

# 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, MAY 3, 2022

## I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, May 3, 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:** 7 - Assemblymember Tim Hale, Assemblymember Stephanie Nowers, Assemblymember Dee McKee, Assemblymember Robert Yundt, Assemblymember Mokie Tew, Assemblymember Jesse Sumner, and Assemblymember Ron Bernier

## III. APPROVAL OF AGENDA

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

**Assemblymember Hale moved to amend the agenda by taking up Ordinance Serial No. 22-056 as the first public hearing. The motion passed by the following vote:**

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

**Assemblymember Hale moved to remove Resolution Serial No. 22-044 from the consent agenda and move it to introductions. 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 queried if there were any other changes to the agenda.

The agenda was approved as amended.

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

The Pledge of Allegiance was led by Mayor DeVries.

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

There were no minutes presented.

#### **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 on the State's efforts on Fentanyl distribution.

###### **4. Library Board**

[22-099](#)

Library Board Report

Marci Hawkins, Library Board Member, reported on the activities of the Board.

##### **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**

Mike Brown, Borough Manager, noted that it was National Teacher appreciation day and spoke to his appreciation of the educators in the valley. Provided an update regarding Port MacKenzie and possible regional port authority and economic development of the area.

### **3. Port MacKenzie Update**

[22-096](#)

Port MacKenzie Update Presentation

Mike Brown, Borough Manager, spoke to his appreciation of educators in the Borough. Noted that today is Teacher Appreciation Day. Reported on the status of the possible regional port authority and the possible economic development area.

## **D. ATTORNEY COMMENTS**

There was no report provided.

## **E. CLERK COMMENTS**

Lonnie McKechnie, Borough Clerk, spoke to the upcoming meeting schedule. Requested that the Assembly schedule a meeting on July 26, 2022, to certify the special election.

Mayor DeVries queried if there was any objection to scheduling that meeting.

There was no objection noted.

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

[22-091](#)

1. Big Lake RSA Board of Supervisors: 03/09/22, 03/16/22
2. Board of Adjustment and Appeals: 03/14/22, BOAA 22-01 Final Decision
3. Butte FSA Board of Supervisors: 01/17/22
4. Chase Community Council: 02/02/22
5. Enhanced 911 Advisory Board: 02/08/22, 02/22/22
6. Greater Butte RSA Board of Supervisors: 01/13/22
7. Greater Talkeetna RSA Board of Supervisors: 03/10/22
8. Knik-Fairview Community Council: 03/16/22
9. Planning Commission: 04/04/22, Resolution Nos. 22-05, 22-09
10. South Colony RSA Board of Supervisors: 01/12/2022
11. Susitna Community Council: 03/03/22
12. Sutton Community Council: 01/26/22, 02/23/22

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

## **G. INFORMATIONAL MEMORANDUMS**

[IM 22-075](#)

Reporting The Conclusion Of Contract For Bid No. 21-181B With Rain Proof Roofing For A Final Contract Amount Of \$176,935 For The Dorothy Swanda Jones Administration Building, Geographical Information Services Area Roof Replacement Project.

[IM 22-106](#)

Advising The Assembly Of The Manager's Signature On Contract Addendum No. 24 With Glacier View Transportation For Ambulance Storage For An Amount Of \$3,600 For The Period Of July 1, 2022, To June 30, 2023.

[IM 22-113](#)

Informing The Assembly Of The Managers Signature On A Letter Of Intent And On A Grant Application Under The Rural Energy Pilot Program, For The Port MacKenzie Tidal Energy Project.  
The informational memorandum was presented and no comments were noted.

## **VII. SPECIAL ORDERS**

### **A. PERSONS TO BE HEARD (MSB 2.12.081; Three Minutes Per Person.)**

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

[OR 22-056](#)

An Ordinance Approving A Less Than Fair Market Value Sale Of Borough-Owned Property Identified As Government Lot 2 And Lot 3, And Parcel 1 And Parcel 2, Of Section 1, Township 16 North, Range 3 West, Seward Meridian, For One Dollar To Alaska SCTP Non-Profit Corporation For The Purpose Of The Development Of A Youth Shooting Range; And The Dual Land Classification Of Borough-Owned Property Identified As Tax Id 16N03W01A001, Section 1, Township 16 North, Range 3 West, Seward Meridian, As Forest Management And General Purpose.

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

Joe Metzger, Land Management Specialist, provided a staff report.

Mayor DeVries opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 22-056: Jim Bolgiano, Paxton Crum, Fisher Crum, Johnny Murdoch, Drake Lousberg, Addison Strzempka, Dan Henkel, Brian Endle, Westin Crum, Carl Navada, Neil Moss, Lindy Moss, Dana Frey, Linn McCabe, Peter Stein, Cheryl Miller, Ashley Schaefer, Russell Grandell, and Lori Williamson.

The following persons spoke in opposition of Ordinance Serial No. 22-056: Jesse Hooper, Clay Chapman, Charlie Eliessen, Kelly Fitzgerald, and Dave Musgrave.

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

**Assemblymember Tew moved to adopt Ordinance Serial No. 22-056.**

**Assemblymember Sumner 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 meeting recessed at 8:02 p.m. and reconvened at 8:14 p.m.

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

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

[OR 22-049](#) An Ordinance Accepting And Appropriating \$3,300 Revenue From The Sale Of External Hard Drives Of Aerial Imagery/Lidar Data For The Aerial Imagery Acquisition Program.

RS 22-039: A Resolution Approving The Scope Of Work And Budget For The Aerial Imagery Acquisition Program.

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

Eric Wyatt, Information Technology 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. 22-049 and Resolution Serial No. 22-039.**

**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 22-050](#) An Ordinance Accepting And Appropriating Additional Disaster Relief Funds For The 2018 November Cook Inlet Earthquake.

RS 22-041: A Resolution Amending The Budget For Additional Disaster Relief Funds For The 2018 November Cook Inlet Earthquake.  
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. 22-050 and Resolution Serial No. 22-041. 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 22-052](#)

An Ordinance Authorizing The Manager To Sign All Documents Necessary To Transfer Any And All Interest The Borough Has For Platted Right-Of-Way Located Within Section 19, Township 26 North, Range 4 West, Seward Meridian, Identified As Tracts VIII, VIIIA, XII-A, And XII-B To The Alaska State Department Of Transportation And Public Facilities To Meet Federal Aviation Administration Grant Assurances In Accordance With an Alaska State Department of Transportation and Federal Aviation Administration Grant Agreement For Talkeetna Airport Right-Of-Way Acquisition.  
Lonnie McKechnie, Borough Clerk, read the legislation into the record.

Terry Dolan, Public Works 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. 22-052. 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 22-055](#)

An Ordinance Accepting And Appropriating Additional Grant Funding In The Amount Of \$132,000 From The Alaska State Division Of Forestry To Operate Collection Sites And Dispose Of Dead Slash From Beetle Killed Trees For Mat-Su Residents.

RS 22-042: A Resolution Approving The Extended Performance Period And Revised Budget For The Alaska State Division Of Forestry Grant To Operate Collection Sites And Dispose Of Dead Slash From Beetle Killed Trees For Mat-Su Residents.

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

Terry Dolan, Public Works 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 22-055 and Resolution Serial No. 22-042. 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. AUDIENCE PARTICIPATION (Three Minutes Per Person.)**

The following person spoke to concerns with amendments Matanuska Electric Association made to their by-laws: Bud Ederanski.

**D. CONSENT AGENDA**

**1. RESOLUTIONS**

[RS 22-046](#)

A Joint Resolution Of The Matanuska-Susitna Borough And The Anchorage Municipal Assembly In Support Of House Bill 350 To End The School Bond Debt Reimbursement Moratorium.

**Sponsors:** Sumner

**2. ACTION MEMORANDUMS**

[AM 22-036](#)

Authorizing The Borough Manager To Enter Into An Agreement With Delta Medical, LLC. In An Annual Contract Amount Of \$15,000 For Emergency Medical Services In The Lake Louise Area For The Contract Period Of July 1, 2022, To June 30, 2027.



[AM 22-037](#) Approval Of Contract Amendment No. One To Contract No. 21-131P With Lounsbury & Associates, Inc. In The Amount Of \$15,960 To Design Caswell Creek Fish Passage At Hidden Hills Road, To Add Additional Services For Phase I Archeological Survey.

[AM 22-038](#) Authorizing The Borough Manager To Enter Into Contract Addendum No. 3 With The City Of Palmer In The Amount Of \$555,906 For Fire Protection Services For The Contract Period Of July 1, 2019, To June 30, 2024, For Fiscal Year 2023.

[AM 22-039](#) Award Of Bid No. 22-126B To Northern Asphalt Construction, Inc. In The Contract Amount Of \$392,443 To Improve Emswiler Drive And Sunday Drive.  
Lonnie McKechnie, Borough Clerk, read the consent agenda into the record.

**Assemblymember Sumner moved to approve the consent agenda as read into the record by the Clerk with the exception of AM 22-040. 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 22-040](#) Award Of Bid No. 22-123B To Valley General Construction, LLC. In The Contract Amount Of \$778,653 To Improve East Wolverine Avenue, East Porcupine Avenue, And East Beaver Avenue.  
CONFLICT OF INTEREST: Assemblymember Sumner declared a conflict of interest as he owns property on Beaver Avenue.

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

Assemblymember Sumner exited the meeting.

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

**Assemblymember Nowers moved to adopt AM No. 22-040. The motion passed by the following vote:**

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

**Recused:** 1 - Assemblymember Sumner  
Assemblymember Sumner re-entered the meeting.

[RS 22-045](#) A Resolution Requesting That The Alaska State Department Of Commerce, Community, And Economic Development, Division Of Community And Regional Affairs, Enter Into A Community Development Block Grant - Disaster Recovery Subrecipient Agreement With The Cook Inlet Housing Authority On Behalf Of The Borough For Proposed Low-To-Moderate Income Housing Developments In The Borough.  
Lonnie McKechnie, Borough Clerk, read the legislation into the record.

**Assemblymember McKee moved to adopt Resolution Serial No. 22-045. The motion passed by the following vote:**

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

**No:** 2 - Assemblymember McKee, and Assemblymember Sumner

[RS 22-051](#) A Resolution In Support Of The Ukraine Relief Program By New Chance, Inc. To Relocate Ukrainian Refugees To Alaska And Welcoming Those Displaced To Our Community.

**Sponsors:** Sumner

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

**Assemblymember McKee moved to adopt Resolution Serial No. 22-051. 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 22-035](#) Award Of Bid No. 22-089C To Swickard Alaska II, LLC. In The Contract Amount Of \$200,880 To Purchase Command Vehicles For The Department of Emergency Services.  
Lonnie McKechnie, Borough Clerk, read the legislation into the record.

**Assemblymember McKee moved to adopt AM No. 22-035.  
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 22-041](#) Approval Of Increase And Time Extension For Contract No. 21-045C With PND Engineers, Inc. For The Port MacKenzie Damage Repair And Construction Management Services Project.  
Lonnie McKechnie, Borough Clerk, read the legislation into the record.

**Assemblymember McKee moved to adopt AM No. 22-041.  
The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Hale, Assemblymember Nowers,  
Assemblymember McKee, Assemblymember Yundt,  
Assemblymember Tew, Assemblymember Sumner, 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 05/17/22, Assembly Chambers)**

[RS 22-044](#) A Resolution Declaring The Opposition Of The Borough To Any Appropriation Of Funds To Enforce A Federal Statute, Regulation, Rule, Or Order Adopted, Enacted, Or Otherwise That Seeks To Limit A Law-Abiding Citizen's Right To Keep And Bear Arms.

**Sponsors:** Hale

[OR 22-051](#) An Ordinance Adopting MSB 1.10.300, To Require Voter Ratification Of Any Ordinance Regulating The Discharge Of Firearms.

**Sponsors:** Yundt

[OR 22-053](#) An Ordinance Approving A Land Exchange Between The Borough And Joan B. Dastou Trust B For The Purpose Of Acquisition Of West Papoose Twins Road Right-Of-Way And Land Lying North Of And Adjacent To That Portion Of The Road Located Within Dastou Trust B Land; And Authorizing The Manager To Execute All Necessary Documents To Implement The Land Exchange.

[OR 22-054](#) An Ordinance Approving A Time Extension Through 2027 Of The Current Land Classification On Borough-Owned Land Located In Palmer South Of The School District Administration Building To Allow Additional Planning By Palmer Little League For A Potential Indoor Baseball Facility On Said Land.

[OR 22-058](#) An Ordinance Extending The Time Limit For Completion Of Expiring Project Funds For One Year.

[OR 22-059](#) An Ordinance Accepting And Appropriating COVID-19 Disaster Relief Funds Of \$23,037.75 From The Federal Emergency Management Agency.  
RS 22-047: A Resolution Approving The Amended Budget For COVID-19 Disaster Relief Funds.

[OR 22-060](#) An Ordinance Appropriating Additional Funds For Planning Department On-Call Positions.  
RS 22-048: A Resolution Amending The Scope Of Work And Budget For Project No. 47513, Planning Department On-Call Positions; And Extending The Date Of Completion To June 30, 2025.

[OR 22-061](#) An Ordinance Accepting And Appropriating \$329,359.58 For The 2018 November Cook Inlet Earthquake, Port MacKenzie Facilities Repair Project.  
RS 22-050: A Resolution Amending The Budget For Project No. 55027, 2018 November Cook Inlet Earthquake, Port MacKenzie Facilities.

[OR 22-062](#) An Ordinance Amending MSB 17.05, Essential Service Utilities, To Exclude The Port MacKenzie Special Use District.  
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 May 17, 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**

[22-093](#)

Mayoral Requests for Confirmation

Library Board

Joanna Walch

Road Service Area Task Force 2022

Gerard Billinger, resignation

Jedediah Cox

Mark Fish, resignation

Stephen Edwards

**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**

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**

[OR 22-036](#)

An Ordinance Approving The Less Than Fair Market Value Sale Of Borough-Owned Real Property Identified As The Peggy Lake Residential Camp To The Anchorage Community Y.M.C.A.

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

**Assemblymember McKee moved to reconsider Ordinance Serial No. 22-036, which was previously adopted on April 19, 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

**Assemblymember McKee moved to postpone Ordinance Serial  
No. to June 21, 2022.**

**Assemblymember McKee moved a primary amendment by  
striking "June 21, 2022" and inserting "October 18, 2022" in its  
place. 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 motion to postpone passed as amended by the following vote:**

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

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

Assemblymember McKee stated that she is happy the meeting adjourned before midnight.

Assemblymember Bernier echoed Assemblymember McKee's sentiments.

Mike Brown, Borough Manager, thanked the Land Management team who worked very hard for a long time to bring the youth shooting range to fruition. Commented that they did a great job.

Assemblymember Yundt thanked the body for moving budget deliberations from May 5 to May 4. Opined that even without amendments, that the Manager's budget is a great one.

Assemblymember Nowers thanked staff for their hard work on the budget. Requested that members get their amendments to the Clerk in advance so that the body will have time to review them. Spoke to the coming Air Tanker Drop, which kicks off Wildland and Fire Prevention and Preparedness week.

Assemblymember Sumner stated that he does not see any solid reasons that the Peggy Lake parcel should not go to the Mat-Su YMCA instead of Anchorage. Noted that they could then make an agreement with the Anchorage YMCA. Spoke to his pleasure in the budget that the Manager presented.

## **XIII. EXECUTIVE SESSION**

There was no executive session conducted.

## **XIV. ADJOURNMENT**

The meeting adjourned at 9:15 p.m.