

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, APRIL 4, 2023

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, April 4, 2023, 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: 3 - Assemblymember Dee McKee, Assemblymember Mokie Tew, and Assemblymember Dmitri Fonov

Telephonic: 4 - Assemblymember Tim Hale, Assemblymember Stephanie Nowers, Assemblymember Robert Yundt, and Assemblymember Ron Bernier

III. APPROVAL OF AGENDA

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

Assemblymember Yundt moved to pull Ordinance Serial No. 23-002 from introduction. The motion passed by the following vote:

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

The agenda was approved as amended.

IV. PLEDGE OF ALLEGIANCE

The following person led the pledge of allegiance: David Kolberg, Enstar Operations Manager.

V. SPECIAL ORDERS OF THE DAY

A. Mayoral Proclamation in Recognition of Safe Digging Month

[23-045](#)

Mayoral Proclamation

Mayor DeVries read the proclamation in support of Safe Digging Month into the record and presented a copy to David Kolberg, Enstar Operations Manager.

Mayor DeVries read a proclamation in support for the local Eagle Scouts into the record and presented them with certificates of achievement.

VI. MINUTES OF PRECEDING MEETINGS

[23-041](#)

A. Joint Assembly/Planning Commission Meeting: 03/14/23

The minutes were approved as presented without objection.

VII. 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 were no reports provided.

3. State of Alaska

Mr. Todd Smoldon, Executive Director of Governor Dunleavy's Mat-Su Office, reported on Governor Dunleavy's budget and key legislation that the Governor is bringing forward.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee On School Issues

There was no report provided.

2. Assembly Public Relations

Assemblymember Fonov congratulated Ryan Redington on his win of the Iditarod Trail Sled Dog Race. Advised Mr. Redington will be at the Borough building in two weeks for a meet-and-greet.

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

There was no report provided.

D. ATTORNEY COMMENTS

Mr. Spiropoulos stated that if the Assembly has any questions about the budget memorandum provided to please let him know.

E. CLERK COMMENTS

Ms. McKechnie spoke to the upcoming meeting schedule. Advised that it is time to schedule the annual evaluations of the Manager, the Attorney, and the Clerk. Suggested May 4, 2023, at 4 p.m. for the Manager; June 6, 2023, at 4 p.m. for the Attorney; and June 20, 2023, at 4 p.m. for the Clerk.

Mayor DeVries queried if there was any objection to scheduling these meetings.

There was no objection noted.

Ms. McKechnie advised that there would be no quorum for the April 6, departmental budget presentations meeting Suggested to reschedule that meeting to April 11, 2023, at 6 p.m.

Mayor DeVries queried if there was any objection.

There was no objection noted.

F. CITIZEN AND OTHER CORRESPONDENCE

[23-042](#)

1. Abbreviated Plat: 03/15/23, 03/22/23
2. Big Lake Community Council: 02/14/23
3. Central Mat-Su FSA Board of Supervisors: 01/09/23
4. MSB Fish and Wildlife Commission: 01/19/23, 02/02/23, 02/16/23
5. Platting Board: 01/19/23
6. West Lakes FSA Board of Supervisors: 02/13/23

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

G. INFORMATIONAL MEMORANDUMS

There were no informational memorandums.

VIII. 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 23-012](#)

An Ordinance Accepting And Appropriating \$592,000 From The Alaska State Department Of Fish And Game, Sustainable Salmon Fund, For Neklason And Lynda Lakes Fish Passage Improvements.

RS 23-014: A Resolution Approving The Scope Of Work And Budget, And Authorizing The Manager To Enter Into An Agreement With The Alaska State Department Of Fish And Game For Neklason And Lynda Lakes Fish Passage Improvements.

Ms. McKechnie read the legislation into the record.

Cheyenne Heindel, Finance Director, provided a staff report.

Mayor DeVries opened the public hearing.

The following person spoke to concerns that he was unsure of what the legislation would do: Dave Johnson.

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

Assemblymember Fonov moved to adopt Ordinance Serial No. 23-012 and Resolution Serial No. 23-014. The motion passed by the following vote:

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

[OR 23-018](#)

An Ordinance Purchasing Approximately .99 Acres Of Land Located On East Turner Road In The Amount Of \$55,000 And To Classify The Property As Reserved Use - Emergency Service Facility, For Use By The Department Of Emergency Services For The Existing Palmer Fishhook Public Safety Building, Station 3-5.

Ms. McKechnie read the legislation into the record.

Ken Barkley, Department of 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 Fonov moved to adopt Ordinance Serial No. 23-018. The motion passed by the following vote:

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

[OR 23-020](#)

An Ordinance Approving An Appropriation Of \$833,627 From The Areawide Fund Balance For Bridge And Railroad Crossing Major Maintenance And Repair And The Dust Control Program.

RS 23-029: A Resolution Amending The Budgets For The Kashwitna Trail Grade Crossing Panel Upgrade Project And The Lynx Lake Grade Crossing Panel Upgrade Project.

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 Fonov moved to adopt Ordinance Serial No. 23-020 and Resolution Serial No. 23-029. The motion passed by the following vote:

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

[OR 23-021](#)

An Ordinance Reappropriating \$500,000 From The Community Transportation Grant Match Project To The Parks And Recreation Project For The Government Peak Recreational Area Overflow Parking Lot.

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 Fonov moved to adopt Ordinance Serial No. 23-021. The motion passed by the following vote:

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

[OR 23-022](#)

An Ordinance Accepting And Appropriating \$306,900 In Fiscal Year 2023 Community Assistance Program Supplemental Funding.
RS 23-030: A Resolution Approving The Scope Of Work And Budget For The Fiscal Year 2023 Community Assistance Program Supplemental Funding And Authorizing The Manager To Enter Into Agreements With 20 Unincorporated Communities Within The Borough.

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 Fonov moved to adopt Ordinance Serial No. 23-022 and Resolution Serial No. 23-030. The motion passed by the following vote:

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

[OR 23-025](#)

An Ordinance Reappropriating \$141,095.89 From The Big Lake Boat Launch Project To The Sunshine Creek Road Completion Project.
RS 23-032: A Resolution Approving The Amended Scope Of Work And Budget For The Sunshine Creek Road Completion Project.
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 Fonov moved to adopt Ordinance Serial No. 23-025 and Resolution Serial No. 23-032. The motion passed by the following vote:

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

[OR 23-027](#)

An Ordinance Accepting And Appropriating 2022 January Mat-Su Windstorms Disaster Relief Monies In The Amount Of \$6,682.50 From The Federal Emergency Management Agency; And \$2,227.50 From The Alaska State Division Of Homeland Security And Emergency Management.
RS 23-034: A Resolution Approving The Scope Of Work And Budget For Fire Station Repairs Caused By The 2022 January Windstorms Disaster.

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 Fonov moved to adopt Ordinance Serial No. 23-027 and Resolution Serial No. 23-034. The motion passed by the following vote:

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

[OR 23-030](#) An Ordinance Amending MSB 2.71 To Prohibit Borough Officials From Taking Action Related To Contracts Involving Current Or Prior Employers.

Sponsors: Tew

Ms. McKechnie read the legislation into the record.

Nicholas Spiropoulos, Borough Attorney, 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 Tew moved to adopt Ordinance Serial No. 23-030

Assemblymember Nowers moved a primary amendment by striking "two years" and inserting in its place "one year" throughout the legislation. The primary amendment failed by the following vote:

Yes: 1 - Assemblymember Nowers

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

The main motion passed by the following vote:

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

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

The following person spoke to concerns with the need for him to have a special event permit for a 4th of July event on his private property due to not being located in the core area: Arnie Hrnair.

The following persons spoke to concerns with children having access to certain books at school libraries: Jackie Goforth, Cindy Hutchens, and Bruce Walden.

D. CONSENT AGENDA

1. RESOLUTIONS

[RS 23-040](#) A Resolution In Support Of Having A Social Security Office In The Borough.

Sponsors: DeVries

2. ACTION MEMORANDUMS

[AM 23-022](#) Approving The 95 Percent Design Of Mat-Su Central School.

[AM 23-023](#) Authorization To Renew A 3-Year License Agreement With Environmental Systems Research Institute, Inc. In The Amount Of \$335,118 For Geographic Information Services Software.

[AM 23-025](#) Approving An Amendment To The Lazy Mountain Road Service Area No.19 Road Improvement Project List for 2023.

[AM 23-026](#) Authorization To Renew With Tyler Technologies For The Period Of July 1, 2023, Through June 30, 2024, In The Amount Of \$262,800 For The Financial Software New World ERP.

[AM 23-027](#) Authorization To Renew A 3-Year License Agreement With Opengov Inc. In The Amount Of \$166,581.48 For Cartegraph Asset Management Software.

Ms. McKechnie read the legislation into the record.

Assemblymember Fonov 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 Fonov, and Assemblymember Bernier

IX. UNFINISHED BUSINESS

There was no unfinished business.

X. VETO

There were no vetoes.

XI. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing 04/18/23, Assembly Chambers)

[OR 23-002](#) An Ordinance Amending MSB 17.55 And MSB 17.80, To Allow Buildings To Be Built Within 75-Feet Of A Waterbody.

Sponsors: Yundt and Tew

[Clerk's Note: Ordinance Serial No. 23-002 was pulled from introduction at approval of the agenda.]

[OR 23-005](#) An Ordinance Prohibiting Onsite Consumption Of Marijuana Until Such Time As The State Of Alaska Adopts A Numerical Standard For Operating A Vehicle While Under The Influence Of Marijuana Or A Numerical Standard For The Presumption Of Being Under The Influence Of Marijuana.

Sponsors: Yundt

[OR 23-024](#) An Ordinance Extending The Time Limit For Completion Of Expiring Projects To June 30, 2024.

[OR 23-026](#) An Ordinance Approving A Reappropriation Of \$75,000 From The Fiscal Year 2023 Planning Division Operating Budget To Fund The Historic Preservation Plan Phase II And Board Of Fisheries.
RS 23-033: A Resolution Amending The Scope Of Work And Budget For The Historic Preservation Plan Phase II And Board Of Fisheries Proposal.

[OR 23-028](#) An Ordinance Providing For The Financing Not To Exceed \$204,518 Principal Amount Of Special Assessment Internal Service Funds For The Forest Lake Subdivision Natural Gas Local Improvement District No. 619, And Fixing Details Of Said Financing.
OR 23-029: An Ordinance Confirming The Assessment Roll For The Forest Lake Subdivision Natural Gas Local Improvement District No. 619 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.

[OR 23-031](#)

An Ordinance Extending The Date Of Completion For The Boroughwide Comprehensive Plan Update, Community Comprehensive Plan Update, Historic Preservation, Stormwater Management Plan, Transportation Planning, And Public Outreach, Education And Incentives To June 30, 2026.

RS 23-039: A Resolution Amending The Scope Of Work And Budget For The U-Med District Project And The Transportation Planning Project And Amending The Scope Of Work And Title For The Air Quality Public Outreach, Education And Incentives Sub-Project.

[OR 23-032](#)

An Ordinance Accepting And Appropriating An Additional \$5,548.84 From The Alaska State Division Of Homeland Security And Emergency Management Grant Program For Training.

RS 23-042: A Resolution Approving The Revised Scope Of Work And Budget For The Alaska State Division Of Homeland Security And Emergency Management Grant For Training.

Ms. McKechnie read the legislation into the record.

Assemblymember Fonov moved to introduce the legislation as read into the record by the Clerk and to set the public hearings for April 18, 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

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

[23-044](#)

Mayoral Requests for Confirmation

Enhanced 911 Advisory Board

Andrew Gorn

Parks, Recreation, and Trails Advisory Board

Susannah Lee McDuffie

Wastewater and Septage Advisory Board

Danny Louis Nolan

Assemblymember Fonov moved to confirm the appointments requested by the Mayor. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, 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.

XII. RECONSIDERATION

There were no reconsiderations.

XIII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Spiropoulos stated that it was nice to have a short meeting.

Assemblymember McKee thanked the public that spoke to concerns with inappropriate books in the school libraries.

Assemblymember Tew spoke to concerns with handouts provided to him by members of the public and to concerns with inappropriate books in school libraries.

Assemblymember Fonov thanked the public for their testimony. Noted that the book concerns was brought up at the Joint Assembly/School Board meeting. Advised that he spent some time talking with the Librarian from Wasilla High School to see how she spends her budget on new books. Spoke to concerns with inappropriate books in school libraries. Stated that he enjoyed the Eagle Scout presentation. Reiterated that Ryan Redington would be present for a meet-and-greet in two weeks.

Assemblymember Yundt noted that the Assembly does not have jurisdiction to dictate to the School District what books are in their libraries but they do over the books in Borough-owned libraries. Opined that the School District will make a choice about the books that are of concern. Thanked the body for the meeting.

Assemblymember Tew requested that the Attorney report on what jurisdiction the Assembly does have regarding libraries.

Mr. Spiropoulos advised that the Borough has libraries that it owns and controls. Stated that he would like to do more research and will report back to the body.

Assemblymember Nowers apologized for not being present for the meeting. Stated that she is looking forward to the Ryan Redington meet-and-greet.

Mr. Brown stated that it is important to not speak to things that the Assembly has no control over, such as what books the School District has in their libraries. Noted that parents are in charge of what books children have access to in Borough libraries. Opined that regulating books could be a challenge because there is no stopping point.

Assemblymember Bernier stated that he has been paying attention to the book that is of concern. Noted that it was in quite a few libraries in Anchorage. Stated that it is in the Willow Library but is checked out and has

not been brought back. Said a prayer.

XIV. EXECUTIVE SESSION

There was no executive session conducted.

XV. ADJOURNMENT

The meeting adjourned at 7:31 p.m.