

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

Ted Leonard, 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, JANUARY 16, 2018

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, January 16, 2018, 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: 7 - Assemblymember Jim Sykes, Assemblymember Matthew Beck, Assemblymember George McKee, Assemblymember Ted Leonard, Assemblymember Dan Mayfield, Assemblymember Barbara J. Doty, and Assemblymember Randall Kowalke

III. APPROVAL OF AGENDA

Mayor Halter queried if there were any changes to the agenda.

Mr. Moosey requested that AM 18-009 be pulled from the agenda as it awards a bid that an appeal was filed against on January 12.

The agenda was approved as presented by the following vote:

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

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mr. Bill Kendig, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

[18-002](#)

1. Regular Meeting Minutes: 01/02/18

Mayor Halter queried if there were any changes to the minutes as presented.

The minutes were approved as presented by the following vote:

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

VI. REPORTS/CORRESPONDENCE

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

1. Reports From Cities

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

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

2. Matanuska-Susitna Borough School District

Dr. Monica Goyette, School District Superintendent, reported on the activities of the School District.

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. Moosey advised that today is the opening session for the State Legislature and that the Borough's lobbyist is delayed by weather while driving, but will be in Juneau soon.

Mr. Ted Eischeid, PLanner II, reported on air quality in the Borough.

Ms. Joy Merriner, Assurance Partner with BDO USA, reported on the comprehensive annual financial audit and audit wrap up.

D. ATTORNEY COMMENTS

Mr. Spiropoulos advised that the Borough has been made a party to a lawsuit regarding a property dispute, but that he will not need an executive session. Stated that it is not the Borough's issue, but because it is property that was sold through a Borough tax foreclosure, that we have been added. Opined that he can handle the issue administratively with Mr. Moosey, but that he will report back to the body should something change. Spoke to coming meetings he will be attending regarding the school funding formula legislation requested by Mayor Halter. Requested that the special meetings scheduled for January 30 and February 6, be consolidated and rescheduled.

Ms. McKechnie suggested February 27, 2018, at 6 p.m.

Mayor Halter queried if there was any objection.

There was no objection noted.

E. CLERK COMMENTS

Ms. McKechnie advised that there was a request to cancel the February 20, 2018, regular Assembly meeting as there are a number of members who will not be present due to attendance at the winter Alaska Municipal League Conference.

Mayor Halter queried if there was any objection.

There was no objection noted.

F. CITIZEN AND OTHER CORRESPONDENCE

[18-001](#)

1. Local Emergency Planning Committee: 10/18/17
2. Planning Commission: Resolution No. 17-58
3. Platting Board: 11/02/17
4. Chickaloon Community Council: 09/13/17, 10/11/17
5. Sutton Community Council: 11/15/17

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

G. INFORMATIONAL MEMORANDUMS

[IM 18-009](#)

Reporting Of Conclusion Of Contract For Bid No. 17-008B To Valley General Construction LLC For The Old Glenn Highway Pathway Extension Project, For The Final Contract Amount Of \$588,552.79.

Sponsors: Borough Manager

[IM 18-010](#)

Reporting Of Conclusion Of Contract For Bid No. 15-128B To Ahtna Construction And Primary Products Corporation For The Bogard Road Extension East, Phase II Construction Project, For The Final Contract Amount Of \$8,110,420.18.

Sponsors: Borough Manager

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.)

There were no persons to be heard.

The meeting recessed at 6:59 p.m. and reconvened at 7:06 p.m.

Mayor Halter queried if there was any objection to taking up Public Hearing Nos. 18-002, 18-003, and 18-004, together.

There was no objection noted.

B. PUBLIC HEARINGS (Three Minutes Per Person.)

[OR 18-002](#) An Ordinance Approving An Appropriation Of \$131,000 From Greater Butte Road Service Area No. 26 Fund Balance, Fund 280, To Fund 410, Project No. 30046, For Greater Butte Road Service Area No. 26 Maintenance And Improvements Projects.

Sponsors: Borough Manager

[OR 18-003](#) An Ordinance Approving An Appropriation Of \$145,000 From Greater Willow Road Service Area No. 20 Fund Balance, Fund 276, To Fund 410, Project No. 30042, For Greater Willow Road Service Area No. 20 Maintenance and Improvements Projects.

Sponsors: Borough Manager

[OR 18-004](#) An Ordinance Approving An Appropriation Of \$15,000 From Talkeetna Road Service Area No. 29 Fund Balance, Fund 283, To Fund 410, Project No. 30049, For Talkeetna Road Service Area No. 29 Maintenance And Improvements Projects.

Sponsors: Borough Manager

Ms. McKechnie read the legislation into the record.

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 Beck moved to adopt Ordinance Serial Nos. 18-002, 18-003, and 18-004. The motion passed by the following vote:

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

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

The following persons spoke to concerns with Resolution Serial No. 18-004: Mr. Bill Kendig, Big Lake Community Council Member; Mr. Brian Endle; Mr. Joel Stefanski; Mr. Les Richey; Mr. Dan Young; Mr. Steve Kozlowski; Mr. Bert Houghtaling; Mr. Paul Newsom; Mr. Tom Tomasi; Mr. Joe Schlanger; Mr. Ralph Kermit Winterrowd; Mr. Tom Idleman; and Mr. Davide Verne.

The following persons spoke in opposition to Ordinance Serial No. 17-099 and Resolution Serial No. 18-004: Mr. Robert Bickel and Mr. Wayne Hatch.

The following persons spoke to concerns with the locations of the air quality stations in the Borough: Mr. Nick Brockett, Mr. Mike Shower, and Mr. Jim Stocker.

The following person spoke in support of reducing or eliminating single use plastic bags in the Borough: Ms. Liz Jackson, Plastic Bag Committee member.

The following person spoke to concerns with air quality reports that originate from the Butte area: Mr. Michael Bowles.

The following person suggested that the Borough work with the State to provide more areas for residents to cut wood for heating: Mr. Neil Wood.

D. CONSENT AGENDA

[Clerk's Note: AM 18-009 was pulled from the agenda at approval of the agenda.]

1. RESOLUTIONS

2. ACTION MEMORANDUMS

[AM 18-006](#) Authorization To Purchase Self-Contained Breathing Apparatus Upgrades And Related Equipment From Alaska Safety, Inc. In The Amount Of \$256,698.

Sponsors: Borough Manager

[AM 18-007](#) Authorization To Purchase Additional Winter Sand From Western Construction And Equipment, LLC In The Amount Of \$112,500.

Sponsors: Borough Manager

[AM 18-008](#) Award Of Bid 18-072B To Bering Marine Corporation In The Contract Amount Of \$143,700 For The Purchase Of Sodium Chloride.

Sponsors: Borough Manager

Ms. McKechnie read the legislation into the record.

Assemblymember Beck moved to approve the consent agenda as read into the record by the Clerk. The motion passed by the following vote:

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

[AM 18-009](#) Award Of Bid No. 18-060B To F-E Contracting Inc. In The Contract Amount Of \$3,069,000 For Brett Memorial Ice Arena Improvements.

Sponsors: Borough Manager

[RS 18-004](#) A Resolution Authorizing The Borough Manager To Enter Into An Updated Memorandum Of Understanding With The Alaska Department Of Environmental Conservation For Air Quality Coordination.

Sponsors: Borough Manager

Ms. McKechnie read the legislation into the record.

Assemblymember Mayfield moved to substitute the Memorandum of Agreement attached to the IM to have the focus on the Butte and Palmer areas. The motion failed by the following vote:

Yes: 3 - Assemblymember Sykes, Assemblymember Mayfield, and Assemblymember Doty

No: 4 - Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, and Assemblymember Kowalke
Assemblymember Doty moved to postpone Resolution Serial No. 18-004 to a time certain of March 6, 2018. The motion failed by the following vote:

- Yes:** 2 - Assemblymember Sykes, and Assemblymember Doty
- No:** 5 - Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Kowalke

Assemblymember Kowalke called for the question (to stop debate). The motion failed (required five votes) by the following vote:

- Yes:** 4 - Assemblymember Sykes, Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Kowalke
- No:** 3 - Assemblymember Beck, Assemblymember McKee, and Assemblymember Doty

The main motion failed by the following vote:

- Yes:** 1 - Assemblymember Sykes
- No:** 6 - Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

VIII. UNFINISHED BUSINESS

[OR 17-099](#) An Ordinance Adopting MSB 3.80, To Establish A Program Designed To Reduce The Use Of Plastic Bags By Imposing An Excise Tax For Plastic Carryout Bags On Large Retailers.

Sponsors: Doty

Ms. McKechnie read the legislation into the record.

MOTION PENDING: Assemblymember Doty moved to adopt OR 17-099.

Assemblymember Doty moved to postpone Ordinance Serial No. 17-099 indefinitely. The motion passed by the following vote:

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

IX. VETO

There were no vetoes presented.

X. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing February 6, 2018, Assembly Chambers)

[OR 18-005](#) An Ordinance Amending MSB 3.70, To Establish A Sales Tax Exemption Within Service Area No. 36: Talkeetna Sewer And Water Service Area So That Only The First \$1,000 Of A Sale Is Subject To The Service Area Sales Tax.

Sponsors: Kowalke

[OR 18-007](#) An Ordinance Amending And Adopting Various Provisions Of Borough Code To Establish Term Limits For All Borough Boards And Commissions And Provide An Exception For Reappointment In Case Of Necessity.

Sponsors: Doty

Ms. McKechnie read the legislation into the record.

Assemblymember Beck moved to introduce the legislation as read into the record by the Clerk and to set the public hearings for February 6, 2018. The motion passed by the following vote:

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

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

[18-003](#) 01/16/17 - Vacancy Report

Sponsors: Halter

Emergency Medical Services Board

Jennifer Pironis, resignation

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

Yes: 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, 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 were no reconsiderations.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Moosey stated that he has appreciated the way the public has respectfully interacted with him regarding the contentious issue of air quality. Noted that he appreciates the courtesy that has been extended to him.

Assemblymember Doty thanked the audience for their testimony. Stated that air quality is an important but complicated issue. Advised that there has been a 31 percent increase in death related to lung diseases since 1972. Noted that it is important to mitigate the impact to the health and welfare of the public.

Assemblymember Leonard noted his agreement with Assemblymember Doty. Stated that he needs more information before he can make an educated decision on air quality. Expressed congratulations to Mr. Moosey and Ms. Heindel on the successful financial audit.

Assemblymember McKee spoke to the need for people to burn dry wood.

Assemblymember Sykes spoke to his appreciation of the public testimony provided this evening. Stated that he did not appreciate all the misinformation being passed around on social media that stated that the Borough is making plans to take away residents' wood stoves. Stated that is not something that the Borough would ever do. Commented that the Assembly cannot make public policy based on misinformation. Opined that it is better to have a local option. Noted that there is a lot of data on the subject of air quality and that the body needs to become familiar with it. Spoke in support of the Borough not being impacted by Federal air quality regulations.

Assemblymember Kowalke spoke to concerns with how the 2006 Memorandum of Understanding is currently impacting the Borough. Opined that the air quality monitoring stations are in the worst possible locations. Spoke to the need to make sure that local options are in place. Spoke to misinformation provided on social media on this issue.

Assemblymember Mayfield opined that the Borough could engage in a war regarding federal oversight of air quality but that the cost to tax payers would be too high. Stated that it is important to make informed decisions and not blindly follow the pack. Wondered if the air quality monitoring stations were placed where they currently are for a specific reason, such as to measure and demonstrate a problem of a specific area. Noted that staff told the Assembly that there is a demonstrable air quality problem, but he is not sure everyone listened. Opined that there needs to be a Memorandum of

Understanding so that the Borough has negotiating leverage. Spoke to the possibility of creating air quality districts. Spoke to the needs to educate residents on how to burn when there is an air quality concern. Expressed concerns that an area that has air quality issues could impact an area that does not, due to the size of the Borough. Thanked the public for their testimony. Spoke to concerns with misinformation that was spread around on social media. Opined that it was an egregious act to spread around that the Borough was moving to take away residents' woodstoves.

Assemblymember Beck spoke to concerns with the current Memorandum of Understanding. Spoke to concerns that if there is no plan in place that it could have a significant financial impact on residents. Opined that the public testimony this evening brought some good questions forward. Noted that there are many things to address before the Assembly moves forward. Stated that there is no conspiracy to take wood stoves from residents. Spoke to his desire to serve the people of the Borough in a positive way. Spoke to his appreciation of the testimony this evening, except for some testimony that crossed the line and was inappropriate for a public venue.

Mayor Halter thanked Ms. Heindel for a successful audit. Opined that the Borough is going in the right direction. Stated that there has never been an intention to take away residents' right to heat their homes with a wood stove. Stated that Mr. Moosey is going in the right direction in working with the public. Commented that the Borough's population is growing and that there will be more residents who will be using wood to heat their homes. Noted that the air quality issue is going to have to be dealt with sooner or later. Spoke to his history of burning wood for heat. Stated that he still splits and uses wood for heat. Noted that Fairbanks fought the air quality issue and it cost them in the end. Agreed that someone spreading false information across social media that the Borough is working at taking wood stoves from residents was a shameful move. Stated that although it was a tough meeting that he appreciates the public testimony and thoughtful discussion.

XIII. EXECUTIVE SESSION

There was no executive session conducted.

XIV. ADJOURNMENT

The meeting adjourned at 9:05 p.m.