

# 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, SEPTEMBER 5, 2023

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## I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, September 5, 2023, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:03 p.m. by Mayor Edna DeVries.

## II. ROLL CALL

**Present:** 4 - Assemblymember Stephanie Nowers, Assemblymember Dee McKee, Assemblymember Mokie Tew, and Assemblymember Ron Bernier

**Excused:** 1 - Assemblymember Robert Yundt

**Telephonic:** 1 - Assemblymember Tim Hale

## III. APPROVAL OF AGENDA

The agenda was approved as presented without objection.

## IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Assemblymember Tew.

## V. MINUTES OF PRECEDING MEETINGS

[23-102](#)

A. Assembly Regular Meeting Minutes: 08/01/23

B. Assembly Special Meeting Minutes: 08/08/23

C. Assembly Regular Meeting Minutes: 08/15/23

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 was no report 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, expressed appreciation for the Assembly participating in the signing of Senate Bill 8, titled "An Act relating to a lumber grading training program and lumber grading certificates; relating to use of lumber graded and certified by a person holding a lumber grading training program certificate." Noted that Governor Dunleavy appointed former Assembly Member Steve Colligan to the Board of Regents due to his extensive knowledge of drone technology.

#### **4. Mat-Su Convention and Visitor's Bureau**

Casey Ressler, Mat-Su Convention and Visitor's Bureau Executive Director, reported on the activities of the Bureau to hire a new executive director.

### **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

There was no report provided.

### D. ATTORNEY COMMENTS

There was no report provided.

### E. CLERK COMMENTS

Ms. McKechnie spoke to the upcoming meeting schedule and pertinent election dates. Advised that her office is still actively seeking election officials, as there are not enough at this time.

### F. CITIZEN AND OTHER CORRESPONDENCE

#### 23-103

1. Abbreviated Plat: 08/09/23, 08/16/23
2. Big Lake Community Council: 07/11/23
3. Big Lake RSA Board of Supervisors: 04/12/23, 05/08/23, 05/17/23, 6/12/23, Resolution Nos. 23-04, 23-06
4. Knik RSA Board of Supervisors: 08/07/23
5. Platting Board: 07/06/23, 07/20/23
6. Planning Commission: Resolution Nos. 23-25, 23-26, 23-33

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

### G. INFORMATIONAL MEMORANDUMS

#### IM 23-186

Notification Of Certification Of 2023 Regular Real Property, Personal Property, Oil And Gas Properties, Exempted Properties, And Board Of Equalization Actions.

#### IM 23-190

Informing The Assembly Of The Manager Entering Into An All-Cash Purchase Agreement With A Lease To Purchase By Application The Alaska Division Of Lands, Lease No. 41916, For The Fee Simple Estate Of Borough-Owned Lands.

#### IM 23-191

Informing The Assembly Of Grant Amendment No. 5 For PW137 Of The 2018 November Cook Inlet Earthquake Disaster Titled Point Mackenzie Rail Project, To Be Presented To The Manager For Signature.

#### IM 23-193

Informing The Assembly Of Managers Signature On And Submittal Of The Annual Emergency Management Performance Grant Application.

[IM 23-194](#)

Informing The Assembly Of The Managers Signature On And Submittal Of A Federal Fiscal Year 2022 State And Local Cybersecurity Grant Application.

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.)**

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

[OR 23-081](#)

An Ordinance Amending MSB 2.52.280(A), Administrative Leave, To Change Military Leave Time To Working Hours Instead Of Working Days.

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 Nowers moved to adopt Ordinance Serial No. 23-081.**

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

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

[OR 23-082](#)

An Ordinance Approving The Sale Of Real Property Acquired Through Tax Foreclosure For Delinquent Real Property Tax Year 2017 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 Nowers moved to adopt Ordinance Serial No. 23-082.**

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

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

[OR 23-083](#)

An Ordinance Reappropriating \$158,000 From The Brett Memorial Ice Arena Roof Replacement Project, To the Brett Memorial Ice Arena Lighting and Ceiling Barrier Replacement Project.

RS 23-089: A Resolution Approving The Scope Of Work And Budget For The Brett Memorial Ice Arena Lighting And Ceiling Barrier Replacement 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 Nowers moved to adopt Ordinance Serial No. 23-083 and Resolution Serial No. 23-089.**

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

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

[OR 23-084](#) An Ordinance Amending MSB 5.25.032, Service Area No. 17: Knik Road Service Area, To Provide For A Five-Member Board Of Supervisors.

**Sponsors:** Tew

Ms. McKechnie read the legislation into the record and 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. 23-084.**

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

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

[RS 23-093](#) A Resolution Approving A Portion Of The Issuance Of The Public Finance Authority Revenue Bonds, Series 2023 (Aurora Integrated Oncology Foundation) In A Maximum Aggregate Par Amount Not To Exceed \$250,000,000.

**Sponsors:** Yundt, Fonov and Bernier

Ms. McKechnie read the legislation into the record.

Mr. Spiropoulos, Borough Attorney, provided a staff report.

Mayor DeVries opened the public hearing.

The following persons spoke in support of Resolution Serial No. 23-093: Sherry Henshaw, Aurora Integrated Oncology Foundation; and Dr. John Halligan, Senior Medical Director of Aurora Integrated Oncology Foundation.

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

**Assemblymember Nowers moved to adopt Resolution Serial No. 23-093.**

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

**Yes:** 4 - Assemblymember Hale, Assemblymember McKee, Assemblymember Tew, and Fonov

**No:** 2 - Assemblymember Nowers, and Assemblymember Bernier

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

The following person spoke in support of increased recycling efforts in the Borough: Travis Friesen.

The following person spoke to concerns with Ordinance Serial No. 23-080: Jennifer Castro, Public Relations Manager for Matanuska Electric Company.

### **D. CONSENT AGENDA**

#### **1. RESOLUTIONS**

[RS 23-091](#) A Resolution Directing The Manager To Waive Land Use Permit Fees For The Mat-Su Ski Club.

[RS 23-092](#) A Resolution Reappropriating \$17,500 From The Trails Construction, Repair, and Maintenance Project; Approving The Scope Of Work And Budget For A Grant To The Mat-Su Ski Club; And Authorizing The Manager To Sign A Grant Agreement With The Mat-Su Ski Club.

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

[AM 23-096](#) Award Of Bid No. 24-009B To Consolidated Contracting And Engineering In The Contract Amount Of \$132,999 To Supply And Install Vehicle Exhaust Systems At Fire Stations 3-3 And 3-5.

[AM 23-097](#) Approve The Cost Of \$121,158.14 To MTA Communications LLC. For Utility Relocation Services For The Erica Drive Improvements Project.

[AM 23-098](#) Authorizing the Manager to Enter Into An Agreement With Tyler Technologies For An Enterprise Permitting And Licensing Solution In The Amount Of \$487,165.

[AM 23-099](#) Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications.

- [AM 23-100](#) Award Of Bid No. 24-023B To Nodak Electric And Construction, Inc. In The Contract Amount Of \$150,600 To Install Premanufactured Restrooms At Talkeetna Village Park.
- [AM 23-101](#) Award Of Bid No. 24-030B To JTA Construction, LLC. In The Contract Amount Of \$113,063 To Construct Parking Lot Improvements At Public Safety Building 8-2.
- [AM 23-102](#) Award Of Bid No. 24-031B To Scarsella Brothers In The Contract Amount Of \$2,140,110 To Construct The New Central Landfill Entrance.
- [AM 23-103](#) Approve Utility Relocation Costs To MTA Communications LLC. In The Amount Of \$ 327,425.24 For The Paradise Lane And Duke Dale Circle Project.
- [AM 23-104](#) Authorization To Purchase Sodium Chloride (Road Salt) From Northern Gravel And Trucking In The Amount Of \$272,800.
- [AM 23-105](#) Award Of Bid No. 24-028Q To The Boutet Company, Inc. In The Contract Amount Of \$148,730 To Design Repairs For Damages To The Demaree Circle Bridge Over Cottonwood Creek And The Sushana Drive Bridge Over The Little Susitna River.
- [AM 23-106](#) Award Of Bid No. 24-029B To K & H Civil Constructors, LLC. In The Contract Amount Of \$313,611.70 To Construct Improvements To West Papoose Twins Road.

Ms. McKechnie read the legislation into the record.

**Assemblymember Nowers 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 Tew, Fonov, and Assemblymember Bernier

## **VIII. UNFINISHED BUSINESS**

There was no unfinished business.

## IX. VETO

Mayor DeVries vetoed Resolution Serial No. 23-093.

**Assemblymember Fonov moved to postpone any possible motion to override the Mayoral Veto to September 26, 2023.**

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

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

## X. NEW BUSINESS

### A. INTRODUCTIONS (For Public Hearing 09/26/23, Assembly Chambers)

[OR 23-068](#) An Ordinance Adopting MSB 15.24.030(B)(12)(A), Matanuska-Susitna Borough Bicycle And Pedestrian Plan.

[OR 23-074](#) An Ordinance Amending MSB 15.24.030(B)(44); 2023 Coordinated Human Services Transportation Plan.

[OR 23-080](#) An Ordinance Amending MSB 17.05 Essential Service Utilities By Providing Additional Processes And Standards For Approval.

**Sponsors:** Hale

Ms. McKechnie read the legislation into the record.

**Assemblymember Nowers moved to introduce the legislation as read into the record by the Clerk and to set the public hearings for September 26, 2023.**

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

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

### B. MAYORAL NOMINATIONS AND APPOINTMENTS

#### 1. VACANCY REPORT

[23-105](#)

Mayor Requests for Confirmation

West Lakes FSA No. 136

Kenneth Widmer, resignation

Alpine RSA No. 31

Julie Morgan, resignation

**Assemblymember Nowers moved to confirm the resignations requested by the Mayor.**

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

**Yes:** 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Tew, 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.

### **XI. RECONSIDERATION**

There were no reconsiderations.

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

Assemblymember Fonov stated that he is looking forward to taking up the veto at the next meeting. Expressed his desire that members who were opposed will find answers to their concerns.

Assemblymember Nowers shared that she went to the fair twice. Spoke to her enjoyment of the events and activities that the fair offers. Stated that she is happy to hear that bed tax revenue is increasing.

Assemblymember McKee thanked Travis Friesen for his testimony in support of recycling.

Assemblymember Bernier said a prayer.

### **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**

**Assemblymember Nowers moved to enter into executive session for matters, which the immediate public knowledge of which 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, in particular to discuss snow removal claims submitted by road service area contractors. Those present during the executive session were the Mayor, the Assembly, the Manager, the Attorney, the Clerk, the Deputy Manager, the Purchasing Officer, the Finance Director, and the Public Works Director.**

**There was no objection noted and the Assembly entered into executive session at 7:20 p.m.**

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

**There was no objection noted and the Assembly exited executive session at 8:58 p.m.**

#### **XIV. ADJOURNMENT**

The meeting adjourned at 8:59 p.m.