

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, MARCH 1, 2022

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, March 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 Stephanie Nowers, Assemblymember Dee McKee, Assemblymember Mokie Tew, and Assemblymember Jesse Sumner

Telephonic: 3 - Assemblymember Tim Hale, Assemblymember Robert Yundt, and Assemblymember Ron Bernier

III. APPROVAL OF AGENDA

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

Assemblymember Sumner requested to pull Ordinance Serial No. 22-003 from introduction.

Mayor DeVries queried if there was any objection.

There was no objection noted.

Ms. McKechnie requested to remove Ordinance Serial No. 22-021 from public hearing and to bring back for public hearing on March 15. Advised that it was advertised improperly.

Mayor DeVries queried if there was any objection.

There was no objection noted.

The agenda was approved as amended without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by home school students in the audience.

V. MINUTES OF PRECEDING MEETINGS

[22-036](#)

A. Regular Assembly Meeting Minutes: 02/15/22

The minutes were approved as presented without objection.

VI. REPORTS/CORRESPONDENCE

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

1. Reports From Cities

Mayor 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, Executive Director of Governor Dunleavy's Mat-Su Office, reported on the status of the Governor's budget.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee On School Issues

There was no report provided.

2. Assembly Public Relations

Assemblymember Tew spoke to having attended the recent Planning Commission meeting at which Ordinance Serial No. 22-002, had a public hearing. Advised that he will have amendments for that legislation when it comes up for public hearing.

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

Mike Brown, Borough Manager, reported on the activities of his office.

D. ATTORNEY COMMENTS

Nicholas Spiropoulos, Borough Attorney, reported on the activities of his office. Provided a status report on the law suit regarding redistricting. Advised that there is no executive session needed for this evening.

E. CLERK COMMENTS

Lonnie McKechnie, Borough Clerk, spoke to upcoming meeting schedule.

F. CITIZEN AND OTHER CORRESPONDENCE

[22-039](#)

1. Butte Community Council: 01/12/22
2. Chase Community Council: 10/20/21
3. Chickaloon Community Council: 10/13/21
4. Enhanced 911 Advisory Board: 12/07/21
5. Fairview RSA Board of Supervisors: 11/16/21
6. Greater Palmer FSA Board of Supervisors: 11/09/21
7. Library Board: 11/20/21
8. North Lakes Community Council: 12/16/21
9. Susitna Community Council: 01/06/22
10. West Lakes FSA Board of Supervisors: 01/10/22

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

G. INFORMATIONAL MEMORANDUMS

[IM 22-026](#) Reporting The Conclusion Of Contract For Bid 21-092B With Scarsella Bros, Inc. For A Final Contract Amount Of \$538,317.98 For The Michelle Drive Improvements Project.

[IM 22-049](#) Informing The Assembly Of The Seven Grant Amendments For The State Designated Legislative Grant Program That Were Signed By The Borough Manager.

[IM 22-056](#) Reporting Manager Waivers Of Formal Bidding Procedures In Accordance With MSB 3.08.320(B) For January 2022.
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 22-018](#) An Ordinance Approving An Appropriation Of \$31,104 From The Road Service Area Administrative Fund And The Projected Fund Balance For Wages And Benefits For A New Project Management And Engineering Administrative Specialist Position To Cover The Period Of March 1, 2022, To June 30, 2022.

Lonnie McKechnie, Borough Clerk, read the legislation into the record.

Mike Brown, Borough 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 Sumner moved to adopt Ordinance Serial No. 22-018. 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 22-019](#)

An Ordinance Reappropriating \$1,000,000 From The Emergency Response Reserve Fund 100, To Fund 445, Project No. 55030, For The 2022 Windstorm Disaster.

RS 22-021: A Resolution Approving The Scope Of Work And Budget For The 2022 Windstorm Disaster, Project No. 55030.

Lonnie McKechnie, Borough Clerk, 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. 22-019 and Resolution Serial No. 22-021. 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 22-020](#)

An Ordinance Establishing A Task Force To Review And Make Recommendations To The Assembly Regarding Road Service Area Services In Big Lake Road Service Area 21 And Potentially Other Areas.

Lonnie McKechnie, Borough Clerk, read the legislation into the record.

Nicholas Spiropoulos, Borough Attorney, provided a staff report.

Mayor DeVries opened the public hearing.

The following persons made recommendations to the seat composition for the task force and suggested that seats include members from the Local Road Service Area Advisory Board: Dan Mayfield, Mike Shields, and Cindy Bettine.

The following persons spoke to concerns with changes to road service area contracts and to the potential for time and materials contracts to be unreliable when it comes to budgeting: Terry Gorlick, Irene Crowley, Andrew Traxler, and Steven Edwards.

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

Assemblymember Sumner moved to adopt Ordinance Serial No. 22-020.

Assemblymember Sumner moved a primary amendment, section 4, No. 3, by inserting "(C) areawide brush cutting; and (D) processes for determining substandard roads Boroughwide."

**Assemblymember Tew called for the question (to stop debate).
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 primary amendment passed by the following vote:

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

The main motion passed by the following vote:

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

No: 2 - Assemblymember Nowers, and Assemblymember McKee

[OR 22-021](#) An Ordinance Amending MSB 2.12.070, To Permanently Allow Telephonic Participation By The Public At Assembly Meetings.

Sponsors: Hale

[Clerk's note: the public hearing was moved to March 15, 2022, at the approval of the agenda.]

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

The following person spoke in opposition to Ordinance Serial No. 22-020: Ed Mooney

The following persons spoke in support of the Big Lake Road Service Area road improvement project list being amended back to the original list approved by the road service area board: Mike Shields, Andrew Traxler, Diane Ramstad, Greg Stewart, Betty Vehrs, Terry Gorlick, Dan Mayfield, Jacob Snedder, Gerald Dewhurst, Linn McCabe, Mike Szymanski, Kyle Nelson, and Steve Edwards.

The following person spoke to concerns with enforcement of noise ordinances: Esther Huddleston.

D. CONSENT AGENDA

1. RESOLUTIONS

[RS 22-024](#) A Resolution Authorizing The Borough Manager To Enter Into An Agreement With Mat Valley Milling, For The Alsop A Timber Sale.

[RS 22-025](#) A Resolution To Waive Mat-Su Borough Landfill Fees For The Alaska State Adopt-A-Highway Program For Fiscal Years 2022 And 2023.

Sponsors: DeVries

2. ACTION MEMORANDUMS

[AM 22-013](#) Approval Of Contract Amendment With Harris Consulting To Extend The Contract To June 30, 2023, In An Amount Not To Exceed \$80,400 Per Year For State Lobbyist Services.

Lonnie McKechnie, Borough Clerk, 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

[AM 22-014](#) Approving A Waiver Under MSB 2.71.090 For Former Assemblymember Tamara Boeve To Accept Employment With Valley Community For Recycling Solutions Without Impact To Any Of The Agreements Or Activities Between Valley Community for Recycling Solutions And The Borough.

Lonnie McKechnie, Borough Clerk, read the legislation into the record.

Assemblymember McKee moved to adopt AM 22-014. 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

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. VETO

There were no vetoes.

X. NEW BUSINESS

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

[OR 22-001](#) An Ordinance Repealing MSB 17.68, Outdoor Shooting Facilities.

Sponsors: Sumner and Tew

[OR 22-002](#) An Ordinance Amending MSB 17.30, Conditional Use Permit For Earth Materials Extraction Activities, To Allow For An Exemption Of 20,000 Cubic Yards Annually Without A Permit.

Sponsors: Tew

[OR 22-003](#) An Ordinance Amending MSB 17.30.020, Conditional Use Permit For Earth Material Extraction Activities (Applicability), To Exclude The Conditional Use Permit Requirement Within The Boundaries Of The Central Landfill.

Sponsors: Sumner

[Clerk's note: Ordinance Serial No. 22-003 was pulled from introduction at the approval of the agenda.]

[OR 22-024](#) An Ordinance Approving An Appropriation Of \$500,000 From The Enhanced 911 Fund Balance, To A Project To Allow The Aerial Imagery Acquisition Program To Collect Data To Support 911 Call Taking And Addressing.

RS 22-026: A Resolution Approving The Scope Of Work And Budget For A Project To Allow The Aerial Imagery Acquisition Program To Collect Data To Support 911 Call Taking And Addressing.

[OR 22-025](#) An Ordinance Enacting A Lifetime Limit Of Two Terms For The Office Of Borough Assembly, Allowing Any Current Assembly Members In Their First Term The Opportunity To Seek One Additional Term, And Submitting The Question To The Qualified Voters At The Next Regular Or Special Election.

Sponsors: Yundt

[OR 22-027](#) An Ordinance Accepting And Appropriating \$700,000 For The Caswell, Birch, And Crocker Creeks Fish Passage Improvements Project.

RS 22-028: A Resolution Approving The Scope Of Work And Budget For The Caswell, Birch, And Crocker Creeks Fish Passage Improvements Project.

[OR 22-028](#) An Ordinance Appropriating \$2,400,000 From The Solid Waste Enterprise Fund Balance To The Landfill Sand And Chip Production Project.

RS 22-029: A Resolution Establishing The Project, Scope Of Work, And Budget For The Appropriation Of \$2,400,000 From The Solid Waste Enterprise Fund, Fund 510 To The Landfill Sand And Chip Production Project, Fund 420.

[OR 22-029](#) An Ordinance Amending MSB 3.15.037 To Provide For An Additional Residential Real Property Tax Exemption Of \$114,000 Of The Assessed Value Of Real Property Owned And Occupied As A Permanent Abode By A Resident Who Is 65 Years Of Age Or Older, A Disabled Veteran, Or A Person At Least 60 Years Old Who Is A Widow Or Widower Of A Person Who Was Qualified For The Exemption; Providing For An Annual Adjustment, And Submitting The Question To The Qualified Voters At The Next Regular Or Special Borough Election.

Sponsors: Yundt and Tew

[OR 22-030](#) An Ordinance Amending MSB 5.25.032, Service Area No. 21: Big Lake Road Service Area, To Provide For A Five-Member Board Of Supervisors.

Sponsors: Tew

Lonnie McKechnie, Borough Clerk, 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 hearings for March 15, 2022. The motion passed by the following vote:

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

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

[22-041](#) Mayoral Requests For Confirmation
Historical Preservation Commission
Janet Kincaid
Local Emergency Planning Committee
Rene Dillow
Big Lake RSA No. 21
Greg Quinton, resignation
Jill Parson

Assemblymember Sumner 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 Tew, Assemblymember Sumner, and Assemblymember Bernier

C. OTHER NEW BUSINESS

1. MOTION TO AMEND SOMETHING PREVIOUSLY ADOPTED

[AM 22-011](#) Approval Of The Road Service Area Road Improvement Project List For 2022.

Sponsors: McKee

Assemblymember McKee moved to amend AM 22-011, which was previously adopted on February 15, 2022, by replacing the Big Lake Road Service Area road improvement project list with the list as adopted by the Big Lake RSA Board of Supervisors.

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

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 Nowers stated that she is looking forward to the Joint Assembly/Planning Commission meeting. Advised that she will have to attend telephonically. Requested that any amendments for legislation on March 15, be provided in advance of the meeting.

Assemblymember Sumner spoke to reasons he voted against the amendment to AM No. 22-011. Commented that Assembly members hear from residents about what they want done in their respective districts. Advised that he pulled Ordinance Serial No. 22-003 from introduction because it would be better to have the Borough follow its own public process.

Assemblymember Sumner moved to direct the Manager to apply for a conditional use permit for earth materials extraction at the Central Landfill. The motion passed by the following vote:

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

Mayor DeVries spoke to her intentions for the road service area task force. Stated that she hopes to have appointments for approval by the first meeting in April. Related how she vets candidates through the vacancy process.

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 Redistricting Plan

The executive session was not held.

XIV. ADJOURNMENT

The meeting adjourned at 8:45 p.m.