

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, SEPTEMBER 7, 2021

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, September 7, 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: 6 - Assemblymember Tim Hale, Assemblymember Stephanie Nowers, Assemblymember George McKee, Assemblymember Mokie Tew, Assemblymember Jesse Sumner, and Assemblymember Tam Boeve

Excused: 1 - Assemblymember Robert Yundt

III. APPROVAL OF AGENDA

Mr. Brown requested to pull Resolution Serial No. 21-076 from the agenda.

Mayor Halter queried if there was any objection.

There was no objection noted.

The agenda was approved as amended without objection.

IV. PLEDGE OF ALLEGIANCE

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

Mayor Halter read a proclamation in recognition of National Preparedness Month into the record.

V. MINUTES OF PRECEDING MEETINGS

- 21-175** A. Regular Assembly Meeting: 08/03/21
 B. Special Assembly Meeting: 08/10/21
 C. Regular Assembly Meeting: 08/17/21
 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

Mr. Todd Smoldon, Executive Director of Governor Dunleavy's Mat-Su Office, reported on the status of the Governor's budget.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee On School Issues

There was no report provided.

2. Assembly Public Relations

There was no report provided.

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

Mr. Brown stated that the 13th Annual Emergency Preparedness Expo is scheduled for Saturday, September 25, 2021, from 10 a.m. to 3 p.m. Related that the Borough and community partners come together annually to answer questions about how to stay safe in the face of shared vulnerability to hazards of all types.

Mayor Halter thanked the School District for the letter they wrote to the State Legislators regarding school bonds.

D. ATTORNEY COMMENTS

Mr. Spiropoulos advised that there is a nationwide opioid litigation, which is nearing settlement. Summarized possible funds that the Borough could receive and how they may be spent. Noted that the Borough needs to either join the class action suit or file on their own in order to be eligible for a portion of the settlement funds. Noted he could bring forward a resolution in support of joining in on the lawsuit if that is something the Assembly would like to do.

Mayor Halter queried if there was any objection.

There was no objection noted.

E. CLERK COMMENTS

Ms. McKechnie spoke to the upcoming meeting schedule. Spoke to a minor change that was made to the election brochure. Inquired if there were any other changes the Assembly would like made to the brochure.

There were no changes noted.

F. CITIZEN AND OTHER CORRESPONDENCE

21-178

1. Enhanced 911 Advisory Board: 06/08/21
2. Fairview RSA Board of Supervisors: 05/18/21
3. Greater Talkeetna RSA Board of Supervisors: 07/08/21
4. Local Road Service Area Advisory Board: 06/17/21
5. Meadow Lakes Community Council: 06/09/21, 07/14/21
6. Planning Commission: 08/02/21, Resolution Nos. 21-17, 21-20, 21-21
7. Platting Board: 06/03/21, 06/17/21
8. Port Commission: Resolution No. 21-05
9. South Colony RSA Board of Supervisors: 04/14/21, 06/01/21
10. Susitna Community Council: 07/01/21
11. Tanaina Community Council: 8/10/21
12. Trapper Creek Community Council: 07/15/21
13. West Lakes FSA Board of Supervisors: 07/12/21

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

G. INFORMATIONAL MEMORANDUMS

IM 21-180 Reporting The Conclusion Of Contract For Bid No. 21-125B With Capital Office Systems For The Supply And Install Of Furniture, Fixtures, and Equipment At Station 6-1 - Phase II, For The Final Contract Amount Of \$141,765.47.

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 persons to be heard.

B. PUBLIC HEARINGS (Three Minutes Per Person.)

OR 21-088 An Ordinance Accepting And Appropriating \$7,590,192 In Disaster Supplement Funds From The United States Economic Development Administration, For The Installation Of Pile Sleeves On The Deep Draft Dock And A Roll On-Roll Off Cargo Ramp At Port Mackenzie.
RS 21-088: A Resolution Approving The Scope Of Work And Budget For The United States Economic Development Administration, Disaster
Ms. McKechnie read the legislation into the record.

Ms. Therese Dolan, Port Operations 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 discussion moved to the Assembly.

Assemblymember Tew moved to adopt Ordinance Serial No. 21-088 and Resolution Serial No. 21-088.

Assemblymember McKee moved to postpone Ordinance Serial No. 21-088 and Resolution Serial No. 21-088 to a time certain of December 7, 2021. The motion failed by the following vote:

Yes: 1 - Assemblymember McKee

No: 5 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

The main motion passed by the following vote:

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

OR 21-089 An Ordinance Accepting And Appropriating \$301,625 From The Alaska State Department Of Health And Social Services, For The Provision Of Critically Needed Essential Health And Social Services.
RS 21-089: A Resolution Approving The Scope Of Work And Budget For The Human Services Community Matching Grant Program.
RS 21-090: A Resolution Allocating Funding To Nonprofit Subgrantees For The Provision Of Critically Needed Essential Health And Social Services.

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 discussion moved to the Assembly.

Assemblymember Boeve moved to adopt Ordinance Serial No. 21-89 and Resolution Serial No. 21-089. The motion passed by the following vote:

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

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

The following person apologized that the Jonesville Public Use Area Management Plan arrived for Assembly consideration as an incomplete package and spoke to the work being done on it: Mr. Brian Largent, Sutton Community Council.

The following persons spoke to concerns with the Burma Road under pass: Ms. Donna Dafusco and Ms. Kelly Liston.

The following person provided a copy of *A Guide to Home-Based COVID Treatment*: Ms. Robin Bjork.

The following person spoke to concerns with COVID-19 shots: Ms. Jackie Ivy Goforth.

D. CONSENT AGENDA

1. RESOLUTIONS

RS 21-076 A Resolution Establishing That Financing Of Energy Improvement Projects Through Assessments Serves A Valid Public Purpose And Related Matters (Pace Program).

[Clerk's Note: Resolution Serial No. 21-076, was removed from the agenda at approval of the agenda and no action was taken.]

RS 21-093 A Resolution Supporting The Curry Ridge Riders Application For A Recreational Trails Program Grant Through The Alaska State Department Of Natural Resources.

2. ACTION MEMORANDUMS

- AM 21-081** Request To Vacate The Existing 60-Foot Radius Cul-De-Sac On North Sun Valley Drive, Created By Margaret's Subdivision, Plat No. 2020-83, To Be Replaced By A 60-Foot Radius Cul-De-Sac Approximately 100-Feet To The North To Provide Frontage For New Lots Created By Base Camp Subdivision; Located Within Section 35, Township 19 North, Range 1 East, Seward Meridian, Alaska, Lying East Of North Palmer Fishhook Road And Directly North Of North Sun Valley Drive.
- AM 21-082** Approval Of Election Officials For The November 2, 2021, Regular Borough Election.
- AM 21-084** Authorizing The Borough Manager To Enter Into An Agreement With The Federal Emergency Management Agency Regarding The Use Of Interoperable Systems And The Integrated Public Alert And Warning System Open Platform For Emergency Networks.
- AM 21-085** Award Of Bid No. 22-022B To Western Construction & Equipment, LLC. In The Contract Amount Of \$114,370 For Hidden Hills Road Repairs.
- AM 21-086** Award Of Bid No. 22-020B To Northern Gravel & Trucking, LLC. In The Contract Amount Of \$642,772 To Purchase Winter Sand And Chips.
- AM 21-088** Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications.
- AM 21-089** Approval Of A Contract Amendment To Contract No. 21-168B With Alaska Diversified Contractors, LLC. To Extend The Project Completion Time To Construct The Cell Four Gas Collection System Project, To October 15, 2021.
- AM 21-091** Approval Of Contract Amendment To Proposal No. 20-107P With Michael Baker International, Inc. Extending The Project Completion To September 30, 2022, To Design Point Mackenzie Rail Extension Bridge Repairs Project.

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: 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

RS 21-091 A Resolution Approving A Change To The Fiscal Year 2022 Schedule Of Rates And Fees For Central Landfill And The Transfer Sites To Add A Special Level Pickup Truck Rate Of \$10.

Sponsors: Tew

Ms. McKechnie read the legislation into the record.

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

Assemblymember Boeve moved to adopt Resolution Serial No. 21-091. The motion failed (tie vote) by the following vote:

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

No: 3 - Assemblymember Hale, Assemblymember Nowers, and Assemblymember Boeve

The Mayor invoked his voting privilege in the negative and the motion failed by the following vote:

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

No: 4 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Boeve, and Mayor Halter

RS 21-095 A Resolution Authorizing Submittal Of A State Of Alaska Redistricting Plan To The Alaska State Redistricting Board.
Ms. McKechine read the legislation into the record

Ms. Pamela Graham, Grant Coordinator, provided a staff report.

Assemblymember Boeve moved to adopt Resolution Serial No. 21-095.

Assemblymember Boeve moved a primary amendment to Resolution Serial No. 21-095, as follows:

- **by striking the “Now, Therefore, Be It Resolved” and the “Be It Further Resolved” clauses in their entirety; and**
- **by inserting the following language in its place, “Now, Therefore, Be It Resolved, that the Matanuska-Susitna Borough Assembly hereby directs the Manager to develop and present a state redistricting plan that allocates the Borough six house districts, with three senate districts. This may require partnering with the Denali Borough to minimize districts that cross other borough boundaries and accommodates the future growth of the Borough to the greatest extent possible.”**

The motion passed by the following vote:

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

The main motion passed as amended by the following vote:

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

RS 21-096 A Resolution Ratifying The 2022-2024 Proposed Labor Agreement With The Matanuska-Susitna Borough Employee Association; And Authorizing The Manager To Sign And Execute Said Agreement.
Ms. McKechnie read the legislation into the record.

AM 21-090 Approval Of Change Order No. 5 To Contract No. 20-053P With Alaska Quality Builders In The Amount Of \$30,454.78, To Change The Scope Of Work To Allow Design And Construction Of Americans with Disabilities Act Compliant Restroom Facilities; And Add Alaska State Historic Preservation Grant Funds.
Ms. McKechnie read the legislation into the record.

Mr. Terry Dolan, Public Works Director, provided a staff report.
Assemblymember McKee moved to adopt AM No. 21-090. The motion passed by the following vote:

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

No: 2 - Assemblymember McKee, and Assemblymember Tew

AM 21-092 Request Approval Of A Contract Amendment To Contract No. 21-001B With Northstar Excavation & Asphalt, Inc. To Extend The Final Completion Date For Landfill Gas Collection And Control System Construction.

Ms. McKechnie read the legislation into the record.

CONFLICT OF INTEREST: Assemblymember Sumner declared a conflict of interest as he does substantial business with the contract awardee.

RULING: Mayor Halter ruled that Assemblymember Sumner had a conflict of interest and would be recused from voting.

Assemblymember Sumner exited the meeting.

Assemblymember Boeve moved to adopt AM No. 21-092. The motion passed by the following vote:

Yes: 5 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Tew, and Assemblymember Boeve

Recused: 1 - Assemblymember Sumner
Assemblymember Sumner re-entered the meeting.

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. VETO

There were no vetoes presented.

X. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing 09/21/21, Assembly Chambers)

OR 21-090 An Ordinance Amending The Bid Protest And Appeal Procedure By Adopting Amendments To MSB 3.08.342, Bid Protest And Appeal Procedures.

OR 21-091 An Ordinance Amending Portions Of MSB 3.28 To Change The Threshold For Contiguous Local Improvement Districts From 70 Percent To 60 Percent.

Sponsors: Sumner

OR 21-093 An Ordinance Accepting And Appropriating \$299,991 In Fiscal Year 2022 Community Assistance Program Funding.
RS 21-092: A Resolution Approving The Scope Of Work And Budget For The Community Assistance Program And Authorizing The Manager To Enter Into Agreements With 19 Unincorporated Communities Within The Borough.

OR 21-094 An Ordinance Accepting And Appropriating Additional Funds In The Amount Of \$429,076 For The Borough Fish Passage 2025 Grant, Revision No. 1, To Design And Construct Fish Passage Culvert Replacements; And Use Matching Funds Of \$122,980 From The Fiscal Year 2020 Fish Passage Project; And \$117,020 From The Grant Match For Fish Passage Projects, Fiscal Year 2021.
RS 21-094: A Resolution Approving The Scope Of Work And Budget For The Borough Fish Passage 2025 Project To Design And Construct Fish Passage Culvert Replacements.

OR 21-098 An Ordinance Approving A One-Year Extension For The Management Agreement Between The Borough And The Chickaloon Village Traditional Council As The Operator On Behalf Of The Borough For The Moose Creek Campground (Mile Post 54.5 North Glenn Hwy) On State-Owned Land.

Ms. McKechnie read the legislation into the record.

Assemblymember Boeve moved to introduce the legislation as read into the record and to set the public hearings for September 21, 2021. The motion passed by the following vote:

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

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

21-180

Mayoral Requests for Confirmation

Borough Area Schools Site Selection Committee

Daniel Bowen

Commission on Salaries and Emoluments

Matthew Beck, resignation

Parks, Recreation, and Trails Advisory Board

James Jones

Transportation Advisory Board

LaQuita Chmielowski

Assemblymember Boeve moved to confirm the appointments and resignation requested by the Mayor. The motion passed by the following vote:

Yes: 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, 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.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Assemblymember Hale spoke in support of residents using transfer stations. Opined that the proposed resolution was the wrong way to go about it. Stated that he has been working with staff to figure out ways to reduce taxpayer burden.

Assemblymember Nowers spoke to the need to ensure that all decisions made impact residents fairly across the board. Stated that she is interested in what the Borough might accomplish with opioid funds. Noted that she requested that “Possible Legislative Priority: Healthcare Pricing Transparency” be added to joint agenda for discussion. Spoke to difficulties that she has encountered in trying to determine prices of services before they are received. Thanked staff for the redistricting update. Stated that she would like updated maps as information changes.

Assemblymember Sumner related that he has had a lot of contact from residents speaking in opposition to the Borough enacting a vaccine mandate or lockdown. Stated that the Borough does not have health powers and cannot mandate any such thing.

Ms. McKechnie spoke to the way that the state does redistricting and how reapportionment for the Borough will work. Advised that she is looking at a possible special election in April for the voters to ratify the proposed reapportionment.

Assemblymember Tew spoke to concerns with fees collected at the landfill. Opined that the Borough is the highest in the Nation for the use of landfills.

Assemblymember McKee stated that he is astounded that the Assembly believes they cannot ever close Port MacKenzie.

Assemblymember Boeve stated that she has been hearing from her constituents quite a bit in regard to the lack of COVID testing places in the northern communities. Stated that she is not sure if that is anything the Borough can do to assist with that, but that it would be nice if testing were more accessible in the northern areas.

Mayor Halter stated that he is pleased that the funds for pile sleeves have been secured. Noted that this has been an issue for a very long time. Stated that he likes the idea of working with the Denali Borough regarding redistricting. Spoke to what he pays for in trash collection fees. Noted that at one time, the Landfill enterprise fund was in the red. Stated that he would hate to see the fund go back in the red. Advised that the Iditarod Burma Road underpass issue was litigated all the way to the Supreme Court.

XIII. EXECUTIVE SESSION

There was no executive session.

XIV. ADJOURNMENT

The meeting recessed at 7:45 p.m.



Mayoral Signature and Clerk Attestment

For

September 7, 2021, Assembly Regular Meeting Minutes

(15 pages)

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 09/21/21