

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

6:00 PM

TUESDAY, JUNE 6, 2017

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, June 6, 2017, 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 Jim Sykes, Assemblymember George McKee, Assemblymember Steve Colligan, Assemblymember Dan Mayfield, and Assemblymember Randall Kowalke

Excused: 1 - Assemblymember Matthew Beck

Telephonic: 1 - Assemblymember Barbara J. Doty

III. APPROVAL OF AGENDA

The agenda was approved as presented without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Nathan Wallace, Palmer City Manager.

V. MINUTES OF PRECEDING MEETINGS

There were no minutes to be approved.

VI. REPORTS/CORRESPONDENCE

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

1. Reports From Cities

Mayor Bert Cottle reported on the activities of the city of Wasilla.

Mr. Nathan Wallace, Palmer City Manager, reported on the activities of the city of Palmer.

2. Matanuska-Susitna Borough School District

There was no report provided.

B. 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

There was no report provided.

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

Ms. Eileen Probasco, Planning and Land Use Director, reported on the ongoing efforts of the Platting Board to address issues within Title 43.

Mr. George Hoden, Land Management Specialist, reported on the Borough's trails management plan.

Mr. Terry Dolan, Public Works Director, reported on the Talkeetna fecal coliform bacteria results.

Mr. Mike Campfield, Environmental Engineer, provided an update on the wastewater and septage leachate facility.

Mr. Moosey reported on possible funding for Port MacKenzie through the Governor's budget and on the current state of the legislative session in Juneau.

D. ATTORNEY COMMENTS

Mr. Spiropoulos reported on legal issues currently impacting the Borough.

E. CLERK COMMENTS

Ms. McKechnie reported on the upcoming meeting schedule.

F. CITIZEN AND OTHER CORRESPONDENCE

[17-039](#)

1. Agriculture Advisory Board: 01/18/17, 02/15/17, 03/15/17
2. Greater Butte RSA Board Of Supervisors: 04/13/17
3. Greater Talkeetna RSA Board Of Supervisors: 04/13/17
4. Local Road Service Area Advisory Board: 04/20/17
5. MSB Fish And Wildlife Commission: 03/16/17
6. Platting Board: 03/16/17, 04/06/17
7. South Colony RSA Board of Supervisors: 02/21/17
8. Wastewater Septage Advisory Board: 02/09/17
9. West Lakes FSA Board Of Supervisors: 04/10/17
10. Greater Farm Loop Community Council: 07/14/16, 09/29/16, 10/06/16, 12/08/16, Resolution No. 01-2016
11. Meadow Lakes Community Council: 04/12/17
12. South Knik River Community Council: 05/18/16, 09/15/16, 11/17/16
13. Susitna Community Council: 04/06/17

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

G. INFORMATIONAL MEMORANDUMS

[IM 17-110](#)

Reporting Of Conclusion Of Contract For Bid No. 15-097B To Prosser-Dagg Construction Company, Inc. For The Districtwide Athletic Field Improvements Project In The Final Contract Amount Of \$4,260,317.14.

Sponsors: Borough Manager

[IM 17-112](#)

Reporting Of Conclusion Of Contract For Bid No. 16-124B To Diversified Construction Inc., For The Four Mile Warm Storage Building Project In The Final Contract Amount Of \$554,124.

Sponsors: Borough Manager

[IM 17-113](#)

Reporting Of Conclusion Of Contract For Bid No. 14-020P To HDR Alaska Inc. For Central Landfill Cell 2A Closure 2013 Project In The Final Contract Amount Of \$308,989.51.

Sponsors: Borough Manager

The informational memorandums were presented and no comments were noted.

VII. SPECIAL ORDERS

(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.)

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 17-033](#) An Ordinance Amending Title 43, Subdivisions, To Address Substantial Items Outlined In The Planning Department Staff Memorandum Dated March 1, 2013.

Sponsors: Borough Manager
Ms. Probasco provided a staff report.

Mayor Halter opened public hearing.

The following persons spoke in support of the Planning Commission and the Platting Board working out Title 43 issues: Mr. Jay Van Diest, Platting Board Chair; Mr. Robert Yount; and Mr. Jess Hall.

The following persons spoke to concerns with Ordinance Serial No. 17-033: Mr. Pio Cottini, Mr. Jim Colver, Mr. Kevin Sorensen, and Mr. Tim Crew.

The meeting recessed at 7 p.m. and reconvened at 7:10 p.m.
Assemblymember Mayfield moved to postpone Ordinance Serial No. 17-033 to a time certain of November 7, 2017; and to direct the Manager to have a joint meeting or series of joint meetings of the Platting Board and Planning Commission to resolve differences in suggested changes to Title 43, with that work to end by August 31st. Further, that a meeting of the Assembly be scheduled for November 2, 2017, at 6 p.m. to work as a Committee of the Whole in worksession format so that the Assembly may gain insights as to the ramifications of the changes proposed. The motion passed without objection by the following vote:

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

Excused: 1 - Assemblymember Beck

[OR 17-058](#) An Ordinance Approving The Fair Market Value Sale Of Borough-Owned Land To The Alaska State Department Of Transportation And Public Facilities For Purpose Of Public Right-Of-Way Needed For The Parks Highway Milepost 48.8 To 52.3 Reconstruction Project No. 54373/OA40129 (MSB007239).

Sponsors: Borough Manager

Assemblymember Kowalke moved to adopt Ordinance Serial No. 17-058. The motion passed without objection by the following vote:

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

Excused: 1 - Assemblymember Beck

[OR 17-060](#) An Ordinance Approving The Acquisition Of Government Lot 16 (MSB Tax #17N04W27C020) In The Amount Of \$71,300, Which Is The Borough Assessed Value, To Be Retained In Perpetuity For Public Use And Right-Of-Way Connectivity, And Approving A Supplemental Appropriation For The Cost Of Acquisition From The Land Management Permanent Fund, Fund 203, To The Fiscal Year 2017 Land Management Operating Budget (MSB007257).

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 exited the meeting telephonically at 7:12 p.m.

Assemblymember Mayfield moved to adopt Ordinance Serial No. 17-060. The motion passed by the following vote:

Yes: 4 - Assemblymember Sykes, Assemblymember Colligan, Assemblymember Mayfield, and Assemblymember Kowalke

No: 1 - Assemblymember McKee

Excused: 2 - Assemblymember Beck, and Assemblymember Doty

[OR 17-063](#)

An Ordinance Providing For The Sale Of Certain Boroughwide Real Property Acquired Through Tax Foreclosure For Delinquent Real Property Tax Years 2004 And Prior, 2006 And Prior, 2009 And Prior, And 2011 And Prior, And Not Needed For Public Purpose.

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 Kowalke moved a primary amendment to Ordinance Serial No. 17-063, by striking the following properties:

- 1. Tax Account No. 52044B06L016 - Amanda Griffeth;**
- 2. Tax Account No. 52044B06L017 - Amanda Griffeth;**
- 3. Tax Account No. 56070000I0036 - Michael Giffeli;**
- 4. Tax Account No. 56070000I0037 - Michael Giffeli;**
- 5. Tax Account No. 56070000I0038 - Michael Giffeli;**
- 6. Tax Account No. 56070000I0067 - Michael Giffeli;**
- 7. Tax Account No. 52607B01L003 - Bryan G. Kerr;**
- 8. Tax Account No. 56723000t001 - Kendall Lee Bellestri; and**
- 9. Tax Account No. 4U04591000L17 - Timothy and Priscilla Gillow.**

The primary amendment passed without objection.

Assemblymember Kowalke moved to adopt Ordinance Serial No. 17-063 as amended. The main motion passed without objection by the following vote:

Yes: 5 - Assemblymember Sykes, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, and Assemblymember Kowalke

Excused: 2 - Assemblymember Beck, and Assemblymember Doty

[OR 17-064](#)

An Ordinance To Approve Retaining For Public Purpose Lots 13 And 14, Block 2, Triple Crown Estates And The South One-Half Of The South One-Half Of The South One-Half Of The Northeast One-Quarter, Section 11, Township 19 North, Range 4 West, Seward Meridian, Palmer Recording District, Third Judicial District, Identified As Borough Tax Parcels 52041B02L013, 52041B02L014, And 219N04W11A006, Which Were Acquired Through Tax Foreclosure (MSB007262 And MSB007263).

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 Sykes moved to adopt Ordinance Serial No. 17-064. The motion passed without objection by the following vote:

Yes: 5 - Assemblymember Sykes, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, and Assemblymember Kowalke

Excused: 2 - Assemblymember Beck, and Assemblymember Doty

[OR 17-073](#)

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

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 Kowalke moved to adopt Ordinance Serial No. 17-073. The motion passed without objection by the following vote:

Yes: 5 - Assemblymember Sykes, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, and Assemblymember Kowalke

Excused: 2 - Assemblymember Beck, and Assemblymember Doty

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

The following person spoke to concerns with the Public Works Department and to concerns with rights-of-ways: Mr. Tim Krug/

The following person spoke to the need for a regional wastewater and leachate treatment facility: Ms. Helen Munoz.

D. CONSENT AGENDA

1. RESOLUTIONS

[RS 17-045](#) A Resolution Reactivating The Greater Farm Loop Community Council.

Sponsors: Borough Manager

2. ACTION MEMORANDUMS

[AM 17-049](#) Extension Of Contract No. 04-098 With North Star Group In An Amount Not To Exceed \$75,000 For Federal Lobbyist Services.

Sponsors: Borough Manager

[AM 17-052](#) Award Of Contract No. 17-117C To Braun Northwest, Inc. In The Contract Amount Of \$292,044 To Remount And Refurbish Two Ambulances.

Sponsors: Borough Manager

[AM 17-053](#) Vacate A Portion Of A 30-Foot Wide Floating Trail Easement Granted By Quit Claim Deed Recorded At Book 1072, Page 456, Dated May 23, 2000, Located In Section 8, Township 17 North, Range 3 West, Seward Meridian.

Sponsors: Borough Manager

[AM 17-054](#) Approval Of A Contract Amendment To Contract No. 13-093P With The Boutet Company In The Amount Of \$289,895 To Extend The Contract To December 31, 2017, And Add Additional Change Order Authority For Construction Management Services For Trunk Road Extension South, Phase II.

Sponsors: Borough Manager

[AM 17-055](#) Award Of Bid No. 17-111B To Western Construction & Equipment, LLC. In The Contract Amount Of \$198,740 For The South Silver Salmon Drive Fish Passage Improvement Project.

Sponsors: Borough Manager

[AM 17-056](#) Award Of Bid No. 17-116B To Ficklin Construction LLC. In The Contract Amount Of \$286,922.50 To Construct Redington Sr. Jr/Sr High School Running And Ski Trails.

Sponsors: Borough Manager

[AM 17-057](#) Award Of Bid No. 17-114B To Jim Psenak Construction, LLC. In The Contract Amount Of \$750,150 For Talkeetna Dike Repair.

Sponsors: Borough Manager

[AM 17-058](#) Award Of Bid No. 17-124B To Neeser Construction, Inc. In The Contract Amount Of \$2,192,906.04 For Trunk Road Extension South, Phase II.

Sponsors: Borough Manager

Ms. McKechnie read the consent agenda into the record.

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

Yes: 5 - Assemblymember Sykes, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, and Assemblymember Kowalke

Excused: 2 - Assemblymember Beck, and Assemblymember Doty

VIII. UNFINISHED BUSINESS

[OR 17-040](#) An Ordinance Adopting An Update To The Matanuska-Susitna Borough Recreational Trails Plan Component Of The Borough's Comprehensive Plan That Adds, Amends, And Removes Trails And Trail Systems, MSB 15.24.030(B)(16).

Sponsors: Borough Manager

MOTION PENDING: Assemblymember Beck moved to adopt Ordinance Serial No. 17-040.

Assemblymember Colligan moved to postpone Ordinance Serial No. 17-040 to a time certain of June 20, 2017. The motion passed without objection by the following vote:

Yes: 5 - Assemblymember Sykes, Assemblymember McKee, Assemblymember Colligan, Assemblymember Mayfield, and Assemblymember Kowalke

Excused: 2 - Assemblymember Beck, and Assemblymember Doty

IX. VETO

There were no vetoes presented.

X. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing 06/20/17, Assembly Chambers)

[OR 17-029](#) An Ordinance Adopting MSB Chapter 8.07, Land Application Of Biosolids, Prohibiting The Land Application Of Biosolids Within The Borough.

Sponsors: Sykes

[OR 17-035](#) An Ordinance Amending MSB Chapter 17.29, Flood Damage Prevention To Correct Administrative Errors And Include A Two-Foot Freeboard Requirement For Structures In The Special Flood Hazard Area.

Sponsors: Borough Manager

[OR 17-066](#) An Ordinance Approving The Fair Market Value Sale Of Borough-Owned Land To The Alaska State Department Of Transportation And Public Facilities For The Purpose Of Public Right-Of-Way Acquisition Needed For The Glenn Highway Mile Post 34 To Mile Post 42 Reconstruction, Project No. OA15024/Z58104 (MSB007171).

Sponsors: Borough Manager

[OR 17-077](#) An Ordinance Accepting And Appropriating \$25,000 From The Louise Susitna Tyone Community Association, And Appropriating \$115,000 From The Land Management Permanent Fund, Fund 203, To The Lake Louise Boat Launch And Day Use Area Project No. 15019, Fund 440, To Repair And Upgrade The Lake Louise Boat Launch And Day Use Area (MSB007274).

RS 17-044: A Resolution Approving The Scope Of Work And Budget For The Lake Louise Boat Launch And Day Use Area Project No. 15019, Fund 440, For Repair And Upgrade To The Boat Launch And Day Use Area.

Sponsors: Borough Manager

[OR 17-078](#) An Ordinance Approving Transfer And Relocation Of Real Property Known As The Fairview Territorial School Building To The City Of Wasilla For Purpose Of Historic Display And Public Use In Perpetuity (MSB007271).

Sponsors: Borough Manager

[OR 17-079](#) An Ordinance Reappropriating \$70,000 From The Capital Projects Department's Fiscal Year 2017 Operating Budget, Fund 100, To Fund 430, Roads And Bridges Capital Projects, For Installing Traffic Counting Equipment On Two Segments Of West Seldon Road, Project Nos. 35406 And 35411.

RS 17-046: A Resolution Approving The Scope Of Work And Budget For Installing Traffic Counting Equipment On Two Segments Of West Seldon Road, Project Nos. 35406 And 35411.

Sponsors: Borough Manager

[OR 17-080](#) An Ordinance Accepting And Approving An Appropriation Of \$12,682 From The Insurance Proceeds Account, Fund 100, And Approving A Reappropriation Of \$41,000 From The Emergency Services Administration Fiscal Year 2017 Operating Budget To Project No. 45257-1803 To Allow For The Replacement Of An Emergency Services Administration Vehicle That Was Destroyed In A Collision.

RS 17-047: A Resolution Amending The Budget For Project No. 45257, To Purchase A Replacement Emergency Services Administration Vehicle That Was Destroyed In A Collision.

Sponsors: Borough Manager

[OR 17-081](#) An Ordinance Authorizing The Borough Manager To Enter Into A Lease Of Borough-Owned Real Property To Construct, Install, Maintain, Repair, Operate, And Manage A Broadcast Tower Site (MSB007173).

Sponsors: Borough Manager

[OR 17-082](#) An Ordinance Accepting And Appropriating \$4,946.47 Of Revenues From Public Donations To The Fiscal Year 2017 Animal Care And Regulation Division Operating Budget, To Purchase Equipment And Supplies For Animal Care.

Sponsors: Borough Manager

[OR 17-083](#) An Ordinance Reappropriating \$125,370 From The Planning Department's Fiscal Year 2017 Operating Budget, Fund 100, To Fund 480, For Project No. 45177, Transportation Corridor Right-Of-Way Acquisition; Project No. 47052, Public Outreach, Education, And Incentives; And Project No. 47050, Information Technology Strategic Plan Support.

RS 17-048: A Resolution Approving The Scope Of Work And Budget For Project No. 45177, Transportation Corridor Right-Of-Way Acquisition; Project No. 47052, Public Outreach, Education, And Incentives; And Project No. 47050, Information Technology Strategic Plan Support.

Sponsors: Borough Manager

[OR 17-085](#) An Ordinance Reappropriating \$149,000 From The Fiscal Year 2017 Information And Technology Department Operating Budget, Fund 100, To Fund 480, For Information Technology Strategic Plan Support Project Fund.

RS 17-050: A Resolution Approving The Scope Of Work And Budget For The Information Technology Strategic Plan Support Project Fund.

Sponsors: Borough Manager

[OR 17-086](#) An Ordinance Amending MSB 2.45, Capital Projects Department; MSB 3.08, Purchasing Procedures; And MSB 2.20, Manager; To Place The Borough's Purchasing Functions As A Direct Reporting Division To The Borough Manager's Office.

Sponsors: Borough Manager

[OR 17-087](#) An Ordinance To Reappropriate \$255,000 From Fund 520, Port Enterprise Fund, And \$348,000 From The M/V Susitna, Fund 530, For A Total Of \$603,000 To Fund 450, Project No. 70012; And Appropriate \$997,000 From The Areawide Fund, 100.000.000.367.400, Into The Fiscal Year 2017 Budget To Fund Project No. 70012 For Repairs To The Port Mackenzie Barge Dock.

RS 17-051: A Resolution Approving The Scope Of Work And Budget Of \$1,600,000 For The Port Mackenzie Barge Dock Repair Project No. 70012.

Sponsors: Borough Manager

Ms. McKechnie read the above legislation into the record.

Assemblymember Kowalke moved to introduce the legislation as read into the record by the Clerk and set the public hearings for June 20, 2017. The motion passed without objection by the following vote:

Yes: 5 - Assemblymember Sykes, Assemblymember McKee,
Assemblymember Colligan, Assemblymember Mayfield, and
Assemblymember Kowalke

Excused: 2 - Assemblymember Beck, and Assemblymember Doty

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

[17-040](#) Vacancy Report

Sponsors: Borough Manager
Office of Administrative Hearings
Karen Jennings, Resignation
Ross Kopperud

Fairview FSA No. 14
Richard Buzby, Resignation

Talkeetna Sewer & Water Service Area No. 36
Shawn Standley, Resignation

**Assemblymember Kowalke moved to confirm the
resignations and appointments requested by the Mayor. The
motion passed without objection by the following vote:**

Yes: 5 - Assemblymember Sykes, Assemblymember McKee,
Assemblymember Colligan, Assemblymember Mayfield, and
Assemblymember Kowalke

Excused: 2 - Assemblymember Beck, and Assemblymember Doty

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 presented.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Spiropoulos thanked the body for the positive evaluation.

Ms. McKechnie noted that due to School Board seats being districted, which were previously an areawide issue, that potentially there could be precincts that may have nothing to vote on and advised as to the process she intended to use should that be the case.

Assemblymember McKee spoke to concerns with the funds spent on lobbyists.

Assemblymember Sykes noted he had the same question as Assemblymember McKee. Noted that the emergency repair to save the highway from the Matanuska River is currently experiencing scouring under the armor rocks. Opined that the Matanuska River may be a candidate for a private program in which volunteers do bank stabilization. Noted that the Federal Bureau of Land Management sent out a news release that the Knik River is navigable all the way to Knik Glacier. Spoke to the need to be cautious with changes to Title 43. Opined it was a good meeting and congratulated Mr. Spiropoulos on a successful review.

Assemblymember Kowalke congratulated Mr. Spiropoulos on a successful review. Mentioned that June 6 is the anniversary of the D-Day invasion. Thanked veterans for their service. Noted that he has run out of his share of travel expenses and noted that Assemblymember Colligan has offered to share his travel funds with me, as long as there was no objection.

Mayor Halter queried if there was any objection.

There was no objection noted.

Assemblymember Kowalke spoke to concerns with the changes needed to Title 43.

Assemblymember Mayfield thanked Mr. Krug for his testimony. Thanked the body for supporting Ordinance Serial No. 17-060. Thanked the public for testimony.

Assemblymember Colligan spoke to enjoying evaluating Mr. Spiropoulos. Thanked him for his service. Stated that he has really appreciated his efforts over the years. Spoke in support of Mr. Spiropoulos' personality and unique skills and the overall great service from the Law Department. Related that initially, he had concerns about the land acquired through Ordinance Serial No. 17-060. Noted that his concerns were assuaged when

he understood the costs associated with rescuing those who have fallen through the ice.

Mayor Halter thanked Mr. Spiropoulos for a job well done over the last year. Stated that he is pleased that the Planning Commission and Platting Board will be working on Title 43 issues. Opined that the Assembly should stay out of it and let boards do their job. Wished everyone a good evening.

XIII. EXECUTIVE SESSION

There was no executive session.

XIV. ADJOURNMENT

The meeting adjourned at 7:56 p.m.