

# 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

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 11, 2019

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**Rescheduled from June 18, 2019**

## I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, June 11, 2019, 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 Jesse Sumner, and Assemblymember Tam Boeve

## III. APPROVAL OF AGENDA

Mayor Halter stated that he has no budget vetoes and queried if there was any objection to removing that from the agenda.

There was no objection noted.

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

**Assemblymember Sykes moved to pull Ordinance Serial No. 19-088 from introduction and to refer it to the Ethics Board with a due date back to the Assembly of October 15, 2019. The motion passed by the following vote:**

**Yes:** 5 - Assemblymember Sykes, Assemblymember Beck,  
Assemblymember McKee, Assemblymember Mayfield, and  
Assemblymember Boeve

**No:** 2 - Assemblymember Leonard, and Assemblymember Sumner

**Assemblymember Sykes moved to pull Ordinance Serial No. 19-089 from introduction. The motion failed by the following vote:**

**Yes:** 3 - Assemblymember Sykes, Assemblymember Mayfield, and  
Assemblymember Boeve

**No:** 4 - Assemblymember Beck, Assemblymember McKee,  
Assemblymember Leonard, and Assemblymember Sumner

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

The agenda was approved as amended without objection.

#### **IV. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Mayor Halter.

#### **V. MINUTES OF PRECEDING MEETINGS**

##### [19-091](#)

- A. Special Meeting Minutes: 04/16/19
- B. Regular Meeting Minutes: 04/16/19
- C. Special Meeting Minutes: 04/29/19
- D. Special Meeting Minutes: 04/30/19
- E. Special Meeting Minutes: 05/02/19
- F. Regular Meeting Minutes: 05/07/19
- G. Special Meeting Minutes: 05/16/19
- H. Regular Meeting Minutes: 05/21/19
- I. Special Meeting Minutes: 05/28/19
- J. Special Meeting Minutes: 05/29/19

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**

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

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

There was no report provided.

## **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**

Mr. Moosey advised that the Borough is forming a census outreach committee. Summarized some recent actions taken by the State Legislature regarding Governor Dunleavy's budget.

### **2. Strategic Planning Issues**

Mr. Darren Starr, Insurance Contractor, reported on the Borough's earth movement insurance structure.

### **3. Governor Dunleavy's Office Update**

Mr. Todd Smolden, Director of Governor Dunleavy's Mat-Su office, reported on the status of the Governor's budget.

## **D. ATTORNEY COMMENTS**

There was no report provided.

## **E. CLERK COMMENTS**

Ms. McKechnie spoke to the upcoming meeting schedule and pertinent election dates.

**Assemblymember Sykes moved to reschedule the June 18, 2019, 2 p.m. meeting to 3 p.m. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

## **F. CITIZEN AND OTHER CORRESPONDENCE**

[19-088](#)

1. Agriculture Advisory Board: 03/20/19, Resolution Nos. 19-02, 19-03, 19-04
2. Greater Butte RSA Board Of Supervisors: 04/11/19
3. Platting Board: 04/18/19
4. Port Commission: 03/18/19
5. South Knik River Community Council: 04/18/19

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

## **G. INFORMATIONAL MEMORANDUMS**

There were no informational memorandums presented.

## **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.)**

The meeting recessed at 7:02 p.m. and reconvened at 7:08 p.m.

Mayor Halter suggested moving the June 18, 2019, meeting to 6 p.m. rather than 3 p.m. and queried if there was any objection.

There was no objection noted.

OR 19-078

An Ordinance Reappropriating \$21,298.15 From Solid Waste Capital Project No. 25020, Fund 420; And \$6,000 From Project No. 25048, Fund 420, To Project No. 25001, Fund 420 For The Purchase Of A Waste Container Roll Off Trailer Pup.

RS 19-060: A Resolution Amending The Budgets For The Landfill Vehicle Purchase Waste Container Roll Off Trailer Pup, Project No. 25001, Fund 420.

Ms. McKechnie read the legislation into the record.

Mayor Halter opened the public hearing.

The following person spoke to concerns with the length of time between introduction and public hearing: Mr. Eugene Carl Haberman.

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

**Assemblymember Beck moved to adopt Ordinance Serial No. 19-078 and Resolution Serial No. 19-060. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

OR 19-079

An Ordinance Approving An Appropriation Of \$431,775 From The Enhanced 911 Fund Balance, Fund 202, To Project No. 45283, Fund 480, To Allow The City Of Wasilla To Obtain Reimbursement From Enhanced 911 Surcharge Funding For Call Taking Wages And Benefits.

RS 19-062: A Resolution Approving The Scope Of Work And Budget For Project No. 45283, Fund 480, To Allow The City Of Wasilla To Obtain Reimbursement From The Enhanced 911 Surcharge Funding For Call Taker Wages And Benefits.

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 Leonard moved to adopt Ordinance Serial No. 19-079 and Resolution Serial No. 19-062. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[OR 19-080](#) An Ordinance Approving The Sale Of Boroughowned Real Property Identified As Lot 1, Smith Extension, Y2K Addition Subdivision Located At 553 East Auklet Avenue, Palmer (Tax Id #5053000L001); And Authorization For The Borough Manager To Negotiate The Fair Market Value Sale Of The Property (MSB007351).  
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 No. 19-080. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[OR 19-081](#) An Ordinance To Accept And Appropriate Additional Funds In The Amount Of \$300,000 For Revision No. 6, Up To 23 Culvert Replacements As Part Of The Fish Passage Improvement Project, Project No. 30114; And Requesting A Reappropriating Of \$300,000 From The Community Transportation Grant, Fund 480, To Fund 410, Project No. 30114.  
RS19-063: A Resolution Approving The Scope Of Work And Amended Budget For The Replacement Of 23 Culverts For The Fish Passage Improvements, Fund 410, Project No. 30114.  
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 No. 19-081 and Resolution Serial No. 19-063. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck,  
Assemblymember McKee, Assemblymember Leonard,  
Assemblymember Mayfield, Assemblymember Sumner, and  
Assemblymember Boeve

[OR 19-082](#)

An Ordinance Approving A Reappropriation Of \$100,000 From The Emergency Services Telecommunications Fiscal Year 2019 Operating Budget, Fund 100, To Project No. 47525, Fund 480, To Transition The Telecommunications Site From Bald Mountain To A More Suitable Location.

RS 19-064: A Resolution Approving The Scope Of Work And Budget For Project No. 47525, Fund 480, To Transition The Telecommunications Site From Bald Mountain To A More Suitable Location.

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 Boeve moved to adopt Ordinance Serial No. 19-082 and Resolution Serial No. 19-064. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck,  
Assemblymember McKee, Assemblymember Leonard,  
Assemblymember Mayfield, Assemblymember Sumner, and  
Assemblymember Boeve

[OR 19-083](#)

An Ordinance Approving A Loan Offer From The Alaska State Department Of Environmental Conservation Clean Water Fund, Project No. 561131; Authorizing The Manager To Incur Debt In The Amount Of \$5,152,000; And Accept And Appropriate The Loan Proceeds To Upgrade Talkeetna Wastewater Treatment Facility Project.

RS 19-065: A Resolution Approving The Amended Scope Of Work And Budget For The Talkeetna Wastewater Treatment Facility Upgrade Project.

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 Boeve moved to adopt Ordinance Serial No. 19-083 and Resolution Serial No. 1-065. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[OR 19-084](#)

An Ordinance Approving A Reappropriation Of A Public Donation In The Amount Of \$2,500 To The Animal Care And Regulation Division Fund 480, Project No. 45276, Sub Project No. 6101, For Cat Kennel Enhancements.

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 No. 19-084. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve



[OR 19-085](#) An Ordinance Approving And Accepting A Supplemental Appropriation Of Revenues In The Amount Of \$1,618 Received From Public Donations To The Animal Care And Regulation Division Fund 480, Project No. 45276, Sub Project No. 6101, For Cat Kennels.  
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 No. 19-085. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

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

The following person spoke to concerns with the large number of minutes that are on the agenda for approval: Mr. Eugene Carl Haberman.

The following person spoke to the mission of the Alaska Municipal League: Mr. Stu Graham, 1st Vice President for Alaska Municipal League.

#### **D. CONSENT AGENDA**

##### **1. RESOLUTIONS**

[RS 19-067](#) A Resolution Amending The Fiscal Year 2020 Schedule Of Rates And Fees For Solid Waste Effective July 1, 2019.

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

[AM 19-059](#) Award Of Bid No. 19-093B To McKenna Bros Paving, Inc. In The Annual Contract Amount Of \$573,426 For Big Lake Road Service Area No. 21 Annual Road Maintenance.

[AM 19-064](#) Award Of Bid No. 19-101B To MTA Communications, Inc. In The Contract Amount Of \$787,583.16 To Provide Metro Ethernet Circuits Services.

[AM 19-065](#) Approval Of Contract Amendment No. 4 To Contract No. 19-008P With HDL Engineering Consultants In The Amount Of \$465,708 To Design The Talkeetna Sewer System Upgrades, To Amend The Scope Of Services To Include Construction Administration And Inspection Services As Part Of The Talkeetna Wastewater Treatment Facility Upgrade Project.

[AM 19-066](#) Award Of Proposal No. 19-109P To All Points North LLC. In The Contract Amount Not To Exceed \$250,000 For Hatcher Pass Survey And Platting.

[AM 19-067](#) Award Of Bid No. 19-120B To Valley General Construction, LLC. In The Contract Amount Of \$437,294 To Provide Labor, Equipment, And Materials To Upgrade The Roadways And Improve Drainage Along Bergman Road, Fritz Road, Melin Road, And Dorismae Circle.

[AM 19-068](#) Award Of Bid No. 19-113B To Orion Construction, Inc. In The Contract Amount Of \$5,111,410 To Provide Labor, Equipment, And Materials To Construct The Talkeetna Wastewater Treatment Plant Upgrades - Phase 1.

[AM 19-070](#) Award Of Bid No. 19-124B To Western Construction & Equipment, LLC For The Contract Amount Of \$161,255 To Provide Labor, Equipment, And Materials To Construct A New Fish Passage Culvert Where A Caswell Creek Tributary Crosses Shaman Road North Of Willow.

**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 Sumner, and Assemblymember Boeve

[AM 19-062](#) Authorization To Extend Contract Nos. 18-085A With The Boutet Company And 18-085B With HDL Engineering Consultants For On-Call Construction Management Services; Under These Contracts, No Work Is Guaranteed And No Funding Is Obligated.

**Assemblymember McKee moved to adopt AM No. 19-062. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[AM 19-058](#) Award Of Bid No. 19-115B To Northstar Excavation & Asphalt, Inc. In The Contract Amount Of \$1,177,436.88 For 2019 Road Paving.

[AM 19-060](#) Award Of Bid No. 19-094B To Clear Excavating, LLC In The Annual Contract Amount Of \$77,113.20 For North Colony Road Service Area No. 23 Annual Road Maintenance.

[AM 19-061](#) Award Of Bid No. 19-098B To Clear Excavating, LLC In The Annual Contract Amount Of \$104,446.50 For Alpine Road Service Area No. 31 Annual Road Maintenance.

[AM 19-069](#) Award Of Bid No. 19-106B To Tew's Inc. In The Contract Amount Not To Exceed \$538,531 To Furnish All Labor, Equipment, Tools, And Incidentals For The Transportation Of Solid Waste From Borough Maintained Transfer Stations.  
CONFLICT OF INTEREST: Assemblymember Sumner stated he had a conflict of interest with AM Nos. 19-058, 19-060, 19-061, and 19-069, as he does business with the successful bidders.

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

Assemblymember Sumer exited the meeting.

Ms. McKechnie read the legislation into the record.

**Assemblymember Beck moved to adopt AM Nos. 19-058, 19-060, 19-061, and 19-069. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Boeve

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

## **VIII. UNFINISHED BUSINESS**

## IX. VETO

[Clerk's Note: The motion to override any possible mayoral vetoes and any possible amendments to the mill rate were removed from the agenda at approval of the agenda.]

### A. Motion To Override Any Possible Mayoral Veto On Fiscal Year 2020 Budget Items (Ordinance Serial No. 19-019)

[OR 19-019](#) An Ordinance Appropriating Monies From The Central Treasury For The Borough Operating Funds, Enterprise Funds, Education Operating Fund And Capital Funds, Establishing The Rate Of Levy For All Borough Functions For The Fiscal Year Beginning July 1, 2019 And Ending June 30, 2020; And Setting The Surcharge Rate For The Wireline And Wireless Enhanced 911 Systems For The Period Of July 1, 2019 Through June 30, 2020.

### B. Any Possible Amendments To Mill Rates For Fiscal Year 2020 Budget

## X. NEW BUSINESS

### A. INTRODUCTIONS (For Public Hearing 08/06/19, Assembly Chambers)

[OR 19-087](#) An Ordinance Reappropriating \$124,250 From The 2018 Capital Budget Areawide Appropriation Fund 480, To Fund 410, Project No. 30114, For The Required Match To The Big Lake Area Fish Passage Improvements Grant, Project No. 30114.

[OR 19-088](#) An Ordinance Amending MSB 2.71.090 And MSB 3.08.230, To Prohibit Elected Officials From Employment, Holding Contracts, Or Having Any Interest In Contracts With The Borough While In Office And For Three Years After Leaving Office Unless The Assembly Waives The Restriction In Advance.

**Sponsors:** Sumner

[OR 19-089](#) An Ordinance Establishing An Areawide Tax Credit Or Rebate In The Event The State Of Alaska Provides School Debt Reimbursement In An Amount Over \$9,200,000.

**Sponsors:** Leonard and Sumner

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 August 6, 2019.**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck,  
Assemblymember McKee, Assemblymember Leonard,  
Assemblymember Mayfield, Assemblymember Sumner, and  
Assemblymember Boeve

## **B. MAYORAL NOMINATIONS AND APPOINTMENTS**

### **1. VACANCY REPORT**

[19-087](#) Vacancy Report

**Sponsors:** Halter

Platting Board

Will Fernandez

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

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

Ms. McKechnie advised that the Alaska State Division of Elections awarded the election equipment bid to Dominion Voting. Stated that she hopes to tack the Borough's equipment order to their contract in order to save funds. Noted that the Borough's equipment will start being used next year.

Assemblymember Sykes opined that there was plenty of time between the public hearing notices and the date of the public hearing, for the public to comment on the legislation on the agenda this evening. Noted that he is pleased that the legislation regarding the Talkeetna Wastewater Facility was adopted. Opined that it was a good meeting with lively debate. Spoke to concerns with taking action on Ordinance Serial No. 19-089 at this time. Opined that it could have waited until after the State Legislature adopts a budget. Wished the body a good evening.

Assemblymember Sumner opined that Ordinance Serial No. 19-089 should be acted on at this time. Encouraged the body to look in to what is being spent on earth movement insurance. Spoke to the possibility of eliminating that insurance because the Federal Emergency Management Agency (FEMA) does reimburse for declared disasters.

## **XIII. EXECUTIVE SESSION**

There was no executive session held.

## **XIV. ADJOURNMENT**

The meeting adjourned at 7:54 p.m.