries opened the public hearing.

The following person spoke in support of Ordinance Serial No. 23-065: Steve Ault.

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

**Assemblymember McKee moved to adopt Ordinance Serial No. 23-063.**

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

**Yes:** 6 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

[OR 23-064](#)

An Ordinance Re-Creating Forest Grove Circle Road Paving Local Improvement District No. 647, Re-Approving The Improvement Plan For The District, Re-Authorizing The Manager To Proceed With The Improvement, And Re-Assessing Equally Among The Properties Within The District The Costs Of The Improvement.

Ms. McKechnie read the legislation into the record.

Lindsey Brisard, Revenue and Budget 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 Nowers moved to adopt Ordinance Serial No. 23-064.**

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

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

[OR 23-065](#) An Ordinance Amending The Beverly Lake, Lake Management Plan To Allow For Electric Motors And 15 Horsepower Or Less Motors On Non-Motorized Days.

**Sponsors:** Yundt

[Clerk's Note: The public hearing for Ordinance Serial No. 23-065 was postponed to August 15, 2023, at approval of the agenda.]

[OR 23-066](#) An Ordinance Approving The Less Than Fair Market Value Sale Of Borough-Owned Real Property Identified As Eight Lots Within The Enchanted Forest Subdivision And One Lot In The Houston Heights Subdivision To The City Of Houston For The Purpose Of Public Parks. Ms. McKechnie read the legislation into the record.

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

Mayor DeVries opened the public hearing.

The following person spoke in support of Ordinance Serial No. 23-066: City of Houston Mayor Carter Cole.

**Assemblymember Bernier moved to adopt Ordinance Serial No. 23-066.**

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

**Yes: 6 -** Assemblymember Nowers, Assemblymember McKee,  
Assemblymember Yundt, Assemblymember Tew,  
Assemblymember Fonov, and Assemblymember Bernier



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

The following person spoke in support of a working group making suggestions regarding waterbody setbacks: Bill Kendig.

The following person spoke to concern with a ditching project in his subdivision that was occurring without any notice to residents: Douglas Beattie.

The following persons spoke in opposition to eliminating waterbody setbacks: Terry Cosgrove, Patti Fisher, Jean Holt, Frankie Barker, Ellen Danbus, Linda Page, Dan Mayfield, Peter Probasco, Victoria Paulson, Ellen Woodings, Dan Tucker, Eileen Probasco, Sandy Vellum, Jenny Fogge, Ruth Wood, Camdem Yuhle, John Strassenburgh, Sammy Taylor, Dewey Bentler, and Margaret Stern.

The following persons spoke in support of eliminating waterbody setbacks: Jeff Byrne, Tim Patterson, and Bryan Miller.

The following person presented a plaque to Mayor DeVries in honor of her leadership in the community: Tom Roberson.

The following person spoke in opposition to waving landfill fees and in opposition of eliminating waterbody setbacks: Jim Sykes.

The following person urged the Assembly to send staff out to issue driveway permits on driveways that are already in compliance, instead of requiring residents to apply and opined that fees at the landfill should be low all the time: Jesse Sumner.

The following person volunteered to be on the waterbody setback task force: Steve Edwards.

The following person spoke in opposition to Resolution Serial No. 23-082 and in opposition to eliminating waterbody setbacks: Charissa Hoyman.

The following person spoke to concerns with public access on Benka Lake: Chris Campbell.

(The meeting recessed at 9:06 p.m. and reconvened at 9:20 p.m.)

### **D. CONSENT AGENDA**

## 1. RESOLUTIONS

[RS 23-073](#) A Resolution Approving The Percentage Allocations Breakdown And Preliminary Distribution Method Of Opioid Remediation Funds In The Borough.

[RS 23-074](#) A Resolution In Support Of Protecting Female Sports During The Arctic Winter Games To Be Held In 2024.

**Sponsors:** Fonov, McKee and Tew

[RS 23-075](#) A Resolution Directing The Borough Manager To Offer Six Borough-Owned Parcels Located In The Long Lake Road Area In A Competitive Land Sale.

[RS 23-076](#) A Resolution Approving The Scope Of Work And Amended Budget For The Woodpecker Avenue Paving Project.

[RS 23-085](#) A Resolution Amending The Scope Of Work For The American Rescue Plan Funding.

[RS 23-086](#) A Resolution Authorizing The Manager To Pursue A Federal Grant And State Of Alaska Assistance To Utilize The Port Mackenzie Rail Extension Corridor For Multi-Modal Use.

## 2. ACTION MEMORANDUMS

[AM 23-064](#) Award Of Bid No. 24-002C To L.N. Curtis In The Contract Amount Of \$387,250 To Purchase A Paratech Gen2 Combo Tender.

[AM 23-065](#) Approving A Waiver Of MSB 2.71.070(L) Regarding The Public Works Director So He May Perform His Duties As Department Director Even If His Prior Employer Is Involved In A Borough Project.

[AM 23-068](#) Award Of Bid No. 24-015C To True North Emergency Equipment In The Contract Amount Of \$950,512 To Purchase A Star Pumper-Tender For The Palmer Fire Service Area.

[AM 23-070](#) Approval Of Utility Relocation Costs To GCI Communications, Inc. In The Contract Amount Of \$181,057.91 For South Vicki Way, East Dimond Way, East Dewan Court, South Begich Drive, South Hay Street, And Greenstreet Circle Improvements Project.

[AM 23-071](#) Approval Of Change Order No. 3 To Contract No. 20-117P-A With HDL Engineering Consultants, LLC. For The Settlers Bay Drive At Crocker Creek Fish Passage Improvements.

[AM 23-072](#) Approval Of Change Order No. 2 For Contract No. 23-073B With Western Construction And Equipment For The Central Landfill Access Road Improvement Project.

[AM 23-073](#) Approval Of Contract Amendment No. 2 For Contract No. 22-052B With Northern Asphalt Construction, Inc. To Extend The Final Completion Date Of The Cormorant Way Road Improvements Project To September 30, 2023.

[AM 23-074](#) Approval Of Contract Amendment No. 13 For Contract 21-150B With Roger Hickel To Extend The Contract Completion Date For The Houston Middle School Construction Project.

[AM 23-076](#) Approval Of Contract Amendment No. 2 For Contract No. 22-136P With Lounsbury And Associates, Inc. For The Birch Harbor Estates Project Design.

Ms. McKechnie read the legislation into the record.

**Assemblymember Yundt moved to approve the consent agenda as read into the record by the Clerk.**

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

**Yes:** 6 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

[RS 23-081](#)

A Resolution In Support Of The State Designating the entity, Mat-Su Valley Planning For Transportation, As The Metropolitan Planning Organization For The Borough; And In Support Of Them Being Designated As An Independent 501C3 Non-Governmental Organization.

Ms. McKechnie read the legislation into the record.

**Assemblymember Yundt moved to adopt Resolution Serial No. 23-081.**

**Assemblymember Yundt moved a primary amendment to Resolution Serial No. 23-081, page five, first whereas clause, by striking "two Borough Officials" and inserting in its place "four Borough Officials."**

**The primary amendment passed by the following vote:**

**Yes:** 5 - Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

**No:** 1 - Assemblymember Nowers

**Assemblymember McKee moved a primary amendment to Resolution Serial No. 23-081, page 5, first whereas clause, by inserting a last sentence to read: "Borough seats shall not be members of the Assembly."**

**The primary amendment passed by the following vote:**

**Yes:** 5 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, and Assemblymember Bernier

**No:** 1 - Assemblymember Fonov

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

**Yes:** 6 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

[RS 23-082](#)

A Resolution Providing For Waiver Of Landfill Fees For Residential Customers From September 16, 2023, Through September 30, 2023, For Fall/Pre-Winter Cleanup.

**Sponsors:** Yundt, Tew and Fonov

Ms. McKechnie read the legislation into the record.

**Assemblymember Bernier moved to adopt Resolution Serial No. 23-082.**

**Assemblymember Bernier 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:** 6 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier  
**Assemblymember Nowers moved a primary amendment to Resolution Serial No. 23-082 to increase the Borough's disposal coupon to \$75 instead of a flat 2 weeks of free disposal as follows:**

**\* amend the title to read: "A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY PROVIDING FOR WAIVER OF LANDFILL FEES FOR RESIDENTIAL CUSTOMERS BY ISSUING A \$75 COUPON;"**

**\* add a clause to read: "WHEREAS, a \$75 coupon is equivalent to 5 cubic yards of free waste disposal;" and**

**\* delete the existing resolution clause and replace it with: "NOW, THEREFORE BE IT RESOLVED, the Assembly hereby directs that the Borough's annual coupon for waste disposal be increased to \$75 per household."**

**The primary amendment failed by the following vote:**

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

**Assemblymember Nowers moved a primary amendment to Resolution Serial No. 23-082, as follows:**

**\* in the title, by striking “September 16, 2023, through September 30, 2023, for Fall/Pre-Winter cleanup” and inserting in its place “May 1, 2024, through May 15, 2024, for spring cleanup;”**

**\* in the Now, Therefore Be It Resolved Clause, by striking “September 16, 2023, through September 30, 2023” and inserting in its place “May 1, 2024, through May 15, 2024;” and**

**\* by inserting a last Be It Further Resolved Clause, to read: “ Be It Further Resolved, that the fee waiver is for residential and not commercial purposes and is limited to 5 cubic yards per day per person.”**

**Assemblymember Tew called for the question (to stop debate).**

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

**Yes:** 1 - Assemblymember Yundt

**No:** 5 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

**The primary amendment failed by the following vote:**

**Yes:** 1 - Assemblymember Nowers

**No:** 5 - Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

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

**Yes:** 5 - Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

**No:** 1 - Assemblymember Nowers

[RS 23-083](#)

A Resolution Providing For A Fee Waiver For Driveway Permits From October 1, 2023, Through September 30, 2024, For Driveways Installed Prior To 2018; And Directing The Manager Not To Issue Citations During This Period.

**Sponsors:** Yundt, Tew and Fonov

**Assemblymember Yundt moved to adopt Resolution Serial No. 23-083.**

**Assemblymember Yundt moved a primary amendment to Resolution Serial No. 23-083 as follows:**

**\* in the title, by striking “2018” and inserting “August 26, 2017” in its place;**

**\* in the title, by striking the words, “and directing the Manager not to issue citations for those driveways during that timeframe;”**

**\* in the resolution, page two, third to the last paragraph, by striking “2018” and inserting “August 26, 2017” in its place; and**

**\* in the resolution, page two, third to the last paragraph, by striking the words, “and directing the Manager not to issue citations for those driveways during that timeframe.”**

**The primary amendment passed by the following vote:**

**Yes:** 6 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

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

**Yes:** 6 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

[AM 23-046](#)

Approval Of The Big Lake Road Service Area No. 21 Road Improvement Project List 2023.

Ms. McKechnie read the legislation into the record.

**Assemblymember Tew moved to adopt AM No. 23-046.**

**Assemblymember Tew moved a primary amendment to AM 23-046 as follows:**

**\* RSA Wide, Dust Control, by striking "\$130,000" and inserting in its place "\$70,000;"**

**\* RSA Wide, Road Conditioning Gravel Roads, by striking "\$100,000" and inserting in its place "\$20,000;: and**

**\* Jolly Creek Drainage Study/Construction, by adding "\$160,000" for a total of "\$310,000."**

**The primary amendment passed by the following vote:**

**Yes:** 5 - Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

**No:** 1 - Assemblymember Nowers

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

**Yes:** 5 - Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

**No:** 1 - Assemblymember Nowers

[AM 23-066](#)

Award Of Bid No. 23-112B To Big Dipper Construction, Inc. In The Contract Amount Of \$585,719.50 To Perform Road Improvements To South B-Shannon Street, East Brenda Avenue, And East Carefree Road.

CONFLICT OF INTEREST: Assemblymember Yundt stated that he has a conflict of interest as Big Dipper Construction is owned by a relative of his.

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

Ms. McKechnie read the legislation into the record.

**Assemblymember Bernier moved to adopt AM No. 23-066.**

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



**Yes:** 5 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

**Recused:** 1 - Assemblymember Yundt

[AM 23-069](#) Award Of Bid No. 23-126B To Western Construction And Equipment In The Amount Of \$458,790 For Big Rock Road Improvements.  
Ms. McKechnie read the legislation into the record.

**Assemblymember Nowers moved to adopt AM 23-069.**

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

**Yes:** 6 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

[AM 23-075](#) Award Of Lynda Lake Portage At Beaver Lake Road Fish Passage Improvement Design Services Project To Stantec Consulting Services In The Amount Of \$105,001.  
Ms. McKechnie read the legislation into the record.

**Assemblymember Nowers moved to adopt AM No. 23-075.**

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

**Yes:** 6 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

## **VIII. UNFINISHED BUSINESS**

There was no unfinished business.

## **IX. VETO**

There were no vetoes presented.

## **X. NEW BUSINESS**

### **A. INTRODUCTIONS (For Public Hearing 08/01/23, Assembly Chambers)**

[OR 23-061](#) An Ordinance Reappropriating \$839,075 From The Government Peak Recreation Area Parking Lot Project To The Gateway Visitor Center Project; And The State And Federal Grant Match Account.  
RS 23-066: A Resolution Rescoping \$250,000 From The Government Peak Recreation Area Parking Lot Project For Use On The Jay Nolfi Park Project And Approving The Scopes Of Work And Budgets For The Gateway Visitor Center Project; And The State And Federal Grant Match Account.

[OR 23-067](#) An Ordinance Amending MSB 2.08.040 To Clarify And Update The Mayor's Appointment Powers.

[OR 23-070](#) An Ordinance Accepting And Appropriating \$311,052 From The Alaska State Department Of Health And Social Services For The Provision Of Critically Needed Essential Health And Social Services.  
RS 23-077: A Resolution Approving The Scope Of Work And Budget For The Human Services Community Matching Grant Program And Allocating Funding To Non-Profit Sub-Grantees For The Provision Of Critically Needed Essential Health And Social Services.

[OR 23-072](#) An Ordinance Amending Portions Of Title 25, Elections.

**Sponsors:** DeVries

[OR 23-073](#) An Ordinance Accepting And Appropriating 2018 November Cook Inlet Earthquake Disaster Monies From The Federal Emergency Management Agency And The Alaska State Division Of Homeland Security And Emergency Management.  
RS 23-079: A Resolution Approving The Scope Of Work And Budget For 2018 November Cook Inlet Earthquake Disaster Relief Monies.

[OR 23-075](#) An Ordinance Accepting And Appropriating 2022 January Mat-Su Windstorm Disaster Relief Funds In The Amount Of \$14,025 From The Federal Emergency Management Agency And \$4,675 From The Alaska State Division Of Homeland Security And Emergency Management.  
RS 23-080: A Resolution Approving The Scope Of Work And Budget For Brett Memorial Ice Area Locker Room Building Roof Repairs Caused By The 2022 January Mat-Su Windstorms Disaster.

[OR 23-076](#) An Ordinance Accepting And Appropriating \$188,866.80 From A Judgment In The Boroughs Favor For Community Cleanup And Abatement Of Junk And Trash Issues.  
RS 23-084: A Resolution Approving The Scope Of Work And Budget For Community Cleanup And Abatement Of Junk And Trash Issues.

[OR 23-077](#)

An Ordinance Relating To The Construction, Additions, Improvements, Betterments, Repair, Reconstruction, Or Acquisition Of Public Roads And Pathways And Facilities Related Thereto In The Matanuska-Susitna Borough, Together With All Necessary Equipment And Transportation Facilities Including Improving School Access, And The Acquisition Of Lands Or Rights In Lands In Connection Therewith; And A Debt Of The Borough, Authorizing The Issuance Of Areawide General Obligation Bonds Of The Borough In An Amount Not To Exceed The Sum Of \$65,085,710 To Finance The Cost, In Whole Or In Part, Of Such Public Roads, Facilities, And Lands, And Submitting The Proposition To The Voters At The November 7, 2023, Regular Borough Election.

Ms. McKechnie read the legislation into the record.

**Assemblymember Yundt moved to introduce the legislation as read into the record by the Clerk and to set the public hearings for August 1, 2023.**

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

**Yes:** 6 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

**B. MAYORAL NOMINATIONS AND APPOINTMENTS**

**1. VACANCY REPORT**

[23-090](#)

Mayoral Requests for Confirmation  
Board of Adjustment and Appeals  
Brian Swanson

**Assemblymember Yundt moved to confirm the appointment requested by the Mayor.**

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

**Yes:** 6 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Fonov, 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)**

There were no referrals.

## **XI. RECONSIDERATION**

There were no reconsiderations.

## **XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS**

Assemblymember Yundt spoke to the reasons he brought the waterbody setback legislation forward. Noted that he does support the public process and appreciates the input of advisory committees. Commented that he is also passionate about protecting water quality. Spoke to allegations that have been leveled at him that are inaccurate. Noted his appreciation for the meeting.

Mr. Spiropoulos spoke to a U.S. Supreme Court decision regarding the foreclosure of property and its allowable use post foreclosure.

Mr. Brown spoke to two local improvement districts that are currently being constructed and that will be complete next summer. Advised that the Mat-Su Central School construction bid is ready to be awarded.

Assemblymember Nowers noted that former Assemblymember Sumner used to say that if no one was in the room, that the Assembly must be doing good job. Commented on the large public presence at recent meetings. Spoke to the need to be fiscally responsible. Opined that the landfill waiver is terrible idea and will have negative impacts. Spoke in support of a task force being created to make a recommendation to the Assembly on waterbody setbacks.

Assemblymember Bernier said a prayer.

## **XIII. EXECUTIVE SESSION**

There was no executive session.

## **XIV. ADJOURNMENT**

The meeting adjourned at 10:58 p.m.