

# 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

Michael Brown

## BOROUGH ATTORNEY

Nicholas Spiropoulos



## BOROUGH ASSEMBLY

Tim Hale, District 1  
Stephanie Nowers, District 2  
George McKee, District 3  
Robert Yundt, District 4  
Mokie Tew, District 5  
Jesse Sumner, District 6  
Tam Boeve, District 7

## MEETING MINUTES

### ASSEMBLY CHAMBERS

350 EAST DAHLIA AVENUE, PALMER

ASSEMBLY REGULAR MEETING

6:00 PM

TUESDAY, MAY 18, 2021

## I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, May 18, 2021, 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 Tim Hale, Assemblymember Stephanie Nowers, Assemblymember George McKee, Assemblymember Robert Yundt, Assemblymember Mokie Tew, Assemblymember Jesse Sumner, and Assemblymember Tam Boeve

## III. APPROVAL OF AGENDA

The agenda was approved as presented without objection.

## IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. John Harris.

## V. MINUTES OF PRECEDING MEETINGS

[21-119](#)

A. Special Assembly Meeting: 04/27/21

B. Special Assembly Meeting: 04/29/21

The minutes were approved as presented.

## VI. REPORTS/CORRESPONDENCE

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

**1. Reports From Cities**

Mayor Glenda Ledford, city of Wasilla, reported on the activities of the City.

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

There was no report provided.

**3. State of Alaska**

There was no report provided.

**B. COMMITTEE REPORTS**

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

There was no report provided.

**2. Assembly Public Relations**

Mayor Halter related that Chief Lori Wiertsema, Willow Fire Chief, passed away. Expressed condolences to her family and friends.

**C. MANAGER COMMENTS**

**1. State/Federal Legislation**

Mr. John Harris provided a legislative update.

**2. Strategic Planning Issues**

There was no report provided.

**D. ATTORNEY COMMENTS**

There were no comments provided.

**E. CLERK COMMENTS**

Ms. McKechnie reported on the upcoming meeting schedule.

**F. CITIZEN AND OTHER CORRESPONDENCE**

[21-120](#)

1. Caswell Lakes Board of Supervisors: 01/06/21, 02/08/21, Resolution No. 21-01
  2. Enhanced 911 Advisory Board: 02/09/21
  3. Library Board: 01/16/21, 02/20/21, Resolution No. 21-01
  4. Local Emergency Planning Committee: 01/20/21
  5. MSB Fish And Wildlife Commission: 03/18/21, Resolution Nos. 21-02, 21-03
  6. North Lakes Community Council: 03/25/21
  7. Parks, Recreation, And Trails Advisory Board: 01/25/21
  8. Planning Commission: 04/19/21, Resolution Nos. 21-08, 21-09
  9. South Colony RSA Board of Supervisors: 01/13/21, 03/09/21, Resolution No. 21-001
  10. Sutton Community Council: 02/24/21, 03/21/21
  11. Tanaina Community Council: 04/27/21
- The citizen and other correspondence were presented and no comments were noted.

**G. INFORMATIONAL MEMORANDUMS**

[IM 21-094](#)

Warren "Bud" Woods, Palmer Municipal Airport Avigation Easement.  
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.)**

There were no person's to be heard.

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

[OR 21-019](#)

An Ordinance Amending MSB 17.55, Setbacks And Screening Easements, To Exempt Signs From Setbacks To Right-Of-Way And Property Lines.

Ms. McKechnie read the legislation into the record.

Mr. Mark Whisenhunt, acting Planning Director, provided a staff report.

Mayor Halter opened the public hearing.

The following person spoke in support of the legislation: Mr. Daniel Hacker.

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

**Assemblymember Boeve moved to adopt Ordinance Serial No. 21-019.**

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

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

[OR 21-042](#)

An Ordinance Extending The Time Limit For Completion Of Borough Capital Projects.

Ms. McKechnie read the legislation into the record.

Mr. Mike Brown, Borough Manager, provided a staff report.

Mayor Halter opened the public hearing.

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

**Assemblymember Boeve moved to adopt Ordinance Serial No. 21-042.**

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

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

[OR 21-043](#)

An Ordinance Providing For The Sale Of Certain Borough-Wide Real Property Acquired Through Tax Foreclosure For Delinquent Real Property Tax Years 2014 And Prior And Special Assessment For 2015 And Prior; And Not Needed For Public Purpose.

Ms. McKechnie read the legislation into the record.

Ms. Lisa Gray, Land Disposal and Foreclosure Specialist, provided staff report.

Mayor Halter opened the public hearing.

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

**Assemblymember Boeve moved to adopt Ordinance Serial No. 21-043.**

**Assemblymember Boeve moved to strike the sale of TS42-31 and TS42-32 from IM 21-080.**

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

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

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

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

[OR 21-044](#)

An Ordinance Accepting And Appropriating 2019 McKinley Fire Disaster Relief Monies In The Amount Of \$32,331.92 From The Federal Emergency Management Agency And The Alaska State Division Of Homeland Security And Emergency Management, To Fund 445, Project No. 55022.

RS 21-042: A Resolution Approving The Scope Of Work And Budget For The 2019 McKinley Fire Disaster Relief Monies, Project No. 55022.

Ms. McKechnie read the legislation into the record.

Ms. Cheyenne Heindel, Finance Director, provided a staff report.

Mayor Halter opened the public hearing.

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

**Assemblymember Boeve moved to adopt Ordinance Serial No. 21-044 and Resolution Serial No. 21-042.**

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

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

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

The following person's spoke in support of Resolution Serial No. 21-045: Mr. Chris Beck, volunteer with Alaska Trails; and Russ Hopkins, executive director with Mat-Su Trails and Parks Association; and Ms. Margaret Stern.

The following person spoke to concerns with Resolution Serial No. 21-045: Ms. Michelle Stevens, president of the Alaska Snow Machine Alliance.

**D. CONSENT AGENDA**

**1. RESOLUTIONS**

[RS 21-044](#)

A Resolution Amending The Scope Of Work And Budget For The Settler's Bay Coastal Park Interpretive Trail Signage Grant, Project No. 15040, Fund 440.

[RS 21-045](#) A Resolution Supporting The Proposed State of Alaska General Obligation Bond \$13.2 Million Allocation For The Fairbanks To Seward Multi-Use Trail Also Known As The Alaska Long Trail.

**Sponsors:** Nowers and Sumner

[RS 21-046](#) A Resolution Extending The Date Of Completion For Project No. 47532, Federal Cares Relief Act (COVID 19) To December 31, 2021.

[RS 21-047](#) A Resolution Amending The Budget For Project No. 15035, Fund 480, Trail Survey Pool - Fiscal Year 2009, And Project No. 45040, Fund 480, Municipal Entitlement Lands - Land Survey - Municipal Entitlement, Trails, Subdivision - Fiscal Year 2019.

[RS 21-048](#) A Resolution Approving The Scope Of Work And Budget For Nancy Lake Landing / Mike Ardaw Road Grade Crossing Upgrade Project, Project No. 30042.

[RS 21-049](#) A Resolution Providing A One-Time Waiver Of Landfill Fees For Up To Three Dumps For The Caswell Lake Area Community Cleanup.

**Sponsors:** Boeve

## **2. ACTION MEMORANDUMS**

[AM 21-041](#) Approval Of Utility Relocate Project No. 30036, To Enstar Natural Gas Co. In The Amount Of \$130,870.85 For Central Midway - Hideaway Circle, Upper Court, Iceburg Circle, Outlet View Drive, Bipond Circle, And Glacier Drive.

[AM 21-042](#) Award Of Bid No. 21-162B To BINW Alaska In The Contract Amount Of \$180,030.08 For Supply And Install Of Furniture, Fixtures And Equipment At The New Willow Library.

[AM 21-043](#) Award Of Bid No. 21-168B In The Contract Amount Of \$296,000 To Alaska Diversified Contractors, LLC To Construct Cell 4 Gas Collection System.

[AM 21-044](#) Approval Of Change Order Number 1 To Contract Number 21-140B To Alaska Demolition, LLC, To Include Schedule G For \$99,446 To Complete Demolition & Site Remediation On A Property Located Within The Flood And Erosion Prone Area Along The Matanuska River In The Butte.

[AM 21-045](#) Authorization To Enter Into A Utilities Reimbursable Service Agreement With Alaska Railroad In The Amount Of \$288,700 For The Nancy Lake Road Crossing Upgrade.  
Ms. McKechnie read the legislation into the record.

**Assemblymember Boeve 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 Sumner, and Assemblymember Boeve

[RS 21-050](#) A Resolution In Support Of House Bill 170 And Senate Bill 123 Establishing The Alaska Energy Independence Program And The Alaska Energy Independence Fund.

**Sponsors:** Nowers

Ms. McKechnie read the legislation into the record.

**Assemblymember Sumner moved to approve Resolution Serial No. 21-050.**

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

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

## **VIII. UNFINISHED BUSINESS**

[OR 21-037](#) An Ordinance Accepting And Appropriating 2017 Series A Parks And Recreation Bond Interest Income, Fund 440, Project No. 15053, Roof Replacement - Brett Memorial And Wasilla Pool.  
RS 21-035: A Resolution Approving The Scope Of Work And Budget For Project No. 15053, Roof Replacement - Brett Memorial And Wasilla Pool; And Amending The Budget For Project No. 15041, Palmer And Wasilla Pool Improvements.

Ms. McKechnie read the legislation into the record.

**MAIN MOTION PENDING: Assemblymember Yundt moved to adopt Ordinance Serial No. 21-037 and Resolution Serial No. 21-035.**

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



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

## **IX. VETO**

Mayor Halter asked Assemblymember McKee to withdraw his motion to reconsider. Assemblymember McKee advised he would withdraw his reconsideration.

### **A. Motion to Override Any Possible Mayoral Veto on Fiscal Year 2022 Budget Items**

There were no vetoes presented.

## **X. NEW BUSINESS**

### **A. INTRODUCTIONS (For Public Hearing 06/01/21 Assembly Chambers)**

[OR 21-025](#) An Ordinance Adopting MSB 17.31, Supplemental Wetlands Mitigation Provisions For Projects Requiring United States Army Corps Of Engineers Individual Permits Under Section 404 Of The Clean Water Act That Permanently Impact 10 Or More Acres Of Waters Of The United States; And Amending MSB 1.45.100, Schedule Of Fines For Infractions.

[OR 21-046](#) An Ordinance Approving A One-Year Extension For The Management Agreement Between The Borough And The Willow Area Community Organization And Modifying Shared Expenses During Construction Of The New Willow Library And Community Center Upgrades.

[OR 21-047](#) An Ordinance Enacting MSB 1.15.095 Standardizing Rules Of Timeliness, Proof, And Presumptions Regarding Tax Payments.

[OR 21-048](#)

An Ordinance Reappropriating \$97,914.14 From Project No. 10178-1805, Fund 435, And \$22,085.86 From Project No. 10178-1806, Fund 435, To Project No. 10063, Fund 435, Dorothy Swanda Jones Administrative Building Annex To Replace The Matanuska-Susitna Borough Network Operations Center Roof And Extending The Time Limit Of Project No. 10178-1805.  
RS 21-051: A Resolution Amending The Scope Of Work And Budget For Project No. 10178 Fireweed Building To Include The Matanuska-Susitna Borough Network Operations Center Roof Replacement.

Ms. McKechnie read the legislation into the record.

**Assemblymember Boeve moved to introduce the legislation as read into the record by the Clerk and to set the public hearing for June 1, 2021.**

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

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

**B. MAYORAL NOMINATIONS AND APPOINTMENTS**

**1. VACANCY REPORT**

There was no vacancy report.

**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 21-040](#) An Ordinance Amending MSB 2.08.060(A), Compensation For The Mayor.

**Sponsors:** McKee

Ms. McKechnie read the legislation into the record.

Mayor Halter recused himself and exited chambers and Deputy Mayor Boeve assumed the duties of the Chair.

**Assemblymember Yundt moved to reconsider Ordinance Serial No 21-040.**

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

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

Mayor Halter re-entered the meeting.

**Assemblymember Sumner moved to postpone Ordinance Serial No. 21-040 until the August 17, 2021, regular Assembly meeting.**

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

**Yes:** 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

**No:** 1 - Assemblymember McKee

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

Ms. McKechnie apologized for the buzzer not working during Audience Participation.

Assemblymember Nowers spoke in support of Resolution Serial No. 21-045 and expressed congratulations to the 2021 graduating class.

Assemblymember McKee spoke to concerns with the State House road project money and expressed his support for Resolution Serial No. 21-045.

Assemblymember Hale expressed his apologies to the Manager for his absence from the evaluation and noted he is doing a good job.

Mayor Halter asked Assemblymember Sumner if he would withdraw his reconsideration. Assemblymember Sumner withdrew his reconsideration. Mayor Halter asked Assemblymember McKee if he would withdraw his reconsideration. Assemblymember McKee withdrew his reconsideration. Mayor Halter stated the 2022 fiscal year budget was final and there would be no special meeting held on May 20, 2021.

## **XIII. EXECUTIVE SESSION**

There was no executive session.

## **XIV. ADJOURNMENT**

The meeting adjourned at 7:26 p.m.