

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, MARCH 21, 2023

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, March 21, 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: 5 - Assemblymember Stephanie Nowers, Assemblymember Dee McKee, Assemblymember Robert Yundt, Assemblymember Mokie Tew, and Assemblymember Dmitri Fonov

Telephonic: 2 - Assemblymember Tim Hale, and Assemblymember Ron Bernier

III. APPROVAL OF AGENDA

Mayor DeVries held a moment of silence due to the passing of Mr. Benny Cottle.

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

Mike Brown, Borough Manager, requested to remove AM 23-022 completely from the agenda to bring back.

Mayor DeVries queried if there was any objection.

There was no objection noted.

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

The agenda was approved as amended without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor DeVries.

V. MINUTES OF PRECEDING MEETINGS

[23-030](#)

A. Regular Assembly Meeting: 02/21/23

B. Regular Assembly Meeting: 03/07/23

The minutes were approved as presented without objection.

VI. SPECIAL ORDERS OF THE DAY

A. Proclamation in Recognition of Education and Sharing Day

[23-037](#)

Proclamation in Recognition of Education and Sharing Day

Mayor DeVries read the proclamation into record.

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 was no report provided.

3. State of Alaska

Mr. Todd Smoldon, Executive Director of Governor Dunleavy's Mat-Su Office, reported on the spring revenue forecast and spoke to the Glen Highway Expansion. Reported on legislation for increased Trooper and other drug detection presence at airports and Fentanyl legislation.

4. Rasmuson Foundation - Advance Broadband Statewide Presentation

[23-038](#)

Rasmuson Foundation - Advance Broadband Statewide Presentation

Rachwl Kallander, J.D and Kristina Wollston of Kallander & Associates gave a presentation.

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

Mr. Brown spoke to the Houston High School ribbon cutting ceremony. Introduced John Weir, Principal Architect with MCG Explore Design. Mr. Weir provided a presentation on the 95% design for the Mat-Su Central School.

1. State/Federal Legislation

2. Strategic Planning Issues

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

Ms. McKechnie spoke to the upcoming meeting schedule and reminded the Assembly of the Joint Assembly School Board Meeting to be held Tuesday, March 28.

F. CITIZEN AND OTHER CORRESPONDENCE

[23-031](#)

1. Abbreviated Plat: 03/01/23, 03/08/23
2. Fishhook Community Council: 10/20/22, 12/19/22, 01/05/23, 01/19/23, 02/06/23, 03/06/23
3. Greater Talkeetna Road Service Board of Supervisors: 01/12/23
4. North Lakes Community Council: 01/26/23
5. Susitna Community Council: 01/05/23
6. Sutton Community Council: 12/28/22, 01/25/23
7. Tanaina Community Council: 02/28/23

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

G. INFORMATIONAL MEMORANDUMS

[IM 23-048](#)

Reporting Conclusion Of Contract No. 22-012B With Tutka LLC. For The Port MacKenzie Earthquake Repairs Project.

[IM 23-051](#)

Reporting The Conclusion Of Contract For Bid No. 22-139B(A) With Ficklin Construction, LLC. In The Final Contract Amount Of \$323,400 For The Big Lake Elementary Waterline Repair.

[IM 23-054](#)

Reporting Conclusion of Contract No. 22-002B With Hamilton Construction Alaska Company For a Total Contract Amount Of \$1,143,369.15 For the Point Mackenzie Rail Extension Bridge Repairs Project.

[IM 23-055](#)

Reporting Conclusion of Contract No. 22-126B with Northern Asphalt Construction Inc. For a Total Contract Amount of \$339,150.77 For the Emswiler Drive and Sunday Drive Road Improvements Project.

[IM 23-061](#)

Informing The Assembly Of The Managers Signature On Five Grant Applications For Submission To The Alaska State Library For The Alaska Public Library Assistance Grants.

The informational memorandums were presented and no comments were noted.

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 22-131](#) An Ordinance Amending MSB 17.30, Conditional Use Permit For Earth Materials Extraction Activities, To Allow For An Exemption Of 10,000 Cubic Yards Annually Without A Permit.

Sponsors: Tew

Ms. McKechnie read the legislation into record.

Assemblymember Tew moved to postpone Ordinance Serial No. 22-131 indefinitely. 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 23-007](#) An Ordinance Repealing MSB 4.10, Aviation Advisory Board, And Changing The Composition Of The Transportation Advisory Board To Include A Seat For Aviation Interests.

Ms. McKechnie read the legislation into record.

Alex Strawn, Planning and Land Use Director, provided a staff report.
gave a staff report.

Mayor DeVries opened the public hearing.

The following person spoke in support of Ordinance Serial No. 23-007:
David Palmer, Chair of the Aviation Board.

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

Assemblymember Yundt moved to adopt Ordinance Serial No. 23-007. The motion passed by the following vote:

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

No: 1 - Assemblymember Hale

[OR 23-015](#)

An Ordinance Accepting And Appropriating Additional Funds Of \$382,762 From The Alaska State Department Of Military And Veterans Affairs, For Emergency Federal Highway Administration Road Repairs Caused By The 2018 November Cook Inlet Earthquake Disaster.

RS 23-020: A Resolution Approving The Amended Scope Of Work And Budget For Emergency Road Repairs Caused By The 2018 November Cook Inlet Earthquake 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 Yundt moved to adopt Ordinance Serial No. 23-015 and Resolution Serial No. 23-020. 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 23-016](#)

An Ordinance Amending MSB 5.25.059, To Annex Parcel Nos. 220N05W11D002 And 219N02W08A003 Into The Willow Fire Service Area No. 35.

RS 23-023: A Resolution Finding The Annexation Of Two Properties (220N05W11D002 And 219N02W08A003) Into The Willow Fire Service Area. No. 35 Serves The Public Interest.

Sponsors: Bernier

Ms. McKechnie read the legislation into the record.

Lonnie McKechnie, Borough Clerk, provided a staff report.

Mayor DeVries opened the public hearing.

The following person spoke in support of Ordinance Serial No. 23-016:
Brett Walker

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

Assemblymember Bernier moved to adopt Ordinance Serial No. 23-016 and Resolution Serial No. 23-023. The motion passed without objection by the following vote:

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

[OR 23-017](#)

An Ordinance Amending MSB 3.08.270, Open Market Procedure.
Ms. McKechnie read the legislation into the record.

Russ Kraft, Purchasing Director, provided a staff report.

Mayor DeVries opened the public hearing.

The following person spoke in support of Ordinance Serial No. 23-017:
Steve Edwards.

The following persons spoke to concerns with Ordinance Serial No.
23-017: Andrew Traxler and Dick Clippard.

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

**Assemblymember Yundt moved to adopt Ordinance Serial No.
23-017.**

**Assemblymember Yundt moved a primary amendment to
insert section (F), For informal procurements with an estimated
value exceeding \$15,000, the purchasing officer shall provide
notice via the borough's electronic procurement system, to all
persons who indicate interest in supplying goods or services to
the borough, whenever practicable. The failure of any person
to receive notice under this subsection shall not affect the
validity of any award or contract.**

The primary amendment passed by the following vote:

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

**Assemblymember McKee moves a primary amendment to
strike section (E), the primary amendment passed by the
following vote:**

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

The main motion passed as amended 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 in support of the Road Service Area Task Force: Patty Fisher.

The following person spoke to concerns with marijuana use in the Borough: Andrew Martin.

The following person requested serial numbers on ballots and spoke to concerns with grand juries and their duties: John Miller.

The following person spoke to concerns with pornography in libraries and concerns with a conflict of interest and nepotism of Assemblymember Tew: Jackie Goforth.

The following persons spoke in support of holding a public hearing for Resolution 23-036 : Steve Edwards and Cindy Bettine.

The following person spoke to the benefit of marijuana and spoke in opposition of banning books in libraries: Joshua Hullbrook.

The following person suggested a repeal of MSB 17.30 Permit Process: Dick Lipard.

The following person thanked Assemblymember Tew for his motion to postpone the gravel ordinance indefinitely and spoke to the conditional use permit process and to concerns with pornography in libraries: Cindy Hudgins.

The following person spoke to a timber sale negotiation that will produce homes in the Borough. Spoke to the difficulty in obtaining a gravel conditional use permit and the need of a new gravel ordinance: Andrew Thresler.

The following person spoke to gravel sales, gravel taxation, property owner rights, and to the harmful symptoms of marijuana: Joseph Hawkins.

D. CONSENT AGENDA

1. RESOLUTIONS

- [RS 23-025](#) A Resolution Amending The Land And Resource Management Division Policy And Procedures Manual.
- [RS 23-026](#) A Resolution Authorizing The Submittal Of A Loan Application To The Alaska State Department Of Environmental Conservation Drinking Water State Revolving Fund Program For \$1,500,000 For Talkeetna Water Facility Upgrade.
- [RS 23-027](#) A Resolution Recommending Projects For The Alaska Department Of Transportation And Public Facilities, Community Transportation Program And The Transportation Alternative Program.
- [RS 23-028](#) A Resolution Approving The Amended Budgets For The Clapp-Mack Road Extension Project And The Old Glenn Pathway Phase 2 Project.
- [RS 23-031](#) A Resolution Amending Budgets For Outside Lighting Upgrade And Dorothy Swanda Jones Building Flooring Repair And Replacement Projects.
- [RS 23-035](#) A Resolution Requesting That The Alaska State Department Of Natural Resources Expedite The Permitting Process For Construction Of A Bus Accessible Road In Time For The 2024 Arctic Winter Games.

Sponsors: Hale

- [RS 23-038](#) A Resolution Adding To The 2023 State Legislative Priorities Requesting That The State Of Alaska Review And Update The Processes And Procedures To Keep Voter Registration Accurate.

Sponsors: Nowers

2. ACTION MEMORANDUMS

[AM 23-019](#) Award Of Proposal No. 23-035P To Burkhart Croft Architects, LLC.; Architects Alaska, Inc.; And Stantec Architecture, Inc. In The Contract Amount Not To Exceed \$500,000 Per Year, Per Firm, To Support Various Construction Projects Design And Development.

[AM 23-020](#) Approval Of Contract Extension For Contract No. 22-080P With HDR Engineering, Inc., To Extend The Final Completion Date To September 30, 2023 For The Urbanized Area Corridor Study.

[AM 23-021](#) Authorization To Purchase Network Security Appliances From World Wide Technology, LLC. for the amount of \$213,370.72.

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

[Clerk's Note: Action Memorandum 23-022 was removed from the agenda at the approval of the agenda.]

Ms. McKechnie read the consent agenda into the record.

Assemblymember Yundt 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

[RS 23-036](#) A Resolution Directing The Manager To Start Implementing The Recommendations Of The Road Service Area Task Force.

Sponsors: Tew

Ms. McKechnie read the legislation into the record.

Assemblymember Hale moved to adopt Resolution 23-036.

Assemblymember Hale moved to postpone Resolution Serial No. 23-036 to April 4, 2023. The motion failed by the following vote:

Yes: 3 - Assemblymember Hale, Assemblymember Nowers, and Assemblymember Yundt

No: 4 - Assemblymember McKee, Assemblymember Tew, Assemblymember Fonov, and Assemblymember Bernier

Assemblymember Hale moved a primary amendment to Resolution Serial No. 23-036 to update the "Now, Therefore Be It Resolved, to read Now Therefore, Be it Resolved, that the Assembly directs the Manager to continue implementing changes as recommended by the Road Service Area Task Force." The primary amendment passed by the following vote:

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

The main motion passed as amended by the following vote:

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

[AM 23-018](#) Award Of Bid No. 23-049B To Western Construction And Equipment In The Amount Of \$2,735,250 For Annual Operation And Compaction At Central Landfill.

Ms. McKechnie read the legislation into the record.

Assemblymember Tew moved to adopt AM 23-018.

Assemblymember Tew moved to postpone AM 23-018 to April 4, 2023. The motion failed by the following vote:

Yes: 1 - Assemblymember Bernier

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

The main motion passed by the following vote:

Yes: 4 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Yundt, and Assemblymember Fonov

No: 3 - Assemblymember McKee, Assemblymember Tew, and Assemblymember Bernier

IX. UNFINISHED BUSINESS

There was no unfinished business.

X. VETO

There were no vetoes presented.

XI. NEW BUSINESS

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

[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.

[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.

[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.

[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.

[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.

[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.

[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.

[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.

Assemblymember Yundt moved to introduce the legislation as read into the record by the Clerk and to set the public hearings for April 4, 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

Mayoral Requests for Confirmation

Ms. McKechnie read the mayoral requests for confirmation into record.

Parks, Recreation, and Trails Advisory Board

Dan Michael

Platting Board, District 1

Pio Cottini

Ronald Johnson

South Colony RSA No. 16

Charles Crim

Assemblymember Yundt 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

Assemblymember Tew spoke to his intentions in introducing Ordinance Serial No. 22-131.

Mr. Brown spoke to the importance of opening Houston High School and spoke to the design, funding, and the reconstruction of the building . Credited Hickel Construction for adhering to the schedule for completion. Thanked the Houston Community for their preservation and their patience. Informed the body of the location, date, and time of the Houston High School Ribbon Cutting ceremony.

Assemblymember Mckee stated she will try to attend the Houston High School ribbon cutting.

Assemblymember Fonov appreciated the body's discussion on the bid award process and spoke to his reasons for supporting AM 23-018.

Assemblymember Nowers stated she was grateful to have the discussion of gravel pits behind them. Noted she shares some of the same concerns as Assemblymember Fonov in regards to the bidding award process. Reminded the body of the importance of what is said about Borough contractors. Thanked Mayor DeVries for the moment of silence for Benny Cottle and spoke to Mr. Cottle's contributions to the Borough. Thanked the body for adopting Resolution Serial No. 23-038 and spoke to the State's policy for removing a voter from the voter rolls.

Assemblymember Hale spoke to the work that has gone into the Houston High School construction. Stated he is disappointed he will not be able to attend the ribbon cutting. Commended the Borough and the School District for their work on the Houston High School project.

Assemblymember Yundt noted he was glad to see Jerry Glynn in the audience. Commended Hickel Construction on the construction of Houston High School. Spoke highly of the Houston Community and their needs for the school. Thanked Assemblymember Tew for the motion to postpone Ordinance Serial No. 22-131 indefinitely and spoke to the legislation. Stated he is looking forward to staff reporting back to the body on value engineering regarding AM 23-018. Spoke to Benny Cottle 's legacy and his dedication to public service.

Assemblymember Bernier thanked the body for the meeting. Commended Assemblymember Tew on his work with Ordinance Serial No. 22-131. Said a prayer.

XIV. EXECUTIVE SESSION

There was no executive session.

XV. ADJOURNMENT

The meeting was adjourned at 9:43 p.m.