

# 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 17, 2022

### **I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, May 17, 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:** 5 - Assemblymember Tim Hale, Assemblymember Dee McKee, Assemblymember Robert Yundt, Assemblymember Mokie Tew, and Assemblymember Jesse Sumner

**Excused:** 1 - Assemblymember Stephanie Nowers

**Telephonic:** 1 - Assemblymember Ron Bernier

### **III. APPROVAL OF AGENDA**

The agenda was approved as presented.

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

The pledge of allegiance was led by Assemblymember Hale.

### **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 were no reports provided.

### **3. State of Alaska**

Todd Smoldon, Executive Director of Governor Dunleavy's Mat-Su Office, reported on the status of the Legislature negotiations regarding the permanent fund dividend and energy tax rebate.

## **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, reported on the recent activities of Port MacKenzie and the positive impacts to residents of the Borough.

## **D. ATTORNEY COMMENTS**

There was no report provided.

## **E. CLERK COMMENTS**

Lonnie McKechnie, Borough Clerk, spoke to the upcoming meeting schedule. Noted that the election brochure had been previously provided to the Assembly and queried if they had any changes.

Mayor DeVries queried if there were any changes to the election brochure.

There were no changes noted.

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

**22-100**

1. Caswell Lakes RSA Board of Supervisors: 01/05/22
2. Greater Butte RSA Board of Supervisors: 04/14/22
3. Library Board: 02/12/22, 03/12/22
4. Local Road Service Area Advisory Board: 03/17/22
5. Louise/Susitna/Tyone Community Association: 01/15/22
6. Meadow Lakes RSA Board of Supervisors: 11/15/21
7. North Lakes Community Council: 02/24/22, 03/24/22
8. Planning Commission: 04/18/22
9. Platting Board: 02/03/22, 02/17/22, 03/03/22, 03/17/22

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

**G. INFORMATIONAL MEMORANDUMS**

**IM 22-120** Informing The Assembly Of The Manager Entering Into An All Cash Purchase Agreement With A Lessee To Purchase By Application The Alaska Division Of Lands, Lease No. 63019, The Fee Simple Estate Of Borough-Owned Land.

**IM 22-129** Informing The Assembly That The Community Development Department Is Partnering With Great Land Trust On A Potential 187.6 Acre Land Acquisition And Addition To Settlers Bay Coastal Park.

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.)**

**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

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

Assemblymember Hale spoke to the reasons he brought the legislation forward.

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 Hale moved to adopt Resolution Serial No. 22-044. The motion passed by the following vote:**

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

**OR 22-051** An Ordinance Adopting MSB 1.10.300, To Require Voter Ratification Of Any Ordinance Regulating The Discharge Of Firearms.

**Sponsors:** Yundt

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

There was no staff report provided.

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. 22-051.**

**Assemblymember Sumner moved a primary amendment, section 3, effective date, by striking the current language and inserting the following in its place: "Section 2 of this ordinance shall take effect upon certification of the election results if ratified by the voters at the next regular Borough election."**

**Assemblymember Sumner moved to postpone Ordinance Serial No. 22-051 to June 7, 2022. The motion passed by the following vote:**

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

**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.

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

Nancy Cameron, Land Management Agent, provided a staff report.

Mayor DeVries opened the public hearing.

The following persons spoke in opposition to Ordinance Serial No. 22-053: Guy Lopez, James Christie, and James Ratner.

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. 22-053. The motion passed by the following vote:**

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

**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.

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

Lisa Gray, Land Management Agenda, provided a staff report.

Mayor DeVries opened the public hearing.

The following person spoke in support of Ordinance Serial No. 22-054: David Combs.

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. 22-054. The motion passed by the following vote:**

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

**OR 22-058** An Ordinance Extending The Time Limit For Completion Of Expiring  
Project Funds For One Year.  
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 others present who wished to testify, the public hearing  
closed and discussion moved to the Assembly.

**Assemblymember Sumner moved to adopt Ordinance Serial No.  
22-058. The motion passed by the following vote:**

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

**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.

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 others present who wished to testify, the public hearing  
closed and discussion moved to the Assembly.

**Assemblymember Sumner moved to adopt Ordinance Serial No.  
22-059 and Resolution Serial No. 22-047. The motion passed by  
the following vote:**

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

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

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

Mayor DeVries opened the public hearing.

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. 22-060 and Resolution Serial No. 22-048. The motion passed by the following vote:**

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

**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. 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 others present who wished to testify, the public hearing closed and discussion moved to the Assembly.

**Assemblymember Tew moved to adopt Ordinance Serial No. 22-061 and Resolution Serial No. 22-050. The motion passed by the following vote:**

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



**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.

Tracy McDaniel, Real Property Analyst, 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. 22-062. The motion passed by the following vote:**

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

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

The following person spoke to the need for community education about the damage that occurs to top soil when it is disturbed: Kim Russell.

The following person spoke to concerns with simultaneous municipal meetings, concerns with the sale of land to the Palmer Little League, and concerns with the language in Ordinance Serial No. 22-051: Eric Anderson.

### **D. CONSENT AGENDA**

#### **1. RESOLUTIONS**

**RS 22-056** A Resolution Approving Unincorporated Communities For Participation In The Fiscal Year 2023 Community Assistance Program.

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

**AM 22-043** Authorization To Renew The New World ERP Financial Software With Tyler Technologies Covering July 1, 2022, Through June 30, 2023, In The Amount Of \$103,772.14.

**AM 22-045** Award Of Bid Number 22-125B To Dirtworks, Inc. In The Contract Amount Of \$254,912.50 To Improve Lombardo Drive.

**AM 22-049** Approval Of Contract Extension For Contract No. 22-058P With Electric Power Systems, Inc. For The Old Glenn Phase II Real Estate Acquisition Service Project.

**AM 22-050** Award Of Proposal No. 22-078P (C) To Stantec Consulting Services, Inc. In The Contract Amount Of \$351,256 To Design Improvements To Cheri Lake Drive, Karen Avenue, And King Arthur Drive.

**AM 22-052** Authorization To Exercise Option Period No. 1 To Contract 16-100P With The City Of Wasilla For E-911 And Dispatch Services For An Anticipated Total 5-Year Cost Of \$7,536,300.

**AM 22-053** Award Of Bid No. 22-133B To Western Construction & Equipment, LLC. In The Contract Amount Of \$655,235 To Improve South Viking Road, West Arlie Road, And West Lost Valley Road.

**AM 22-054** Approve Utility Relocation By Matanuska Telephone Association In The Contract Amount Of \$131,672.74 To For Emswiller Drive and Sunday Drive Improvements, Project No. 30042-6600-6677.  
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:** 6 - Assemblymember Hale, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Bernier

**RS 22-052** A Resolution Directing The Planning Department To Work With The Planning Commission On Possible Amendments To The Waterbody Setback, Which May Reduce The Setback While Still Protecting Water Quality.

**Sponsors:** Yundt

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

**Assemblymember McKee moved to adopt Resolution Serial No. 22-052. The motion passed by the following vote:**

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

**AM 22-042** Award Of Bid No. 22-148C To True North Emergency Equipment In The Contract Amount Of \$1,375,548 To Purchase A Heavy Rescue Vehicle For The Department Of Emergency Services.  
Lonnie McKechnie, Borough Clerk, read the legislation into the record.

**Assemblymember McKee moved to adopt AM No. 22-042. The motion passed by the following vote:**

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

**AM 22-051** Award Of Bid No. 22-012B To Tutka, LLC. In The Contract Amount Of \$1,120,590 For Port Mackenzie Earthquake Repairs.  
Lonnie McKechnie, Borough Clerk, read the legislation into the record.

**Assemblymember McKee moved to adopt AM No. 22-051. The motion passed by the following vote:**

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

## **VIII. UNFINISHED BUSINESS**

There was no unfinished business.

## **IX. VETO**

### **A. Motion to Override Any Possible Mayoral Veto on Fiscal Year 2023 Budget Items (Ordinance Serial No. 22-022)**

There were no vetoes presented.

## **X. NEW BUSINESS**

### **A. INTRODUCTIONS (For Public Hearing 06/07/22, Assembly Chambers)**

- OR 22-032** An Ordinance Confirming The Assessment Roll For The North Suzanna Street Natural Gas Local Improvement District No. 625 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.  
OR 22-033: An Ordinance Providing For The Financing Not To Exceed \$35,000 Principal Amount Of Special Assessment Internal Service Funds For The North Suzanna Street Natural Gas Local Improvement District
- OR 22-034** An Ordinance Confirming The Assessment Roll For The 2501 South Ridgecrest Road Natural Gas Local Improvement District No. 636 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.  
OR 22-035: An Ordinance Providing For The Financing Not To Exceed \$9,000 Principal Amount Of Special Assessment Internal Service Funds For The 2501 South Ridgecrest Road Natural Gas Local Improvement
- OR 22-064** An Ordinance Accepting And Appropriating \$18,910.75 From The Alaska State Division Of Forestry Volunteer Fire Assistance Grant Program, And Appropriating \$1,891.08 In Matching Funds For Firefighter And Firefighting Equipment, Supplies, And Clothing.  
RS 22-053: A Resolution Approving The Scopes Of Work And Budgets For The Alaska State Division Of Forestry Volunteer Fire Assistance Grants And Matching Funds For The Fire Service Areas Of West Lakes, Caswell, Talkeetna, And Willow.
- OR 22-065** An Ordinance Accepting And Appropriating COVID-19 Disaster Relief Funds Of \$23,037.75 From The Federal Emergency Management Agency.  
RS 22-054: A Resolution Approving The Amended Budget For COVID-19 Disaster Relief Funds.
- OR 22-066** An Ordinance Reappropriating \$25,000 From The Finance Department Fiscal Year 2022 Operating Budget To The Gateway Visitor Center Project For A Cultural Resource Survey On The Future Site Of The Gateway Visitor Center.  
RS 22-055: A Resolution Approving The Scope Of Work And Budget For A Cultural Resource Survey On The Future Site Of The Gateway Visitor Center.
- OR 22-067** An Ordinance Reappropriating \$500,000 From Fiscal Year 2020 State And Federal Transportation Grant Match To Transportation System Road Paving Projects For Caswell Lakes Road, Bendapole Road, And Passthebait Avenue.  
RS 22-057: A Resolution Approving The Scope Of Work And Budget For The Road Paving Projects For Caswell Lakes Road, Bendapole Road,

**OR 22-070** An Ordinance Amending MSB 25.35.080, Counting Absentee Ballots, To Adopt Policies For The Canvass Board For Absentee Ballots For The Subsequent Death Of A Voter, If The Ballot Was Properly Cast.

**B. INTRODUCTIONS (For Public Hearing 06/21/22, Assembly Chambers)**

**OR 22-038** An Ordinance Creating Moose Park Subdivision II Road Paving Local Improvement District No. 645, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement, And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.  
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 June 7, 2022, and June 21, 2022, respectively. The motion passed by the following vote:**

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

**C. MAYORAL NOMINATIONS AND APPOINTMENTS**

**1. VACANCY REPORT**

**22-102** Mayoral Requests for Confirmation  
Port Commission  
Timothy Anderson, resignation  
**Assemblymember Sumner moved to confirm the resignation requested by the Mayor. The motion passed by the following vote:**

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

**D. OTHER NEW BUSINESS**

There was no other new business.

**E. 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 Bernier wished everyone a good evening.

Assemblymember Hale noted that the Butte Community clean-up filled a 20-foot dumpster with trash. Thanked the body and Administration for their dedication to supporting community clean-up events.

Assemblymember Yundt stated that this coming weekend, he too will be working with a community clean-up event. Thanked the body for their support.

Mike Brown, Borough Manager, spoke to the possible ways that the Planning Commission could review the water set back legislation. Advised that Terry Dolan, Public Works Director's last day would be June 3, 2022. Thanked him for his service to the residents of the Borough.

## **XIII. EXECUTIVE SESSION**

There was no executive session.

## **XIV. ADJOURNMENT**

The meeting adjourned at 8:35 p.m.



Mayoral Signature and Clerk Attestment

For

May 17, 2022, Regular Meeting Minutes

(17 pages)

  
EDNA DeVRIES, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 08/17/22