

# 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, JUNE 15, 2021

#### I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, June 15, 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:** 5 - Assemblymember Tim Hale, Assemblymember Stephanie Nowers, Assemblymember Mokie Tew, Assemblymember Jesse Sumner, and Assemblymember Tam Boeve

**Telephonic:** 2 - Assemblymember George McKee (arrived at 6:15 p.m.) and Assemblymember Robert Yundt

#### III. APPROVAL OF AGENDA

The agenda was approved as presented without objection.

#### IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance as led by Mr. Jim Amuson, Alaska State Department of Transportation.

#### V. MINUTES OF PRECEDING MEETINGS

**21-144**

A. Special Assembly Meeting: 06/01/21

B. Regular Assembly Meeting: 06/01/21

The minutes were approved as presented without objection.

## **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**

Mr. Todd Smoldon, Director of Governor Dunleavy's Mat-Su Office, reported on the activities of the State.

#### **4. Mat-Su Convention and Visitor's Bureau Update - Bonnie Quill**

**21-145**

Agency Report

Ms. Bonnie Quill, Mat-Su Convention and Visitor's Bureau Executive Director, provided an update.

### **B. COMMITTEE REPORTS**

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

There was no report provided.

#### **2. Assembly Public Relations**

### **C. MANAGER COMMENTS**

#### **1. Alaska State Department of Transportation - Summer Construction Update**

Mr. Jim Amunson, Chief Highway Design, Department of Transportation, provided summer construction updates.

#### **2. State/Federal Legislation**

Mr. John Harris provided a legislative update.

### 3. Strategic Planning Issues

Mr. Brown provided a report on the launch of the Problem Reporter App. Commented on the introduction of the transportation infrastructure package at the June 22, special meeting. Informed the Assembly of a new public outreach program.

#### D. ATTORNEY COMMENTS

Mr. Spiropoulos and Ms. Cheyenne Heindel provided a presentation on the American Rescue Plan.

#### E. CLERK COMMENTS

Ms. McKechnie reported on the upcoming meeting schedule and provided the Assembly with the June 22, Special meeting agenda and legislation.

#### F. CITIZEN AND OTHER CORRESPONDENCE

21-142

1. Aviation Advisory Board: 03/04/21
2. Board of Adjustment and Appeals: 04/09/21, 04/22/21, Final Decision Case 21-01
3. Fairview RSA Board of Supervisors: 02/16/21
4. Glacier View Community Council: 03/25/21, 04/29/21
5. Greater Butte RSA Board of Supervisors: 04/08/21
6. Historical Preservation Commission: 01/21/21, 04/22/21
7. MSB Fish and Wildlife Commission: 04/15/21
8. North Lakes Community Council: 4/29/21
9. Platting Board: 04/01/21
10. Port Commission: 04/05/21, Resolution No. 21-01
11. South Colony RSA Board of Supervisors: Resolution No. 21-002
12. Talkeetna Sewer and Water Advisory Board: 4/07/21
13. Trapper Creek Community Council: 04/20/21
14. Trapper Creek RSA Board of Supervisors: 02/09/21

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

#### G. INFORMATIONAL MEMORANDUMS

- IM 21-115** Informing The Assembly Of The Intent To Subdivide Borough Parcel Tax ID 17N02W02C003 Into Two Lots For The Purpose Of A Conditional Use Permit For Gravel Extraction And For A Less Than Fair Market Value Sale Of Borough-Owned Property To The Meadow Lakes Community Council For The Purpose Of Public Recreation.

- IM 21-118** Informing The Assembly Of The Grant Agreement With Valley Transit For Local Match Funding That Will Be Provided To The Borough Manager For Signature, And Of The Reduction In The Amount Of The Local Match Funding Required.
- IM 21-121** Informing The Assembly Of The Manager's Signatures On, And The Submittal Of, A Grant Application To The State Of Alaska, Office Of History And Archaeology, For A Development Grant For Replacement Windows For The Old Willow Community Center.
- IM 21-122** Informing The Assembly Of Two Grant Agreements That Will Be Provided To The Borough Manager For Signature Distributing The Lazy Mountain Community Council's Remaining Community Assistance Grant Balance To The Palmer Fire Association, And The Yak, As Requested By The Lazy Mountain Community Council.
- Mr. Brown informed the Assembly that on IM 21-115 it should read 160 acres. The informational memorandum was presented.

## **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 21-049** An Ordinance Approving A Reappropriation Of \$12,500 From The Fiscal Year 2021 Community Development Department Operating Budget 203.170.141, Project No. 15040, To Fund 440, Settlers Bay Coastal Park Project.

RS 21-052: A Resolution Amending The Budget For The Settlers Bay Coastal Park, Project No. 15040, Fund 440, For Ongoing Park Construction And Development.

Ms. McKechnie read the legislation into the record.

Mr. Eric Phillips, Community Development 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 Tew moved to adopt Ordinance Serial No. 21-049.**

**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 21-050** An Ordinance Accepting And Appropriating \$20,980 From The Mat-Su Trails And Parks Foundation To Project No. 15040, Fund 440, To Continue Development Of The Settler's Bay Coastal Park.  
RS 21-055: A Resolution Approving The Scope Of Work And Budget For The Settlers Bay Coastal Park, Project No.15040, Fund 440, For Continued Park Development.

Ms. McKechnie read the legislation into the record.

Mr. Eric Phillips, Community Development 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 continue the public hearing on Ordinance Serial No. 21-050 to July 20, 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

**OR 21-051** An Ordinance Approving A Supplemental Appropriation Of \$1,500,000 From The Unrestricted Net Assets In The Solid Waste Division Enterprise Fund, Fund 510, To Solid Waste Project No. 25029, Fund 420, To Procure Gravel Removal Services At The Central Landfill.  
RS 21-056: A Resolution Establishing The Project, Scope Of Work, And Budget For A Supplemental Appropriation Of \$1,500,000 From The Unrestricted Net Assets In The Solid Waste Division Enterprise Fund, Fund 510, To Solid Waste Project No. 25029, Fund 420, To Procure Gravel Removal Services At The Central Landfill.

Ms. McKechnie read the legislation into the record.

Mr. Terry Dolan, Public Works Director, provided a staff report.

Mayor Halter opened the public hearing.

The following person spoke concerns with legislations urgency: Mr. Eugene Carl Haberman.

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

**Assemblymember Nowers moved to adopt Ordinance Serial No. 21-051.**

**Assemblymember Sumner moved to postpone Ordinance Serial No. 21-051 to the July 20, Regular Assembly Meeting.**

**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 21-052** An Ordinance Accepting and Appropriating \$14,874 Of Revenues From Fiscal Year 2021 Public Donations Into Project No. 10151, Fund 435.  
RS 21-057: A Resolution Amending The Budget For Project No. 10151, Fund 435, To Fix The Black Mold Problem In The Kennel Area And Improve The Quality Of Care For The Dogs.

Ms. McKechnie read the legislation into the record.

Mr. Chris Loscar, Animal Care & Regulation Director, provided a staff report.

Mayor Halter opened the public hearing.

The following person spoke concerns with how long the issue at the Animal Shelter has been occurring: Mr. Eugene Carl Haberman.

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

**Assemblymember Nowers moved to adopt Ordinance Serial No. 21-052.**

**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 21-053** An Ordinance Reappropriating \$152,000 From The Planning Department Fiscal Year 2021 Operating Budget, Fund 100.130.130.411.100 Permanent Wages, To Fund 480, Project No. 47513, Planning Department On-Call Positions.

RS 21-058: A Resolution Approving The Scope Of Work And Budget For Ms. McKechnie read the legislation into the record.

Mr. Alex Strawn, Planning Director, provided a staff report.

Mayor Halter opened the public hearing.

The following person spoke in opposition of the legislation: Mr. Eugene Carl Haberman.

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. 21-053 and Resolution Serial No. 21-058.**

**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 21-060** An Ordinance Reappropriating \$69,432 From The Port Enterprise Fund's Fiscal Year 2021 Operating Budget, Fund 520 To Fund 450, Port Infrastructure/Capital Projects.  
RS 21-059: A Resolution Amending The Scope Of Work And Budget For Port Mackenzie Dock Improvements/Repairs, Project No. 70012.  
Ms. McKechnie read the legislation into the record.

Mr. Theresa Dolan, Port Operations Manager, provided a staff report.

Mayor Halter opened the public hearing.

The following person spoke in opposition of the legislation: Mr. Eugene Carl Haberman.

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. 21-060 and Resolution Serial No. 21-059.**

**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

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

The meeting recessed at 8:20 p.m. and reconvened at 8:30 p.m.

The following person spoke to the importance of the west Big Lake Access and the close relationship Assemblymember Tew has with the owner. Requests Assemblymember Tew recuse himself from Executive Session: Mr. Dan Mayfield.

The following person noted that the west Big Lake Access was a project in the past: Ms. Cindy Bettine.

The following person spoke to the West Big Lake Access was created as part of the plat, it is a road and a section line easement. Expressed the access is important for residents and the owner was aware of it when the property purchased: Mr. Butch Moore.

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

### **D. CONSENT AGENDA**

#### **1. RESOLUTIONS**

- RS 21-062** A Resolution Extending The Time Of Completion For Project No. 20323, Fund 440, Library Telecommunications To June 30, 2022.
- RS 21-063** A Resolution Extending The Date Of Completion For Project No. 10063, Sub-project Nos. 4200-4203, Ambulance Billing Remodel To December 31, 2021.
- RS 21-064** A Resolution Extending The Date Of Completion For Project No. 10063, Dorothy Swanda Jones Administration Building Annex; Project No. 30114, Fish Passage Improvements; And Project No. 47500, Maintenance Shop Equipment/Upgrade To June 30, 2022.
- RS 21-066** A Resolution Accepting The Federal Emergency Management Agency Proposed Capped Improved Project Value Of \$36,289,845 For The Houston Middle School.

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

- AM 21-050** Authorizing The Borough Manager To Enter Into An Agreement With The City Of Houston For Preventative Vehicle Maintenance Through June 30, 2022, For An Amount Of \$30,000.

- AM 21-051** Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications.
- AM 21-052** Assembly Approval Of A Contract Extension Of The Current Medical Director Contract (16-125P) For Dr. Thomas Check For One Year Beginning July 1, 2021, Through June 30, 2022, For An Annual Amount Of \$150,000.
- AM 21-053** Authorizing The Borough Manager To Enter Into Contract Addendum No. 2 For Fire Protection Services With The City Of Palmer For The Contract Period Of July 1, 2019, To June 30, 2024, For An Amount Of \$460,480 For Fiscal Year 2022.
- AM 21-054** Approval Of Contract Extension Of Contract No. 20-093P, Content Manager Electronic Records Implementation To Extend The Completion Time To June 30, 2022.
- AM 21-055** Award Of Bid No. 21-171B To NRC Alaska, LLC, For The Contract Amount Not To Exceed \$500,000 For Household Hazardous Waste Transportation And Disposal.
- AM 21-056** Extension Of Contract No. 04-098 To North Star Group In The Amount Not To Exceed \$75,000 Through June 30, 2022, For Federal Lobbyist Services.

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

## **VIII. UNFINISHED BUSINESS**

There were no unfinished business presented.

## **IX. VETO**

**RS 21-054** A Resolution Approving A Change To The Fiscal Year 2022 Schedule Of Rates And Fees For Central Landfill And The Transfer Sites To Go Into Effect July 1, 2021.

**Sponsors:** Tew

Ms. McKechnie read the legislation into the record.

Mayor Halter queried if there was a motion to override the Mayoral Veto.

**Assemblymember Tew moved to override the Mayoral Veto.**

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

**Yes:** 1 - Assemblymember Tew

**No:** 6 - Assemblymember Hale, Assemblymember Nowers,  
Assemblymember McKee, Assemblymember Yundt,  
Assemblymember Sumner, and Assemblymember Boeve

## **X. NEW BUSINESS**

### **A. INTRODUCTIONS (For Public Hearing 07/20/21, Assembly Chambers)**

**OR 21-054** An Ordinance Creating North Preston Avenue And West Sunflower Drive Road Paving Local Improvement District No. 614, 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.

**OR 21-055** An Ordinance Creating North Baron Street Road Paving Local Improvement District No. 615, 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.

**OR 21-056** An Ordinance Creating West Phalarope And West Cormorant Natural Gas Local Improvement District No. 616, 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.

**OR 21-057** An Ordinance Creating Moose Park Subdivision Road Paving Local Improvement District No. 620, 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.

**OR 21-058** An Ordinance Creating North Suzanna Street Natural Gas Local Improvement District No. 625, 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.

**OR 21-059** An Ordinance Creating 2501 South Ridgecrest Road Natural Gas Local Improvement District No. 636, 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.

**OR 21-061** An Ordinance Creating Asbury Court & Shangrila Lane Natural Gas Local Improvement District No. 632, 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.

**OR 21-062** An Ordinance Reappropriating \$51,430.64 From Fund 435, Project No. 10063, And \$5,001 From Fund 410, Project No. 30114; To Fund 480, Project No. 47018, Matanuska River Erosion Dispute Resolution.  
RS 21-065: A Resolution Amending The Scopes Of Work And Budgets For Project No. 10063, Dorothy Swanda Jones Administration Building Annex; Project No. 30114, Fish Passage Improvements; Project No. 47500, Maintenance Shop Equipment/Upgrade; And The Matanuska River Erosion Dispute Resolution Project, Project No. 47018.

Ms. McKenchine 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 July 20, 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**

**21-143**

**Mayoral Requests for Confirmation**

**Commission on Salaries and Emoluments**

**Patti Fisher**

**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 Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve**

**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**

There were no reconsiderations.

**Assemblymember Boeve moved to extend the meeting past 10 p.m. and not to exceed 10:30 p.m.**

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

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

**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. Matanuska-Susitna Borough Vs. Danny Drum**

**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, the Matanuska-Susitna Borough Vs. Danny Drum. Those present in executive session would be the Mayor, the Assembly, the Manager, the Clerk, the Attorney, and the Assistant Borough Attorney.**

**Mayor Halter spoke to the public bringing up the possibility that Assemblymember Tew had a conflict of interest with the executive session due to knowing and working with Mr. Drum. Assemblymember Tew noted it is a small community and he has helped and worked with many people and stated that he is impartial.**

**RULING: Mayor Halter ruled that Assemblymember Tew does not have a conflict of interest in the executive session.**

**The motion to enter executive session passed with the following vote:**

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

**Excused: 1 - Assemblymember McKee**

**The Assembly enter into executive session at 9:20 p.m.**

**Assemblymember Boeve moved to exit executive session.**

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

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

**Excused: 1 - Assemblymember McKee**

The Assembly exited executive session at 10:20 p.m.

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

Ms. McKechnie thanked Assembly for her evaluation.

Assemblymember Yundt commented on landfill charges and wanting to look at them more closely.

Mayor Halter spoke to the landfill operating in the black and the Borough should keep it that way.

## **XIV. ADJOURNMENT**

The meeting adjourned at 10:23 p.m.






Mayoral Signature and Clerk Attestment

For

June 15, 2021, Assembly Regular Meeting Minutes

(16 pages)

  
VERN HALTER, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 07/20/21