

# MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645 - 907-861-8683

## BOROUGH MAYOR

Vern Halter

## BOROUGH CLERK

Lonnie R. McKechnie, CMC

## BOROUGH MANAGER

John Moosey

## BOROUGH ATTORNEY

Nicholas Spiropoulos



## BOROUGH ASSEMBLY

Jim Sykes, District 1

Matthew Beck, District 2

George McKee, District 3

Ted Leonard, District 4

Dan Mayfield, District 5

Barbara J. Doty, District 6

Randall Kowalke, District 7

## MEETING MINUTES

### ASSEMBLY CHAMBERS

350 EAST DAHLIA AVENUE, PALMER

ASSEMBLY REGULAR MEETING

6:00 PM

TUESDAY, SEPTEMBER 5, 2017

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## I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, September 5, 2017, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Vern Halter.

## II. ROLL CALL

**Present:** 7 - Assemblymember Jim Sykes, Assemblymember Matthew Beck, Assemblymember George McKee, Assemblymember Steve Colligan, Assemblymember Dan Mayfield, Assemblymember Barbara J. Doty, and Assemblymember Randall Kowalke

## III. APPROVAL OF AGENDA

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

**The agenda was approved as presented by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

## IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Patricia Fisher, a member of the audience.

## V. MINUTES OF PRECEDING MEETINGS

[17-055](#) A. Regular Meeting Minutes: 08/15/17

**Sponsors:** Borough Manager

Mayor Halter queried if there were any changes to the minutes as presented.

**The minutes were approved as presented by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

## VI. REPORTS/CORRESPONDENCE

### A. AGENCY REPORTS (MSB 2.12.082; Seven minutes per person)

#### 1. Reports From Cities

Mayor Bert Cottle, City of Wasilla, reported on the activities of the City.

#### 2. Matanuska-Susitna Borough School District

Dr. Monica Goyette, School District Superintendent, reported on the activities of the School District.

#### 3. Wastewater and Septage Advisory Board Update

Mr. Mike Campfield provided an update regarding the activities of the Wastewater Septage Advisory Board.

### B. COMMITTEE REPORTS

#### 1. Joint Assembly/School Board Committee On School Issues

Assemblymember Beck reported that there is a meeting scheduled for September 11, 2017, but that he is going to suggest that it be cancelled in light of the Joint Assembly/School Board meeting scheduled for September 12, 2017.

## **2. Assembly Public Relations**

Assemblymember Colligan reported on the late silver salmon run returns. Reported on his participation in the city of Wasilla plastic bag discussion. Thanked the Emergency Medical Services first responders for their response to his wife's vehicle accident on Friday.

Mayor Halter related that he sent a letter to Governor Walker that emphasized conservation of fish over commercial fisheries. Stated that he wrote a letter of support to the Alaska State Department of Health and Social Services for the Certificate of Need application to add 36 inpatient behavioral health beds for substance abuse and mental health services at Mat-Su Regional Hospital.

## **C. MANAGER COMMENTS**

### **1. State/Federal Legislation**

### **2. Strategic Planning Issues**

Chief Matt Hardwig introduced the new Deputy Animal Care Officer, Mr. Jonathan Leece.

Mr. Leece thanked the body for funding a new position for the Animal Care and Regulation Division.

Mr. Kirsten Vesel, Animal Care Manager, and Chief Hardwig provided a summary on each of the Animal Care and Regulation Officers and some of their most memorable tasks.

## **D. ATTORNEY COMMENTS**

There were no comments provided.

## **E. CLERK COMMENTS**

Ms. McKechnie spoke regarding the upcoming meeting schedule.

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

[17-051](#)

1. Aviation Advisory Board: Resolution No. 17-02
2. Big Lake RSA Board of Supervisors: 03/08/17, 05/09/17, 06/19/17
3. Caswell FSA Board of Supervisors: 07/12/17
4. Caswell Lakes RSA Board of Supervisors: 04/05/17
5. Knik RSA Board of Supervisors: 04/12/17
6. Library Board: 02/18/17, Resolution No. 17-01
7. Local Emergency Planning Committee: 04/19/17
8. Parks, Recreation, and Trails Advisory Board: 06/26/17
9. Planning Commission: 07/17/17, 07/31/17, Resolution Nos. 17-28, 17-29, 17-30, 17-31, 17-33
10. Platting Board: 07/06/17, 07/20/17
11. Wastewater & Septage Advisory Board: 05/19/17
12. West Lakes FSA Board of Supervisors: 07/10/17
13. Fishhook Community Council: 02/02/17, 02/23/17
14. Meadow Lakes Community Council: 07/12/17
15. Talkeetna Community Council: 07/03/17
16. Trapper Creek Community Council: 07/20/17

**Sponsors:** Borough Manager

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

**G. INFORMATIONAL MEMORANDUMS**

There were no informational memorandums presented.

**VII. SPECIAL ORDERS**

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

(Requires 11 Days Advance Notice And Must Otherwise Be In Compliance With The Necessary Code Requirements. If No Advance Notice Is Given, Persons Wishing To Speak May Do So Under The Audience Participation Section Of The Agenda.)

There were no persons to be heard.

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

The meeting recessed at 6:55 p.m. and reconvened at 7:01 p.m.

[OR 17-088](#)

An Ordinance Amending MSB 17.55, Setbacks And Screening Easements; Amending Definitions And Eliminating Unnecessary Language.

**Sponsors:** Borough Manager

Ms. McKechnie read the legislation into the record.

Mayor Halter opened the public hearing.

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

Mr. Strawn provided a staff report.

**Assemblymember Beck moved to adopt Ordinance Serial No. 17-088.**

**Assemblymember Mayfield moved to postpone Ordinance Serial No. 17-088 to a time certain of September 19, 2017. The motion to postpone passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

[OR 17-098](#)

An Ordinance Creating West Angel Drive Noncontiguous Natural Gas Local Improvement District No. 597, 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.

**Sponsors:** Borough Manager

Ms. McKechnie read the legislation into the record.

Mayor Halter opened the public hearing.

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

**Assemblymember Kowalke moved to adopt Ordinance Serial No. 17-098. The motion failed by the following vote:**

**No:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

[OR 17-106](#) An Ordinance Approving An Appropriation Of \$120,000 From Fairview Road Service Area No. 14 Fund Balance, Fund 271, To Fund 410, Project No. 30037, For Fairview Road Service Area No. 14 Capital Projects.

**Sponsors:** Borough Manager

Ms. McKechnie read the legislation into the record.

Mayor Halter opened the public hearing.

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

**Assemblymember McKee moved to adopt Ordinance Serial No. 17-106. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

[OR 17-107](#) An Ordinance Approving An Appropriation Of \$170,000 From Knik Road Service Area No. 17 Fund Balance, Fund 274, To Fund 410, Project No. 30040, For Knik Road Service Area No. 17 Capital Projects.

**Sponsors:** Borough Manager

Ms. McKechnie read the legislation into the record.

Mayor Halter opened the public hearing.

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

**Assemblymember Mayfield moved to adopt Ordinance Serial No. 17-107. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

[OR 17-108](#) An Ordinance Accepting And Appropriating \$19,200 From The Alaska State Division Of Homeland Security And Emergency Management For The Borough Local Emergency Planning Committee, Fund 480, Project No. 20259, For Fiscal Year 2018 Operations.

RS 17-063: A Resolution Approving The Scope Of Work And Budget For The Alaska State Division Of Homeland Security And Emergency Management Grant, Project No. 20259, Fund 480, For The Borough Local Emergency Planning Committee.

**Sponsors:** Borough Manager

Ms. McKechnie read the legislation into the record.

Mayor Halter opened the public hearing.

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

**Assemblymember Beck moved to adopt Ordinance Serial No. 17-108 and Resolution Serial No. 17-063. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

[OR 17-110](#) An Ordinance Accepting And Appropriating \$6,558.16 From The Mat-Su Trails And Parks Foundation, To Fund 440, Project No. 15015, For The Acquisition Of Materials To Be Used In Constructing Trail Improvements Which Will Provide Long-Term Improvements On The West Butte Trail.

RS 17-065: A Resolution Approving The Scope Of Work And Budget For The West Butte Trail.

**Sponsors:** Borough Manager

Ms. McKechnie read the legislation into the record.

Mayor Halter opened the public hearing.

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

**Assemblymember Sykes moved to adopt Ordinance Serial No. 17-110 and Resolution Serial No. 17-065. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

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

The following person spoke to the need for a wastewater and septage treatment facility: Ms. Helen Munoz.

The following person spoke in opposition to AM No. 17-086: Ms. Amy Henry.

**D. CONSENT AGENDA**

**1. RESOLUTIONS**

[RS 17-068](#) A Resolution Amending The Scope Of Work For Project No. 45167 To Purchase A Replacement Motor And Do Upgrades On The Dive/Rescue Boat.

**Sponsors:** Borough Manager

**2. ACTION MEMORANDUMS**

[AM 17-086](#) Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications.

**Sponsors:** Borough Manager

[AM 17-087](#) Authorization To Purchase A Waste Container Hauling Truck From National Auto Fleet Group For The Amount Of \$128,188.

**Sponsors:** Borough Manager

[AM 17-089](#) Award Of Bid No. 18-028B To Western Construction And Equipment, LLC. In The Contract Amount Of \$395,350 For The Purchase Of Winter Sand And Chips.

**Sponsors:** Borough Manager

Ms. McKechnie read the consent agenda into the record.

**Assemblymember Beck moved to approve the consent agenda as read into the record by the Clerk.**

**Assemblymember McKee moved to divide the question to take RS 17-068, separately. The motion failed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

**No:** 1 - Assemblymember McKee

**The motion to approve the consent agenda passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

**No:** 1 - Assemblymember McKee

[AM 17-088](#) Award Of Proposal No. 18-018P To Burkhart Croft Architects, LLC. In The Amount Not To Exceed \$701,049 For Station 6-2 Design.

**Sponsors:** Borough Manager

**Assemblymember Sykes moved to adopt AM 17-088.**

**Assemblymember Beck called for the question (to stop debate). The motion failed (required five votes) by the following vote:**

**Yes:** 4 - Assemblymember Beck, Assemblymember Colligan, Assemblymember Mayfield, and Assemblymember Kowalke

**No:** 3 - Assemblymember Sykes, Assemblymember McKee, and Assemblymember Doty

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

**Yes:** 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

**No:** 1 - Assemblymember McKee

## VIII. UNFINISHED BUSINESS

[OR 17-043](#) An Ordinance Amending MSB 4.43, Transportation Advisory Board, To Make The Board Function More Efficiently And To Further The Goals Of The Assembly.

**Sponsors:** Borough Manager

**MOTION PENDING: Assemblymember Beck moved to adopt Ordinance Serial No. 17-043.**

**Assemblymember Mayfield moved a primary amendment to Ordinance Serial No. 17-043, by inserting a new Section 5. Effective Date, to make the effective date January 1, 2018. The primary amendment passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

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

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

[AM 17-082](#) Award Of Bid No. 18-012B To Earhart Roofing Company Inc., In The Contract Amount Of \$525,000 For Mat-Su Borough School District Warehouse Roof Replacement.

**Sponsors:** Borough Manager

**MOTION PENDING: Assemblymember McKee moved to adopt AM 17-082. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

## IX. VETO

## X. NEW BUSINESS

### A. INTRODUCTIONS (For Public Hearing 09/19/17, Assembly Chambers)

[OR 17-097](#) An Ordinance Amending MSB 17.17.100, Denali State Park Special Land Use District Lot Area; MSB 17.18.090, Chickaloon Special Land Use District Lot Area; And MSB 17.19.045(E), Sheep Mountain Subdistrict; Intent, To Revise Minimum Lot Size Requirements.

**Sponsors:** Borough Manager

[OR 17-109](#) An Ordinance Approving The Acquisition Of Real Property, MSB Tax Parcel Nos. 18N02E34B005 And 18N02E34B006, For The Amount Of \$250,000; And Acceptance Of \$223,000 In Charitable Land Donation From The Seller To The Borough For The Purpose Of Public Open Space And Matanuska Riverfront Trails Connectivity (MSB007276).

**Sponsors:** Borough Manager

[OR 17-111](#) An Ordinance Adopting The Ridge Trail, Trail Development Plan And Approving The Land Classification Of 2 Borough Parcels, MSB Tax ID Nos. 26N04W16C001 And 26N04W17D001, Being The South 1/2, Section 16, And The South 1/2, Section 17, Township 26 North, Range 4 West, Seward Meridian, As Public Recreation Lands, Containing Approximately 544 Acres To Be Known As The Ridge Trail System.

**Sponsors:** Borough Manager

[OR 17-112](#) An Ordinance Approving The Acceptance And Appropriation Of Fiscal Year 2018 Community Assistance Program Funds In The Amount Of \$284,202 To Fund 475, Project No. 47033.  
RS 17-067: A Resolution Approving The Scope Of Work And Budget For The Fiscal Year 2018 Community Assistance Program, Project No. 47033.

**Sponsors:** Borough Manager

[OR 17-113](#) An Ordinance Adopting The Historic Herning Trail Concept Plan.

**Sponsors:** Borough Manager

[OR 17-116](#) An Ordinance Authorizing The Manager To Realign An Easement On Borough Owned Land For Private Property Access.

**Sponsors:** Kowalke

[OR 17-117](#)

An Ordinance Authorizing The Manager To Enter Into A Lease Of Borough-Owned Real Property With Insite Towers Development 2, LLC., To Construct, Install, Maintain, Repair, Operate, And Manage A Communication Site And Construct Driveway Access And Utilities, Tax Parcel 24N05W15D002, Southeast 1/4, Northeast 1/4, (MSB007261).

**Sponsors:** Borough Manager

Ms. McKechnie read the legislation into the record.

**Assemblymember Beck moved to introduce the legislation as read into the record by the Clerk and to set the public hearings for September 19, 2017. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

## **B. MAYORAL NOMINATIONS AND APPOINTMENTS**

### **1. VACANCY REPORT**

[17-056](#)

09/05/17 - Vacancy Report

**Sponsors:** Borough Manager

Enhanced 911 Advisory Board

Mark Baker, resignation

Platting Board

George Thompson

Talkeetna Sewer & Water Service Area No. 36

Colby Coombs

**Assemblymember Beck moved to confirm the appointments and resignations requested by the Mayor. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

## **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 presented.

**XI. RECONSIDERATION**

There were no reconsiderations presented.

## XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Moosey stated that next week he and Mr. Dolan and Mr. Shapiro are going to Kandiyohi County, Minnesota to look at ways to positively impact the Borough's landfill space or how to convert trash into energy. Opined that this is a great opportunity for the Borough.

Assemblymember Doty noted her enthusiasm for the septage facility update. Spoke to concerns with untested chemicals in recycled waste that could produce issues in the future. Noted that she is hesitant to put human waste by-products on agricultural lands. Spoke in support of turning that waste into energy. Spoke to the possibility of the Manager being more involved in the selection of bid evaluation committee participants.

Assemblymember Colligan thanked Emergency Services and the good samaritans who responded to a motor vehicle accident that his wife was involved in. Noted that he is not a big fan of design build, but that it is the current process being used and that it is fair and works appropriately. Noted that the Borough is following the outlined purchasing process. Opined that going out to bid might be less expensive than design build. Spoke to concerns with criminals not being held appropriately accountable by the court system.

Assemblymember McKee stated that he is not a fan of design build. Opined that the Borough has qualified engineers in-house who could participate in the design of Borough buildings. Spoke to concerns that non-architects are evaluating bids for architect design build projects.

Assemblymember Sykes opined it was a good meeting with good discussion. Spoke to the possibility of having a discussion regarding purchasing procedures. Spoke to his appreciation of the answers Mr. Krafft provided regarding purchasing procedures. Noted that there was not a lot of public in attendance this evening. Stated that he wanted to address Ms. Amy Henry's statement about not accepting late veteran's exemption applications. Noted that the Assembly had decided long ago to give them the benefit of the doubt and accept late filed veteran's applications. Noted that it is the rainy season and that there are still flooding issues with the Matanuska River. Requested that the Manager support a significant budget for the MSB Fish and Wildlife Commission so they can attend more state fisheries meetings.

Assemblymember Kowalke opined that it is ludicrous to think that only an architect can properly evaluate architect design build bids. Opined that it is possible that the purchasing process is not perfect, but that it is working as it was set out to do.

Assemblymember Mayfield spoke in support of the design build based past successes. Noted that the economy has changed and that maybe the competitive process could be done differently. Thanked the manager for making a decision to go out to a different bidding process when prior issues arose, so that project was not delayed. Thanked Assemblymember Colligan for sharing his personal story about his wife's vehicle accident. Noted that it highlights that driving while intoxicated is a problem, but more importantly the good job that the Borough's first responders do. Noted that due to his past history of working in the insurance industry, he misses working with victims to restore their lives when they have been impacted by natural disasters, such as hurricane Harvey.

Assemblymember Beck noted that it is Alaska State Fair season, which is a great opportunity for the community to come together. Congratulated the Alaska State Fair for a job well done. Related that the State Fair is a huge part of his family's life. Noted that the 4H auction on the last day of the fair was a huge draw for attendees. Stated that this year the auction was unique in that Representative Tilton and Governor Walker were present. Related that there were 83 kids that participated in the auction. Spoke in appreciation of the Borough's partnership with the School District. Thanked Dr. Goyette and all School District employees for their dedication to young people and their families. Noted that his children have had a great experience in the School District.

Mayor Halter thanked United States Senator Dan Sullivan for setting up a meeting with United States Secretary of Transportation so that Mr. Moosey could provide a presentation on the rail extension project. Noted that he sent a letter to Governor Walker that emphasized conservation of fish over commercial fisheries. Noted that the Borough is taking strong stance regarding the Cook Inlet Corridor. Noted that the public needs to testify at the State Fisheries meetings in order to make our point. Spoke in appreciation of the Alaska State Fair. Stated that he did not attend the 4H auction, but did attend the Doobie Brothers concert, which was sensational.

### **XIII. EXECUTIVE SESSION**

There was no executive session held.

### **XIV. ADJOURNMENT**

The meeting adjourned at 8:31 p.m.