

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, JUNE 21, 2022

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, June 21, 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: 6 - Assemblymember Tim Hale, Assemblymember Stephanie Nowers, Assemblymember Dee McKee, Assemblymember Robert Yundt, Assemblymember Mokie Tew, and Assemblymember Jesse Sumner

Excused: 1 - Assemblymember Ron Bernier

III. APPROVAL OF AGENDA

The agenda was approved as presented.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Lonnie McKechnie, Borough Clerk.

V. MINUTES OF PRECEDING MEETINGS

There were no 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

Mr. Todd Smoldon, Executive Director of Governor Dunleavy's Mat-Su Office, reported that the Governor will be signing the budget soon. Stated that the legislative session is wrapping up soon.

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 advised that he will be out of the office for the next two weeks.

Mr. Adam Bradway, Planner II, provided a staff report regarding the Official Streets and Highways Plan that will be up for public hearing at the July 19, 2022, Assembly meeting.

D. ATTORNEY COMMENTS

Mr. Spiropoulos advised that he will be out of the office in August and will miss the first Assembly meeting that month.

E. CLERK COMMENTS

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

F. CITIZEN AND OTHER CORRESPONDENCE

- 22-116**
1. Big Lake RSA Board of Supervisors: 05/11/22
 2. Greater Talkeetna RSA Board of Supervisors: 05/12/22
 3. Meadow Lakes Community Council: 04/13/22
 4. Planning Commission: 05/16/22, Resolution Nos. 22-13, 22-18
 5. Platting Board: Resolution No. 22-025
 6. Transportation Advisory Board: 02/25/22, 04/22/22, Resolution Nos. 22-01, 22-02, 22-04
 7. Wastewater and Septage Advisory Board: 02/11/21, 05/26/21, Resolution No. 22-01

The citizen and other correspondence was presented.

G. INFORMATIONAL MEMORANDUMS

- IM 22-146** Informing The Assembly Of The Manager's Authorization Of A Grant Application To The Alaska Sustainable Salmon Fund For Fish Passage Improvements.
- IM 22-147** Informing The Assembly Of A Grant Amendment For The 2018 November Cook Inlet Earthquake Disaster To Be Presented To The Borough Manager For Signature.
- IM 22-148** Informing The Assembly Of The Managers Signature On And Submittal Of The Required Application Forms For The Annual Emergency Management Performance Grant From The Alaska State Division Of Homeland Security And Emergency Management.
- The informational memorandums were presented.

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 22-038 An Ordinance Creating Moose Park Subdivision II Road Paving Local Improvement District No. 645, 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.

Cheyenne Heindel, Finance Director, provided a staff report.

Mayor DeVries opened the public hearing.

The following persons spoke in support of the legislation: Lisa Stan, Craig Robinson, Don Reddick, and Rebecca Karstetter.

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. 22-038.

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

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

The main motion passed by the following vote:

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

OR 22-068 An Ordinance Approving The Sale Of Borough-Owned Land Identified As Lot 4 And Lot 5, Block 4, Matanuska Townsite, U.S. Survey 1169, To The Adjacent Property Owner, Kenneth And Myra Olson; And Repealing The Public Purpose Dedication Placed On The Borough Lot.
Ms. McKechnie read the legislation into the record.

Lisa Gray, Land Management Agent, provided a staff report.

Mayor DeVries opened the public hearing.

The following person spoke in opposition to the legislation: Kenneth Mitters.

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

Assemblymember McKee moved to adopt Ordinance Serial No. 22-068.

Assemblymember Yundt moved to postpone Ordinance Serial No. 22-068 to July 19, 2022. The motion passed by the following vote:

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

OR 22-069 An Ordinance Providing For The Sale Of Certain Borough-Wide Real Property Acquired Through Tax Foreclosure For Delinquent Real Property Tax Years 2015 And Prior And Special Assessment For 2016 And Prior; And Not Needed For Public Purpose.

Ms. McKechnie read the legislation into the record.

Jill Irsik, Land Disposal and Foreclosure Specialist, 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. 22-069.

Assemblymember Sumner moved a primary amendment by striking "Tax Sale Nos. TS43-14 and TS43-30." The primary amendment passed by the following vote:

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

The main motion passed as amended by the following vote:

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

OR 22-071 An Ordinance Approving The Manager Amending The Ground Lease Between The Borough As Lessor And Renewable IPP, LLC. As The Lessee, For A Solar Utility Located Within The City Of Houston On Borough-Owned Land.

Ms. McKechnie read the legislation into the record.

Tracy McDaniel, Real Property Analyst, 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. 22-071. The motion passed by the following vote:

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

OR 22-072 An Ordinance Approving An Appropriation Of \$21,260 From The Talkeetna Fire Service Area Fund Balance, Fund 254, To Purchase Firefighter Turnout Coats And Pants.

RS 22-059: A Resolution Approving The Scope Of Work And Budget For A Project To Purchase Firefighter Turnout Coats And Pants For Talkeetna Fire Service Area.

Ms. McKechnie read the legislation into the record.

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 Sumner moved to adopt Ordinance Serial No. 22-072. The motion passed by the following vote:

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

OR 22-073 An Ordinance Establishing A Provision Within Borough Code To Address Abuses Of The 911 Telephone System By Adopting MSB 8.15.010, Abuse Of 911 System; And Amending MSB 1.45.100, Schedule Of Fines For Infractions, To Add Fines For Violation Of MSB 8.15.010.

Ms. McKechnie read the legislation into the record.

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 Sumner moved to adopt Ordinance Serial No. 22-073. The motion passed by the following vote:

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

OR 22-074 An Ordinance Approving Land Classifications Of One Borough-Owned Parcel For The Purpose Of Resource Management And Watershed; And Guiding Future Use And Development Of Said Parcel.
Ms. McKechnie read the legislation into the record.

Eric Phillips, Community Development 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. 22-074. The motion passed by the following vote:

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

OR 22-075 An Ordinance Accepting And Appropriating \$13,160.27 Of Revenues From Fiscal Year 2022 Public Donations, To The Animal Care And Regulation Operating Budget For Animal Care Supplies.
Ms. McKechnie read the legislation into the record.

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 Nowers moved to adopt Ordinance Serial No. 22-075. The motion passed by the following vote:

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

OR 22-079 An Ordinance Accepting And Appropriating \$10,519,653.50 In American Rescue Plan Corona Virus State And Local Fiscal Recovery Funds From The United States Treasury Department.
RS 22-061: A Resolution Approving The Scope Of Work And Budget For The American Rescue Plan Corona Virus State And Local Fiscal Recovery Funds.

Ms. McKechnie read the legislation into the record.

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. 22-079 and Resolution Serial No. 22-061. The motion passed by the following vote:

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

OR 22-080 An Ordinance Reappropriating \$85,537.19 From Fund 410, Project No. 30038 Caswell Road Service Area No. 15 Fiscal Year 2023 Service Area Appropriation, To Fund 272, Caswell Lakes Fiscal Year 2023 Operating Budget For Road Maintenance Service.
RS 22-062: A Resolution Amending The Budgets For Project No. 300038, Caswell Road Service Area No. 15 Fiscal Year 2023 Service Area Appropriation; And Fund 272, Fiscal Year 2023 Caswell Lakes Road Maintenance Services Operating Budget.

Ms. McKechnie read the legislation into the record.

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. 22-080 and Resolution Serial No. 22-062. The motion passed by the following vote:

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

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

The following persons spoke in opposition to the Burma Road Iditarod Trail Overpass: Donna Defusco, Kelly Dixon, and Dev Devon.

The following person spoke to the need for dust control in the Borough: Jim Stocker.

D. CONSENT AGENDA

1. RESOLUTIONS

There were no resolutions.

2. ACTION MEMORANDUMS

- AM 22-046** Requesting Approval To Increase The Single Project Limit Amount To \$150,000, For The Engineering And Survey Services Contracts With HDL Engineering Consultants LLC., Lounsbury And Associates Inc., And Stantec Consulting Services Inc.
- AM 22-075** Approval of Contract Amendment No. Two, To Contract No. 21-142P With Kinney Engineering, LLC. In The Amount of \$33,866.33 For Additional Construction Administration Support Services.
- AM 22-076** Award Of Proposal No. 22-104P To DOWL, LLC. In The Contract Amount Of \$206,758 To Design School Pedestrian Pathways.
- AM 22-077** Authorizing The Manager To Enter Into A Grant Agreement For Fiscal Year 2023 With Valley Community For Recycling Solutions In The Amount Of \$150,000.
- AM 22-078** Award Of Proposal No. 22-090P(A) To CRW Engineering Group, LLC. In The Contract Amount Of \$727,539 To Design Upgrades And Extension Of Tex-Al Drive.
- AM 22-079** Award Of Bid No. 22-149B To Bering Marine Corporation In The Contract Amount Of \$1,247,400 To Purchase Sodium Chloride.

- AM 22-080** Eliminate A Portion Of The 15-Foot Wide Utility Easement East Adjacent To South Revere Street; And Replace With A 15-Foot Wide Utility Easement Around The Permanent Cul-De-Sac Of South Revere Street; Eliminate Three 30-Foot Wide Drainage Easements: One North-South On The West Boundary Of Tract A-3, Colonial Fields Phase III; A Portion Of A 30-Foot Wide East-To-West Drainage Easement South Of The Cul-De-Sac Of South Revere Street; A Portion Of The 30-Foot Wide East-To-West Drainage Easement Near The West Boundary Of Tract A-3, Colonial Fields Phase III, Located In Section 34, Township 17 North, Range 2 East, Seward Meridian.
- AM 22-081** Award Of Proposal No. 22-136P To Lounsbury And Associates, Inc. In The Contract Amount Of \$116,352 To Design Road Improvements For The Birch Harbor Estates Subdivision.
- AM 22-082** Award Of Bid No. 22-114B To Tutka, LLC. In The Contract Amount Of \$651,457.98 To Repair Port Mackenzie Area Roads.
- AM 22-083** Award of Bid No. 22-150B to Dirtworks, Inc. In the Contract amount of \$858,479 For O'Brien Creek Fish Passage Improvements.
- AM 22-084** Award Of Bid No. 22-139B (A) To Ficklin Construction, LLC. In The Contract Amount Of \$336,900 For Big Lake Elementary School Water System Upgrade.
- AM 22-085** Award Of Bid No. 22-139B (B) To Dirtworks, Inc. In The Contract Amount Of \$584,200 For Butte Elementary School Water System Upgrades.
- AM 22-086** Award Of Proposal No. 22-152P To Eagleview In The Contract Amount Of \$167,700 To Collect High-Resolution Oblique And Ortho Aerial Imagery In The Lake Louise Area.
- AM 22-087** Approve The Costs Of Relocating Utilities To Matanuska Telephone Association In The Amount Of \$216,801.24 For Cormorant Way.
- AM 22-088** Approve The Costs Of Relocating Utilities To Matanuska Telephone Association In The Amount Of \$444,812.73 For Belair Estates.
- AM 22-089** Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications.

AM 22-090 Award Of Bid Number 22-156B To Northern Asphalt Construction, Inc. In The Contract Amount Of \$660,710 To Improve West Silver Drive And North Sasbo Bluff Loop.

AM 22-091 Award Of Proposal No. 22-104P(A) To Kinney Engineering, LLC. In The Contract Amount Of \$218,412 To Design A Pathway Adjacent To 49th State Street.

AM 22-092 Award Of Proposal No. 22-143P To The Boutet Company, Inc. In The Contract Amount Of \$158,115 To Design Upgrades To Williwaw Way, Kodiak Drive, And Helen Lane.

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: 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, and Assemblymember Sumner

AM 22-093 Approval Of The Leave Accrual Rate Of 9.6919 Per Pay Period For The Public Works Director.

Ms. McKechnie read the legislation into the record.

Assemblymember McKee moved to adopt AM No. 22-093. The motion passed by the following vote:

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

No: 1 - Assemblymember McKee

VIII. UNFINISHED BUSINESS

AM 22-074 Award Of Bid No. 22-145B To Western Construction And Equipment In The Contract Amount Not To Exceed \$1,780,210 Per Year For The Manufacture Of Sand, Chips, And Fill.

Ms. McKechnie read the legislation into the record.

Russ Krafft, Purchasing Director, provided a staff report.

MOTION PENDING: Assemblymember Tew moved to adopt AM No. 22-074.

The motion passed by the following vote:

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

IX. VETO

There were no vetoes presented.

X. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing July 19, 2022, Assembly Chambers)

- OR 22-057** An Ordinance Amending MSB 43.05.015, Purpose And Scope, To Reference The 2022 Subdivision Construction Manual.
- OR 22-063** An Ordinance Repealing MSB 15.30, Official Streets And Highways Plan Map; Amending MSB 17.55.004, by striking the unused definition "Official Streets And Highways Plan;" And Adopting MSB 15.24.030(B) (46), Official Streets and Highway Plan 2022 Update.
- OR 22-081** An Ordinance Waiving The Requirements Of MSB 19.08.020, Location Of School Buildings; Waiving The Requirements Of MSB 19.08.023, Site Approval Process For Lease Of Charter School Facilities; And Approving The Location Of Knik Charter School At 4401 Palmer-Wasilla Highway.

Assemblymember Sumner moved to introduce the legislation as read into the record by the Clerk and to set the public hearings for July 19, 2022. The motion passed by the following vote:

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

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

22-118

Mayoral Requests for Confirmation
Road Service Area Task Force 2022
Gary Forster, Chair
Darren Zimmer, Vice Chair
Jedediah Cox, resignation
Steve Edwards, moving to Member 1 Position
Pat Daniels, resignation
Fairview RSA No. 14
Brian Swanson, resignation
Terrance Dolan

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

Assemblymember Tew moved to divide the question to take up the confirmation of Steve Edwards, separately.

The motion to divide the question passed by the following vote:

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

FIRST SEGMENT: Assemblymember Sumner moved to confirm the appointments and resignations requested by the Mayor with the exception of Steve Edwards. The motion passed by the following vote:

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

SECOND SEGMENT: Assemblymember Sumner moved to confirm the appointment of Steve Edwards. The motion failed by the following vote:

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

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 22-083 An Ordinance Repealing MSB 17.06, Electrical Generating And Delivery Facility, In Its Entirety.

Sponsors: Sumner

Ms. McKechnie read the legislation into the record.

Assemblymember Sumner moved to refer Ordinance Serial No. 22-083, to the Planning Commission for 90 days. The motion passed by the following vote:

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

XI. RECONSIDERATION

There were no reconsiderations.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Assemblymember Tew opined it was a great meeting. Spoke in support of moving a lot of projects forward. Noted that dust control is an issue throughout the Borough. Advised residents with concerns to contact their Assembly Member. Spoke to concerns with Ordinance Serial No. 22-080 and the contractor not being paid. Stated that he is unsure how that even happened. Opined that the person responsible for that should be in trouble.

Assemblymember Hale wished everyone happy Solstice.

Ms. McKechnie thanked the body for her earlier evaluation.

Assemblymember Nowers opined it was a good meeting. Opined that the mining of gravel at the Central Landfill is a good project that will help residents in many ways. Opined that the best solution to dust control is pavement. Spoke in support of seeing more development in the core area. Reported that the shelter had a "Name Your Price" adoption event that was very successful. Wished the body happy Solstice.

Mayor DeVries spoke to a very enlightening ride-along she did with the Emergency Medical Services, during which she learned quite a lot.

XIII. EXECUTIVE SESSION

There was no executive session.

XIV. ADJOURNMENT

The meeting adjourned at 8:31 p.m.



Mayoral Signature and Clerk Attestment

For

June 21, 2022, Regular Meeting Minutes

(16 pages)

EDNA DeVRIES, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 09/06/22