

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
Tim Hale, District 1
Stephanie Nowers, District 2
George McKee, District 3
Ted Leonard, District 4
Dan Mayfield, 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, FEBRUARY 18, 2020

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, February 18, 2020, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Deputy Mayor Dan Mayfield.

II. ROLL CALL

Present: 7 - Assemblymember Tim Hale, Assemblymember Stephanie Nowers, Assemblymember George McKee, Assemblymember Ted Leonard, Assemblymember Dan Mayfield, Assemblymember Jesse Sumner, and Assemblymember Tam Boeve

III. APPROVAL OF AGENDA

Deputy Mayor Mayfield queried if there were any changes to the agenda.

Deputy Mayor Mayfield queried if there was any objection to moving audience participation, Resolution Serial No. 20-018 and Ordinance Serial No. 20-025 prior to public hearings.

Assemblymember Hale moved to take up referral of Ordinance Serial No. 20-025 prior to Resolution Serial No. 20-018.

There was no objection to taking up the ordinance referral prior to the resolution.

There was no objection to taking up audience participation, Ordinance Serial No. 20-025, and Resolution Serial No. 20-018 prior to public hearings.

The agenda was approved as amended without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was lead by Mr. Ken Barkley, Direction of Emergency Services.

V. MINUTES OF PRECEDING MEETINGS

- 20-026** A. Joint Assembly/School Board Meeting: 01/22/20
 B. Assembly Planning Session: 01/25/20
 C. Assembly Regular Meeting: 02/04/20

Deputy Mayor Mayfield queried if there were any changes to the minutes.

The minutes were approved as presented.

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

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

There were no reports provided.

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

Mr. George Hayes, Deputy Manager, spoke to the apprentice program.

Mr. Russ Krafft, Purchasing Officer, provided an update on the apprentice program.

D. ATTORNEY COMMENTS

There was no report provided.

E. CLERK COMMENTS

Ms. McKechnie reported on the upcoming meeting schedule.

F. CITIZEN AND OTHER CORRESPONDENCE

There were no citizen and other correspondence presented.

G. INFORMATIONAL MEMORANDUMS

IM 20-023 Reporting Of Conclusion Of Contract For Bid No. 18-108B To Southcentral Construction, Inc. For The Central Landfill Cell 4 Construction Project.

IM 20-030 Informing The Assembly Of Grant Agreements With Talkeetna, Trapper Creek And Willow Elementary Schools To Provide Funds To Assist Their Respective Community Enrichment Programs.

IM 20-031 Informing The Assembly Of A Personal Intermittent Use Permit For Temporary Land Use Of Borough-Owned Land By Retriever Club Of Alaska.

- IM 20-032** Informing The Assembly Of Two Memorandums Of Agreement And Temporary Construction Permits With The Alaska State Department Of Transportation For Fairview Loop Pathway And Safety Improvement Project.
- IM 20-033** Informing The Assembly Of A Permit For Temporary Land Use Of Borough-Owned Land By The Alaska Railroad Corporation.
- IM 20-034** Informing The Assembly Of A Commercial Land Use Permit For Temporary Use Of Borough-Owned Land For Alaska Nature Guides To Offer Guided Hikes In Talkeetna Lakes Park.
- IM 20-035** Informing The Assembly Of A Permit For Temporary Land Use Of Borough-Owned Land By The Mat-Su Ski Club.
- IM 20-037** Informing The Assembly Of A Commercial Land Use Permit For Temporary Use Of Borough-Owned Land For Ravenwings, LLC. To Maintain A Floatplane Dock In Christiansen Lake Park.
- IM 20-041** Informing the Assembly Of Agreement Documents For The Community Assistance Program To Be Presented To The Borough Manager For Signature.
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.)

(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.)

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

The following persons spoke in support of Ordinance No. Serial 20-025: Mr. Lee Henrikson, Ms. Kim Norton, Ms. Ellen VandeVisse, Mr. Philip Somervell, Ms. Linda Sloan, Ms. Lisa Pettit, Mr. Mark Troutman, Mr. Rob Wells, Mr. Mark Masteller, Ms. Sacha Pettitt, Mr. Allen Buher, and Murph O'Brien.

The following persons spoke to concerns with Ordinance Serial No. 20-025: Mr. Verne Rupright, Mr. Seth Shcklett, and Mr. Mark Richard, and Ms. Christina Mockbee.

The following persons spoke in support of Ordinance Serial No. 20-025 and spoke concerns with Resolution Serial No. 20-018: Mr. Norm Stout, Mr. Jim Burneng, Mr. Jerry Hupp, and Mr. Chad Wemple.

The Following persons spoke in opposition of gun control: Mr. Cris Tyree, and Terry Mitchell.

The following persons spoke of the 2nd amendment: Mr. John James, Steven Schuly, and Ms. Robin Turk.

The following persons spoke in support of Resolution Serial No. 20-018: Mr. Pat Reed, Mr. John Miller, Esther Huddleston, Mr. George Asilz, Mr. Dave Maxwell, Mr. Daniel Sentz, Mr. Neil Moss, Mr. Ron Johnson, Ms. Janet Johnson, Mr. Brad Empey, Mr. Steve Renner, Mr. Brendan Carpenter, Mr. Greg Jacobs, Mr. Dennis Johnson, Mr. Jason Weller, Ms. Gail Koslowsky, Mr. Matt Wynn, and Ms. Sara Howard.

The following persons spoke to concerns with Resolution Serial No. 20-018: Mr. Scott Simmons, Mr. Johnson Quarles, and Mr. Joe Irvine.

The following persons spoke in support of Resolution Serial No. 20-018 and spoke to concerns with Ordinance Serial No. 20-025: Mr. Schott Vinkich, Ms. Sheri Musgrave, Mr. David Sena, Ms. Angela Hutchings, Mr. Kenneth Bullman, Ms. Patti Bullman, Mr. Brian Endle, Mr. LD Howard, Mr. Dave Berge, Mr. Bert Houghtaling, Mr. David Young and Ms. Celia Spencer.

The following persons spoke to needing more time to address the issues: Mr. Tim Sojka.

The following person spoke to concerns that there are not enough shooting ranges: Mr. Earl Lackey, President of the Mat-Su Valley Sportsman shooting range.

The following person spoke to the public process: Mr. Eugene Carl Haberman.

D. REFERRALS (For Referral To The Planning Commission For 90 Days Or Other Date Specified By The Assembly)

OR 20-025 An Ordinance Adopting MSB 17.68, Outdoor Shooting Facilities, In Order To Establish Standards For Commercial, Educational, And Nonprofit Outdoor Shooting Facilities.

Ms. McKeechnie read the legislation into the record.

Assemblymember Boeve moved to refer Ordinance Serial No. 20-025 to the Planning Commission for 90 days.

(The meeting recessed at 9:02 p.m. and reconvened at 9:12 p.m. Assemblymember Hale asked for an additional 5 minute break. The meeting reconvened at 9:17 p.m.)

Assemblymember Leonard moved a primary amendment to strike "90" and insert "120" in its place.

Assemblymember Boeve Moved to extend the meeting until 10:30 p.m.

There was no objection to extending the meeting to 10:30 p.m.

The primary amendment failed by the following vote:

Yes: 3 - Assemblymember Hale, Assemblymember Leonard, and Assemblymember Mayfield

No: 4 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Sumner, and Assemblymember Boeve

The motion to refer passed by the following vote:

Yes: 4 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Sumner, and Assemblymember Boeve

No: 3 - Assemblymember McKee, Assemblymember Leonard, and Assemblymember Mayfield

RS 20-018 A Resolution Rescinding Resolution Serial No. 19-083, Which Requested That Staff Develop A Conditional Use Permit Regulating Shooting Ranges.

Sponsors: Sumner

Ms. McKeechnie read the legislation into the record.

Assemblymember Sumner moved to adopt Resolution Serial No. 20-018.

The motion failed by the following vote:

Yes: 3 - Assemblymember McKee, Assemblymember Leonard, and Assemblymember Sumner

No: 4 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Mayfield, and Assemblymember Boeve

B. PUBLIC HEARINGS (Three Minutes Per Person.)

OR 20-013 An Ordinance Repealing MSB 4.32, Emergency Medical Services Board, Terminating The Emergency Medical Services Board.
Ms. McKeechnie read the legislation into the record.

Ken Barkley, Director of Emergency Services, provided a staff report.

Deputy Mayor Mayfield opened the public hearing.

The following person spoke opposed to the legislation: Mr. Eugene Carl Haberman.

Assemblymember Boeve moved to adopt Ordinance Serial No. 20-013.

The motion passed by the following vote:

Yes: 6 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

No: 1 - Assemblymember Hale

OR 20-017 An Ordinance Accepting And Appropriating \$15,474 In Federal Funds From The National Park Service Passed Through Alaska Department Of Natural Resources For The Settlers Bay Coastal Park Cultural Resources Survey, Project No. 15040, Fund 440; Reappropriate \$9,508 From Areawide Funds, Project 99999 Grant Match, Fund 480, To Fund 440, To Satisfy The Required Match.

RS 20-011: A Resolution Approving The Scope Of Work And Budget For The Settlers Bay Coastal Park Cultural Resources Survey, Project No.15040, Fund 440.

Ms. McKechnie read the legislation into the record.

Eric Phillips, Community Development Director, provided a staff report.

Assemblymember Boeve moved to extend the meeting to 11:00 p.m.

There was no objection to extending the meeting to 11:00 p.m.

Assemblymember Boeve moved to adopt Ordinance Serial No. 20-017 and Resolution Serial No. 20-011.

The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

OR 20-018 An Ordinance Approving A Reappropriation Of \$230,000 From The Fiscal Year 2020 Election Division Operating Budget, 105.451.100, To Fund 480, Project No. 47527, For Content Manager Electronic Records Implementation.

RS 20-012: A Resolution Approving The Scope Of Work And Budget For Content Manager Electronic Records Implementation, Project No. 47527.

Sponsors: Sumner

Ms. McKechnie read the legislation into record.

Ms. Joell Church, Records Management Officer, provided staff report.

Assemblymember Sumner moved to adopt Ordinance Serial No. 20-018 and Resolution Serial No. 20-012.

The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers,
Assemblymember McKee, Assemblymember Leonard,
Assemblymember Mayfield, Assemblymember Sumner, and
Assemblymember Boeve

D. CONSENT AGENDA

1. RESOLUTIONS

RS 20-009 A Resolution Consenting To And Approving The Location Of Interior Alaska Natural Gas Utility Expansion Project Funded Through The Alaska Industrial Development And Export Authority.

Sponsors: Mayfield

RS 20-015 A Resolution Amending The Scope Of Work To Include The Construction Of A Floating Boat Dock For The Lake Louise Recreation Site Upgrades, Project No. 15019, Fund 440.

2. ACTION MEMORANDUMS

AM 20-010 Award Of Bid No. 20-079B To CDW Government, LLC. In The Amount Of \$707,294.36 To Purchase A Microsoft Enterprise Agreement.

AM 20-011 Authorization To Purchase Professional Services From Harris Govern In An Amount Not To Exceed \$270,000.

AM 20-012 Award Of Bid No. 20-069C To Long Building Technologies In The Contract Amount Of \$239,291 For Central Mat-Su Fire Service Area Security.

RS 20-019 A Resolution Authorizing The Manager To Enter Into A Memorandum Of Agreement With The Alaska Department Of Transportation And Public Facilities For The Repair Of 2018 Earthquake Damaged Federal Highway Administration Designated Roads And Bridges And Approving A Local Cost Share Obligation Of 9.03 Percent Of Project Total.

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 Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

RS 20-017 A Resolution Establishing A Policy That The Borough Will Not Engage In Financial Services With Entities Which Discriminate Against Alaska And Alaskan Based Projects.

Sponsors: Leonard

Ms. McKechnie read the legislation into the record.

Assemblymember Boeve moved to adopt Resolution Serial No. 20-017.

The motion failed by the following vote:

Yes: 3 - Assemblymember McKee, Assemblymember Leonard, and Assemblymember Sumner

No: 4 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Mayfield, and Assemblymember Boeve

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. VETO

There were no vetoes presented.

X. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing 03/03/20, Assembly Chambers)

OR 20-014 An Ordinance Amending MSB 3.15, Assessment And Taxation, By Adopting MSB, 3.15.077, Tax Adjustment On Property Affected By Disaster; And Amending MSB 3.15.075, Tax Adjustment On Property Affected By Fire.

Sponsors: Boeve

OR 20-019 An Ordinance Appropriating \$541,543.51 To Fund 400 For Issuance Costs From The Proceeds Of The Taxable 2019 Series A School Refunding Bonds; And \$60,171.50 To Fund 430, For Issuance Costs From The Proceeds Of The Taxable 2019 Series B Transportation System Refunding Bonds.

OR 20-021 An Ordinance Accepting And Appropriating 2018 Cook Inlet Earthquake Disaster Relief Monies In The Amount Of \$78,668.77 From The Federal Emergency Management Agency; And \$26,222.92 From The Alaska State Division Of Homeland Security And Emergency Management, To Fund 445, Project No. 55026.

RS 20-014: A Resolution Approving The Scope Of Work And Budget For A Portion Of The 2018 Cook Inlet Earthquake Disaster Relief Monies, Project No. 55026.

OR 20-023 An Ordinance Accepting And Appropriating \$1,748,000.00 In Grant Funds From The Mat-Su Health Foundation, Through The Willow Library Association, To Fund 435, Project No. 10186; And Accept And Appropriate \$90,384 Of Community Donations To Fund 435, Project No. 10186, For The New Willow Library And Community Center Upgrades. RS 20-016: A Resolution Approving The Scope Of Work And Budget For The New Willow Library And Community Center Upgrades.

Sponsors: Boeve

OR 20-024 An Ordinance Approving A Supplemental Appropriation Of \$29,400 From The Talkeetna Sewer And Water Fund Balance, Fund 293, To The Fiscal Year 2020 Talkeetna Sewer And Water Operating Budget, Fund 293, For Wage And Benefits Funding Of An Additional Utilities/Facilities Maintenance Specialist During The Final Four Months Of Fiscal Year 2020.

Mr. 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 hearings for March 3, 2020.

The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

20-031 Appointments and Resignations

Sponsors: Halter

Transportation Advisory Board

Scott Adams

Caswell Lakes RSA No. 15

Donald Craig

Assemblymember Boeve 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 Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

Assemblymember Boeve moved to extend the meeting to 11:30 p.m.

There was no objection to extending the meeting to 11:30 p.m.

C. OTHER NEW BUSINESS

There was no other new business.

XI. RECONSIDERATION

There were no reconsiderations.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

There were no Mayor, Assembly or Staff comments.

XIII. EXECUTIVE SESSION (For 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 The Attorney/Client Privilege.)

A. Behrens vs. MSB

Assemblymember Boeve moved to enter into executive session for 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 the attorney/client privilege. In particular, to discuss Behrens vs. MSB. Those in executive session were the Assembly, the Attorney, the Deputy Manager, the Clerk, and the Finance Director.

The motion passed without objection and the Assembly entered into executive session at 10:52 p.m.

Assemblymember Boeve moved to exit executive session.

The motion passed without objection and the Assembly exited executive session at 11:11 p.m.

XIV. ADJOURNMENT

The meeting adjourned at 11:12 p.m.



Mayoral Signature and Clerk Attestment

For

February 18, 2020, Assembly Special Meeting Minutes

(13 pages)

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 04/07/21

