

# 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  
Bill Gamble, 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, FEBRUARY 6, 2024

### **I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, February 6, 2024, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:02 p.m. by Mayor Edna DeVries.

### **II. ROLL CALL**

**Present:** 4 - Assemblymember Dee McKee (entered at 6:13 p.m.), Assemblymember Bill Gamble, Assemblymember Dmitri Fonov, and Assemblymember Ron Bernier

**Telephonic:** 3 - Assemblymember Tim Hale, Assemblymember Stephanie Nowers, and Assemblymember Robert Yundt

### **III. APPROVAL OF AGENDA**

The agenda was approved as presented without objection.

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

The pledge of allegiance was led by John Aschenbrenner, Deputy Borough Attorney.

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

**24-018**

A. Regular Assembly Meeting Minutes: 12/19/23

B. Regular Assembly Meeting Minutes: 01/02/24

C. Regular Assembly Meeting Minutes: 01/16/24

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**

There were no reports provided.

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

Katie Gardner, Deputy Superintendent, reported on the activities of the School District.

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

Mr. Todd Smoldon, Executive Director of Governor Dunleavy's Mat-Su Office, reported on Governor Dunleavy's State of the State address and Alaska State Trooper and Village Public Safety Officer positions that are unfilled.

### **B. COMMITTEE REPORTS**

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

Assemblymember Yundt reported on the most recent meeting of the Committee.

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

There were no reports provided.

### **C. MANAGER COMMENTS**

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

#### **2. Strategic Planning Issues**

Tom Adams, Public Works Director, reported on the changes made to bids for the road service areas.

Mr. Brown spoke to changes to the Library Book Review Policy that will be implemented soon. Noted that until then, all Library Board meetings have been cancelled due to the unruly behavior of attendees at the last meeting.

### **3. Fiscal Year 2023 Audit Presentation**

**24-029**

**Auditor Report Handout**

Mr. Brown spoke to the outstanding work of the Finance Department.

Cheyenne Heindel, Finance Manager, summarized the annual audit process.

Steve Wadleigh of Altman Rogers Accounting and Tax Services, provided an overview of the Borough's annual audit.

#### **D. ATTORNEY COMMENTS**

There was no report provided.

#### **E. CLERK COMMENTS**

Ms. McKechnie spoke to the upcoming meeting schedule. Spoke to the proposed budget cycle meetings and queried if the Assembly wanted to schedule these meeting.

Mayor DeVries queried if there was any objection.

There was no objection noted.

Ms. McKechnie noted that the Joint Assembly/Planning Commission meeting scheduled for March 12 is during the Arctic Winter Games, at which a lot of staff will be working. Queried if the Assembly wanted to cancel that meeting.

Mayor DeVries queried if there was any objection.

There was no objection noted.

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

**24-026**

1. Abbreviated Plat: 01/10/24, 01/17/24
2. Agriculture Advisory Board: 12/20/23, Resolution No. 24-01
3. Big Lake Community Council: 10/24/23, 11/14/23
4. Butte FSA Board of Supervisors: 12/14/23
5. Chase Community Council: 10/18/23
6. Chickaloon Community Council: 10/11/23, 12/13/23
7. Fishhook Community Council: 10/19/23, 12/04/23
8. Local Emergency Planning Committee: 10/18/23
9. Planning Commission: 11/20/23, Resolution No. 24-01
10. Platting Board: 01/04/24
11. South Colony RSA Board of Supervisors: 10/25/23
12. Susitna Community Council: 12/07/23
13. Waterbody Setback Advisory Board: 12/14/23

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

## **G. INFORMATIONAL MEMORANDUMS**

- IM 24-032** Reporting Conclusion Of Contract No. 23-106B with Prostripe, LLC. For a Total Contract Amount Of \$341,828.50 For The 2023 Road Striping Project.
- IM 24-033** Reporting Conclusion Of Contract No. 22-134B With Pruhs Construction Company LLC. For A Total Contract Amount Of \$2,551,247.61 For The Felton Street Extension Project.
- IM 24-038** Reporting Conclusion Of Contract No. 23-056B with Mass Excavation, Inc. For a Total Contract Amount Of \$1,153,893.27 For The Government Peak Overflow Parking Lot Project.
- IM 24-047** Informing The Assembly Of The Managers Signature On And Submittal Of A Federal Fiscal Year 2024 State Homeland Security Program Grant Application To The Alaska State Division Of Homeland Security And Emergency Management Requesting A Grant In The Amount Of \$558,000 For The Department Of Emergency Services.
- IM 24-048** Informing The Assembly Of The Pending United States Department Of Commerce, Economic Development Administration Document That Requires The Borough Manager's Signature Prior To Their Approval Of A Construction Contract With Western Marine Construction For Installation Of Pile Sleeve And Cathodic Protection At Port Mackenzie.
- 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 24-003** An Ordinance Creating North Victor Road, Road Paving Local Improvement District No. 660, Approving The Improvement Plan For The District, And 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.

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

**Assemblymember Gamble moved to adopt Ordinance Serial No. 24-003.**

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

**Yes:** 1 - Assemblymember Fonov

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

**OR 24-017** An Ordinance Approving The Sale Of Borough-Owned Property Identified As Lot 99 Rustic Wilderness Division 2 To The Adjacent Property Owner, Roar Ingebretsen.

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 Bernier moved to adopt Ordinance Serial No. 24-017.**

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

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

**OR 24-018** An Ordinance Approving An Appropriation Of \$675,000 From The Central Mat-Su Fire Service Area Fund Balance To Repair Pumper-Tender 62.

RS 24-018: A Resolution Approving The Scope Of Work And Budget For A Project To Facilitate Repairs For Pumper-Tender 62 For Central Mat-Su 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 Bernier moved to adopt Ordinance Serial No. 24-018 and Resolution Serial No. 24-018.**

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

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

**OR 24-019** An Ordinance Appropriating \$500,000 From Areawide Fund Balance To The Arctic Winter Games Project For An As Needed Grant To Supplement Funding For The 2024 Arctic Winter Games.  
**RS 24-022:** A Resolution Approving The Scope Of Work And Budget For An As Needed Grant To Supplement Funding For The 2024 Arctic Winter Games.

Ms. McKechnie read the legislation into the record.

Cheyenne Heindel, Finance Director, provided a staff report.

Mayor DeVries opened the public hearing.

**Assemblymember Bernier moved to adopt Ordinance Serial No. 24-019 and Resolution Serial No. 24-022.**

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

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

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

(The meeting recessed at 7:17 p.m. and reconvened at 7:30 p.m.

The following persons spoke to concerns with pornographic books in Borough Libraries: Jackie Goforth, Linda Page, Karen Lewis, Chris Tyree, Mary Revetta, Linda Sloan, Mark Sloan, Nicole (last name indiscernible), and Jean Holt.

The following person spoke to harassment of a public member and to board member behavior: Bert (last name not given).

The following person spoke to concerns with food waste by commercial restaurants and to the need for increased recycling: Travis Friesen.

The following person spoke to concerns with members of the audience lacking meeting decorum: Early Lackey.

The following persons spoke to the process of how parents provide authorization for their children to check out books from Borough libraries: Kathy Kysar.

The following person spoke to being intimidated by a Borough Board Member: Tracey Lorenz.

The following person questioned why he was replaced on the Port Commission: Ron Tracey.

The following person spoke to ideas of offering free auto salvage to clean up the community: Carter DeBach.

### **D. CONSENT AGENDA**

#### **1. RESOLUTIONS**

**RS 24-024** A Resolution Waiving The Roving Vendor Use Fee For Food Service Trucks And Transient Merchants From March 1, 2024 Through March 17, 2024, In Support Of The Arctic Winter Games.

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

**AM 24-005** Approval of Change Order No. 1 For Contract No. 23-002P(B) With Professional & Technical Services, Inc. For The Smith Road Extension Upgrade And Pathway Project.



- AM 24-006** Award Of Contract No. 24-006C To Pierce Manufacturing Inc. For Accident Repair Of A 2021 Pierce Enforcer Tanker/Pumper Apparatus.
- AM 24-007** Approval To Extend The Final Completion For Contract No. 23-045C With HDL Engineering Consultants, LLC. For The Lucille Street Upgrade And Pathway Project.
- AM 24-011** Award Of Proposal No. 24-060P To RESPEC Company, LLC. In The Contract Amount Of \$595,604 To Design Improvements To The New Central Landfill Entrance.
- AM 24-012** Approval Of Amendment No. 1 To Contract No. 23-055P With Heartland Water Technology, Inc. To Extend The Completion Date For The Design Leachate Reduction System Project.  
Ms. McKechnie read the legislation into the record.  
**Assemblymember Bernier 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 Gamble, 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 02/20/24, Assembly Chambers)**

- OR 24-027** An Ordinance Conveying And Merging The Borough's Development Rights Interest, With The Agricultural Rights Title, For Fee Simple Title With Agricultural Covenants For Tax Id No. 4809000T031A, To Raymond And Shannon Latchem.
- OR 24-028** An Ordinance Approving Classification Of Borough-Owned Lands For Inclusion In The 2024 Competitive Bid Land Sale And Future Over-The-Counter Land Sales.

**OR 24-029** An Ordinance Amending MSB 3.70, Service Area Sales Tax, To Change Monthly Talkeetna Sewer And Water Special Service Area No. 36 Sales Tax Returns To Quarterly Returns.

Ms. McKechnie read the legislation into the record.

**Assemblymember Bernier moved to introduce the legislation as read into the record by the Clerk and to set the public hearings for February 20, 2024.**

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

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

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

### **1. VACANCY REPORT**

**24-027**

**Mayoral Requests For Confirmation**

**Board of Equalization**

Amy Demboski

**Commission on Salaries and Emoluments**

Janet Johnson

Dusty Silva

**Enhanced 911 Advisory Board**

Lori Criqui

Joel Butcher (resignation from main seat and confirmation to alternate seat)

**Health and Social Services Board**

Mary Revetta

Linda Hendrickson

Linda Combs

**Labor Relations Board**

Amy Demboski

**Local Emergency Planning Committee**

Michael Lopez

**Platting Board**

Sidney Bertz

**Port Commission**

John Pike

**Talkeetna FSA No. 24**

Stephen Hanson

**Board RSA No. 25**

John Miller

**Talkeetna Sewer & Water Service Area No. 36**

Andrew Haag

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

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

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

**C. OTHER NEW BUSINESS**

There is no other new business.

**D. REFERRALS (For Referral To The Planning Commission For 90 Days Or Other Date Specified By The Assembly)**

**OR 24-031** An Ordinance Amending MSB 8.40, Liquor License Referrals, Regarding Transfers Of Alcoholic Beverage Licenses From The Borough Into The Cities.

**Sponsors:** Yundt

Ms. McKechnie read the legislation into the record.

**Assemblymember Bernier moved to refer Ordinance Serial No. 24-031 to the Planning Commission for 90 days.**

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

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

## **XI. RECONSIDERATION**

**OR 24-007** An Ordinance Amending MSB 23.20.090(C), To Change The Requirement Of Preparing A Five-Year Harvest Schedule Every Three Years, To A Voluntary Schedule.

Ms. McKechnie read the legislation into the record.

**Assemblymember Nowers moved to reconsider Ordinance Serial No. 24-007.**

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

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

**Assemblymember Nowers moved a primary amendment to Ordinance Serial No. 24-007, MSB 23.20.090(C), by inserting the following language at the end of the subsection (C) "A schedule shall be prepared when the annual harvest exceeds 50 percent of the annual allowable cut."**

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

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

**Yes: 2 - Assemblymember Hale and Assemblymember Nowers**

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

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

**Yes:** 3 - Assemblymember Hale, Assemblymember Nowers, and Assemblymember Gamble

**No:** 4 - Assemblymember McKee, Assemblymember Yundt, Assemblymember Fonov, and Assemblymember Bernier

**Assemblymember Nowers moved to postpone Ordinance Serial No. 24-007 to February 20, 2024.**

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

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

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

Assemblymember Yundt thanked the body for supporting referral of Ordinance Serial No. 24-031. Noted that if anyone has any questions, to please let him know.

Assemblymember McKee spoke to concerns with pornographic books in Borough Libraries. Stated that she would rather see a new book review committee sooner rather than later.

Mr. Brown spoke to how he intends to accomplish her request.

Assemblymember Bernier echoed the comments of Assemblymember McKee. Thanked those that were able to attend the meeting. Said a prayer.

Assemblymember Gamble spoke to a tour of meth compounds in District 5. Opined that the Borough has some serious problems to deal with concerning drugs and crime.

Assemblymember Fonov spoke to the need to be accountable to voters. Spoke to concerns with banning books. Stated that he supports finding a better way to review books.

**Assemblymember Bernier moved to suspend the rules to extend the meeting past 10 p.m. and not to exceed 11 p.m.**

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

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

**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. Snow Removal Claims Submitted By Road Service Area Contractors**

**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. Those present during the executive session were the Mayor, the Assembly, the Manager, the Deputy Borough Attorney, the Clerk, the Deputy Borough Manager, the Finance Director, the Purchasing Officer, and the Public Works Director.**

**The motion passed without objection and the Assembly entered into executive session at 9:08 p.m.**

**Assemblymember Bernier moved to exit executive session.**

**There was no objection noted and the Assembly exited executive session at 10:32 p.m.**

**XIV. ADJOURNMENT**

**The meeting adjourned at 10:32 p.m.**



Mayoral Signature and Clerk Attestment

For

February 6, 2024, Assembly Regular Meeting Minutes

(14 pages)

  
EDNA DeVRIES, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 03/05/24