

# 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

Steve Colligan, 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

4:00 PM

TUESDAY, APRIL 4, 2017

## I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, April 4, 2017, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 4 p.m. by Presiding Officer Mayfield.

## II. ROLL CALL

Mayor Halter attended telephonically for informational purposes only.

**Present:** 5 - Assemblymember Jim Sykes, Assemblymember George McKee, Assemblymember Steve Colligan, Assemblymember Dan Mayfield, and Assemblymember Barbara J. Doty

**Telephonic:** 2 - Assemblymember Matthew Beck, and Assemblymember Randall Kowalke

## III. APPROVAL OF AGENDA

The agenda was approved as presented without objection.

## IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Ms. Janet Kincaid, a member of the audience.

## V. MINUTES OF PRECEDING MEETINGS

[17-022](#)

- A. Special Meeting Minutes: 03/07/17
- B. Regular Meeting Minutes: 03/07/17
- C. Special Meeting Minutes: 03/21/17
- D. Regular Meeting Minutes: 03/21/17

**Sponsors:** Borough Manager

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**

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

Ms. Monica Goyette, Assistant Superintendent of Education and Instruction reported on the activities of the School District.

### **B. SPECIAL ORDERS OF THE DAY**

[17-020](#)

Mayoral Proclamation Regarding Recognition Day for National Service

**Sponsors:** Halter

Presiding Officer Mayfield read the proclamation into the record.

### **C. COMMITTEE REPORTS**

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

Assemblymember Sykes reported on the most recent meeting of the Committee.

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

Assemblymembers Beck and Kowalke summarized their trip to Washington, D.C.

### **D. MANAGER COMMENTS**

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

## **2. Strategic Planning Issues**

Mr. George Hays, Assistant Borough Manager, reported that the Alaska State Troopers signed a Memorandum of Understanding with the Chickaloon Village Traditional Council, to certify village members as official officers with police powers.

Mr. Eric Wyatt, Information Technology Director, reported on the Borough's E-Commerce system.

## **3. MSB Fish and Wildlife Commission Update on the Alaska State Board of Fisheries Meeting**

Mr. Terry Nininger and Mr. Drew Couch, of the MSB Fish and Wildlife Commission, reported on the Alaska State Board of Fisheries meeting.

## **E. ATTORNEY COMMENTS**

There were no comments provided.

## **F. CLERK COMMENTS**

Ms. Kilborn noted that the upcoming meeting schedule is in the Clerk's Report.

## **G. CITIZEN AND OTHER CORRESPONDENCE**

### 17-019

- a. Agriculture Advisory Board: Resolution No. 17-03
- b. Enhanced 911 Advisory Board: 01/10/17
- c. Greater Palmer Consolidated FSA Board of Supervisors: 10/10/16
- d. Greater Talkeetna RSA Board of Supervisors: 01/12/17
- e. Greater Willow RSA Board of Supervisors: 09/14/16
- f. Library Board: 10/15/16, 01/21/17
- g. MSB Fish and Wildlife Commission: 01/05/17, 01/19/17, 02/02/17, 02/16/17
- h. Parks, Recreation, and Trails Advisory Board: 01/23/17, 02/27/17
- i. Planning Commission: 10/17/16, Resolution Nos. 17-03, 17-08, 17-09
- j. South Colony RSA Board of Supervisors: 05/10/16, 11/08/16
- k. West Lakes FSA Board of Supervisors: 02/13/17
- l. Talkeetna Community Council: 02/06/17
- m. Trapper Creek Community Council: 02/16/17

### **Sponsors:** Borough Manager

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

## H. 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.)

#### [OR 17-013](#)

An Ordinance Accepting And Appropriating \$169,009.50 From Fund 520 To Fund 450, Project No. 70012 To Fund Repairs To The Port MacKenzie Barge Dock.

**RS 17-009:** A Resolution Approving The Appropriation Of \$450,000 From The Areawide Capital Reserve And \$400,000 From The Land Management Permanent Fund, For A Total Of \$850,000 To Fund 450, Project No. 70012, As A Loan To Fund 520, To Fund Repairs To The Port MacKenzie Barge Dock.

#### **Sponsors:** Borough Manager

Presiding Officer Mayfield opened the public hearing.

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

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

**MOTION: Assemblymember Doty moved to adopt Ordinance Serial No. 17-013.**

**Assemblymember Kowalke moved to postpone. The motion passed without objection by the following vote:**

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

[OR 17-027](#) An Ordinance Accepting And Appropriating \$6,905.42 Of Revenues From Public Donations To The Fiscal Year 2017 Animal Care And Regulation Division Operating Budget, 200.100.606, To Purchase Equipment And Supplies For Animal Care.

**Sponsors:** Borough Manager

Presiding Officer Mayfield opened the public hearing.

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

**Assemblymember Doty moved to adopt. The motion passed without objection by the following vote:**

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

[OR 17-028](#) An Ordinance Approving A Reappropriation Of \$2,355 From Fund 435, Project No. 10176, Night Drop Upgrades, To Fund 480, Project No. 45276, For Neuter Scooter Equipment And Public Outreach.

**Sponsors:** Borough Manager

Presiding Officer Mayfield opened the public hearing.

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

**Assemblymember Doty moved to adopt. The motion passed without objection by the following vote:**

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

[OR 17-030](#)

An Ordinance Accepting And Appropriating \$355,000 From Alaska Sustainable Salmon Fund To Fund 410, Project No. 30114, For Five Culvert Replacements As Part Of The Fish Passage Improvements Project, Project No. 30114.

RS 17-021: A Resolution Approving The Scope Of Work And Budget For The Replacement Of Five Culverts For Fish Passage Improvements, Project No. 30114.

**Sponsors:** Borough Manager

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 Doty moved to adopt. The motion passed without objection by the following vote:**

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

[OR 17-033](#)

An Ordinance Amending MSB Title 43, Subdivisions, To Address Substantial Items Outlined In The Planning Department Staff Memorandum Dated March 1, 2013.

**Sponsors:** Borough Manager

Presiding Officer Mayfield opened the public hearing.

The following person spoke to concerns with the ordinance and spoke in support of continuing the public hearings: Mr. Jay VanDiest.

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

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

**Assemblymember Doty moved to continue the public hearing to a time certain of June 6, 2017; and to direct staff to prepare an amendment to address the issues in the March 2017, Title 43 Parking Lot Memo; and to bring the proposed amendment to the Platting Board and Planning Commission in May, prior to Assembly consideration. The motion passed without objection by the following vote:**

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

[OR 17-036](#)

An Ordinance Appropriating \$22,160,000 To Fund 440, Parks And Recreation Projects, For The Acquisition, Construction, And Installation Of Parks And Recreation Related Capital Improvements Within The Borough And \$257,800 To Fund 440, For Related Issuance Costs From The Proceeds Of The 2017 Series A General Obligation Parks And Recreation Bonds.

**Sponsors:** Borough Manager

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 Doty moved to adopt. The motion passed without objection 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 persons spoke in support of Set Free Alaska: Mr. Phillip Licht, Executive Director of Set Free Alaska; Ms. Sherry Covington; Ms. Janet Kincaid; Mr. Kirby Krause; Ms. Melissa Andresen; Mr. Tom Stein, Chairman of Setfree Alaska Board; Ms. Shannon Harris; Ms. Mary Kincaid; Ms. Mariah Jerman; Ms. Sherry Hill; Ms. Noel Crowley Bell; Mr. Karl Soderstrom; Ms. Terra Stanley; Ms. Phyllis Heath; Ms. Laurel Bennett; Ms. Michelle Overstreet; Ms. Verdelle Thompson; Mr. Jeff Gruber; and Mr. Mike Trudeau.

The following persons spoke in support of Resolution Serial No. 17-028: Ms. Terry Snyder; and Ms. Jennifer Brant, American Lung Association.

The following persons spoke in opposition to Set Free Alaska: Mr. Dan Lewis and Mr. A.C. Buswell, IV.

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

The following person spoke in opposition of the property for the old Iditarod Elementary School being sold to the city of Wasilla: Mr. Garvin Bucharia.

The meeting recessed at 5:54 p.m. and reconvened at 5:59 p.m.

## D. CONSENT AGENDA

### 1. RESOLUTIONS

[RS 17-023](#) A Resolution Supporting The Purchase Of 295 Acres Of Land In The Settlers Bay Neighborhood By The Great Land Trust In Order To Donate The Land To The Matanuska-Susitna Borough To Be Managed For Habitat And Recreation.

**Sponsors:** Borough Manager

[RS 17-028](#) A Resolution Supporting Smokefree Alaska (Senate Bill 63).

**Sponsors:** Doty

### 2. ACTION MEMORANDUMS

[AM 17-028](#) Authorizing The Manager To Enter Into A Memorandum Of Understanding With The Alaska State Department Of Public Health And Social Services And The Matanuska-Susitna Borough School District For Use Of School District Sites For Mass Dispensing In Emergency Situations.

**Sponsors:** Borough Manager

[AM 17-029](#) Approve Project No. 55021 For Expenses And Reimbursements Relating To The Alaska State Department Of Natural Resources, Division Of Forestry, For Services Rendered By The Borough GIS Division Staff For Mapping Assistance Requests With Wildland Fires.

**Sponsors:** Borough Manager

[AM 17-030](#) Vacate The Platted Common Driveway Easement At The Lot Line Between Lots 1 And 2, Quickstar, Plat No. 2003-10, Located In Section 21, Township 17 North, Range 3 West, Seward Meridian.

**Sponsors:** Borough Manager

[AM 17-031](#) Vacate The 50-Foot Wide Section Line Easements Within Lots 9 And 10, United States Survey 4587, Sections 27 And 34, Township 8 North, Range 8 West, Copper River Meridian.

**Sponsors:** Borough Manager

**Assemblymember Doty moved to approve the Consent Agenda as read into the record by the Clerk. The motion carried without objection by the following vote:**

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

[AM 17-027](#)

Award Of Bid No.17-093B To Anchorage Sand And Gravel, Inc. In The Contract Amount Of \$290,950 To Purchase Crack Sealant.

**Sponsors:** Borough Manager

CONFLICT OF INTEREST: Assemblymember Colligan declared a conflict of interest due to business relations with the bid winner.

RULING: Presiding Officer Mayfield ruled that Assemblymember Colligan had a conflict of interest and would be recused from voting.

Assemblymember Colligan exited the meeting after the Presiding Officer's ruling and re-entered the meeting after the legislation was adopted.

**Assemblymember Doty moved to adopt. The motion passed without objection by the following vote:**

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

**Recused:** 1 - Assemblymember Colligan

#### **VIII. UNFINISHED BUSINESS**

There was no unfinished business.

#### **IX. VETO**

There were no vetoes presented.

#### **X. NEW BUSINESS**

##### **A. INTRODUCTIONS (For Public Hearing 04/18/17 Assembly Chambers)**

[OR 17-031](#)

An Ordinance Of The Matanuska-Susitna Borough Assembly Approving The Less Than Fair Market Value Sale Of The Old Iditarod Elementary School Parcel In The Amount Of \$1,500,000 To The City Of Wasilla, Said Parcel Identified As Tract B, Iditarod-Wasilla Schools 2016, Plat No. 2016-112, And Accepting And Appropriating The Sale Proceeds (MSB007256).

**Sponsors:** Borough Manager

[OR 17-034](#)

An Ordinance Approving An Appropriation Of \$300,000 From The Talkeetna Fire Service Area Fund Balance, Fund 254, To Fund 405, Project No. 45243, To Purchase A Pumper/Rescue Vehicle And Related Equipment.

**RS 17-020:** A Resolution Approving The Scope Of Work And Budget For Project No. 45243, To Allow For The Purchase Of A Pumper/Rescue Vehicle And Related Equipment For Talkeetna Fire Service Area.

**Sponsors:** Borough Manager

[OR 17-037](#)

An Ordinance Approving An Appropriation Of \$250,000 From South Colony Road Service Area No. 16 Fund Balance, Fund 273, To Fund 410, Project No. 30039, For South Colony Road Service Area No. 16 Capital Projects.

**Sponsors:** Borough Manager

[OR 17-038](#)

An Ordinance Reappropriating \$82,100 From Fund 480, Project No. 47511, Payroll Benefits System/Human Resources System, To Fund 480, Project No. 47506, Financial System Enhancements.

**RS 17-024:** A Resolution Amending The Scopes Of Work And Budgets For Payroll Benefits System/Human Resources System, Project No. 47511 And Financial System Enhancements, Project No. 47506, To Include The Continued Development And Implementation Of The Borough E-Commerce Site.

**Sponsors:** Borough Manager

[OR 17-039](#)

An Ordinance Authorizing The Borough Manager To Transfer And Relinquish Any And All Interest The Borough Has Within West Hawk Lane To The City Of Houston For Maintenance Within The City Boundaries, Located Within Sections 1, 2, 3, 10, 11 And 12, Township 17 North, Range 3 West, Seward Meridian, Third Judicial District.

**Sponsors:** Borough Manager

Ms. Kilborn read the above legislation into the record.

**Assemblymember Doty moved to introduce the legislation as read into the record by the Clerk and set the public hearings for April 18, 2017. The motion passed without objection 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**

[17-023](#) Vacancy Report

**Sponsors:** Borough Manager

Planning Commission:

Chris Elder

Wastewater and Septage Advisory Board:

Thomas Healy, resignation

**MOTION: Assemblymember Doty moved to confirm the  
appointment and resignation requested by the Mayor.**

**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.

## **XI. RECONSIDERATION**

There was no reconsideration presented.

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

Assemblymember Doty: Noted her appreciation of the testimony for Smokefree Alaska. Related that she will not be present at the meeting on April 18.

Assemblymember Colligan: Stated he is glad to be back. Advised that he will be out of the country for several weeks due to work obligations. Spoke to his appreciation of the testimony in support of Set Free Alaska. Related that he understands the concerns that were expressed by the neighboring property owners, regarding the lack of public notice, but noted that the facility is on private property. Opined that Set Free Alaska has very skilled staff. Stated that the facility is a highly organized and private facility.

Assemblymember Sykes: Thanked the public for their testimony. Noted how much he enjoyed the MSB Fish and Wildlife Commission presentation. Spoke in support of the Smokefree Alaska resolution. Stated that he is glad to see capital projects moving forward, as they are good for the community. Spoke in support of postponed items having the public hearing continued as well.

Assemblymember Beck: Stated that he appreciates the opportunity to be able to participate telephonically. Spoke to his appreciation of the testimony regarding Set Free Alaska. Noted that there is not anything the Assembly can do other than to listen to the concerns of the public. Spoke in support of Set Free Alaska. Opined that the surrounding property owners will see that Set Free Alaska will be good neighbors. Spoke in support of smoke free work places.

Assemblymember Kowalke: Stated that he echoes the comments made by Assemblymember Beck regarding Set Free Alaska. Stated that Presiding Officer Mayfield ran a good meeting and that he appreciates that.

Presiding Officer Mayfield: Stated that he appreciates the members who are participating telephonically. Related that he was impressed by the information contained in the MSB Fish and Wildlife Commission presentation. Noted that moving testimony provided that is in support of Set Free Alaska. Stated that he sees the need for the facility. Spoke in support of smoke free work places and noted that he hopes the Legislature will adopt Senate Bill 63. Related that it was his pleasure to host the meeting and appreciates the opportunity to do so. Recognized a constituent of his district who was just confirmed as the newest Planning Commission Member, Mr. Chris Elder. Opined that he will do a great job. Wished everyone a good evening.

## **XIII. EXECUTIVE SESSION**

There was no executive session held.

#### **XIV. ADJOURNMENT**

The meeting adjourned at 6:17 p.m.