

# 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, SEPTEMBER 3, 2019

## I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, September 3, 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

The agenda was approved as presented without objection.

## IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Ms. Marian Charles, a member of the audience.

## V. MINUTES OF PRECEDING MEETINGS

[19-113](#)

A. August 6, 2019, Regular Meeting Minutes

B. August 20, 2019, Regular Meeting Minutes

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

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, 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**

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**

Assemblymember Beck reported on the 4H auction that was conducted at the State Fair.

### **C. MANAGER COMMENTS**

Mr. Moosey requested to add an executive session to the September 10, meeting agenda regarding the Federal Energy Regulatory Commission.

Mayor Halter queried if there was any objection.

There was no objection noted.

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

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

### 3. Governor Dunleavy's Office Update

Mr. Todd Smolden, Director of Governor Dunleavy's Mat-Su Office, reported on the activities of the State Legislature.

### 4. Fire Update

Mr. Ken Barkley, Emergency Services Director and Mr. Casey Cook, Emergency Manager, reported on the status of the containment of the McKinley and Deshka fires.

[19-125](#)

Fire Update Presentations

### D. ATTORNEY COMMENTS

Mr. Spiropoulos reported on the activities of his office.

### E. CLERK COMMENTS

Ms. Henry spoke to the upcoming meeting schedule. Noted that the Assembly had cancelled the August 29, 2019, joint meeting with the Municipality of Anchorage. Suggested October 3, 2019, as a date to reschedule that meeting to.

Mayor Halter queried if there was any objection.

**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

[19-117](#)

1. Aviation Advisory Board: 06/12/19
2. Caswell Lakes RSA Board of Supervisors: 04/03/19
3. Enhanced 911 Advisory Board: 06/11/19
4. Great Palmer FSA Board of Supervisors: 07/18/19
5. Historical Preservation Commission: 04/04/19
6. Local Road Service Area Advisory Board: 06/20/19, Resolution No. 19-05
7. Talkeetna Sewer and Water Board: 01/02/19, 02/06/19, 03/06/19, 04/03/19, 05/01/19, 06/05/19, 07/02/19
8. Talkeetna Community Council: 07/01/19

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.)

### B. PUBLIC HEARINGS (Three Minutes Per Person.)

[OR 19-101A](#) An Ordinance Appropriating Up To \$2,000,000 From The Land Management Permanent Fund, Fund 203, For The Willow Library Project, Fund 435, Project No. 10186.

RS 19-071: A Resolution Amending The Budget For The Willow Library Project, Fund 435, Project No. 10186.

**Sponsors:** Boeve and Halter

Ms. Henry read the legislation into the record.

Mayor Halter opened the public hearing.

The following persons spoke in support of the Willow Library Project: Ms. Katie Richey, Ms. Kathy Watkins, Ms. Marian Charles, Ms. Fran Lynch, Ms. Teri Petrum, Ms. Linda Oxley, and Ms. Elizabeth Ripley, Mat-Su Health Foundation Chief Executive Officer.

The following persons opined there should be more public hearings: Mr. Eugene Carl Haberman.

The following person spoke in support of the Willow Library Project and the Fish Creek Access Project: Mr. Randall Kowalke, former member of the Assembly.

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

[Clerk's Note: The meeting recessed at 7:30 p.m. and reconvened at 7:44 p.m.]

**Assemblymember Boeve moved to adopt Ordinance Serial No. 19-101 and Resolution Serial No. 19-071.**

**Assemblymember Sykes moved a primary amendment to Ordinance Serial No. 19-101, page four, last whereas clause, by striking the last two sentences and inserting the following in its place "Borough funds shall be granted only by a minimum of Borough dollar-for-dollar match with private or public partners." The motion failed by the following vote:**

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

**No:** 4 - Assemblymember Beck, Assemblymember Leonard, Assemblymember Sumner, and Assemblymember Boeve  
**Assemblymember McKee moved to divide the question to take the Willow Library Project separately from the Fish Creek Access Project. The motion passed by the following vote:**

**Yes:** 4 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, and Assemblymember Leonard

**No:** 3 - Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[Clerk's Note: When the projects were divided, legislation numbers were assigned as follows:

\* Willow Library Project - OR 19-101A, RS 19-071A, and IM 19-134A; and

\* Fish Creek Access Project - OR 19-101B, RS 19-071B, and IM 19-134B.]

**First Segment. Assemblymember McKee moved to adopt the Willow Library Project (OR 19-101A, RS 19-071A, and IM 19-134A. The motion passed by the following vote:**

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

**Second Segment. Assemblymember McKee moved to adopt the Fish Creek Access Project (OR 19-101B, RS 19-071B, and IM 19-134B).**

**Assemblymember Beck moved to postpone OR 19-101B and RS 19-071B to a time certain of October 15, 2019. The motion passed by the following vote:**

**Yes:** 4 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, and Assemblymember Sumner

**No:** 3 - Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Boeve

OR 19-102

An Ordinance Approving An Appropriation Of \$70,000 From The Greater Palmer Consolidated Fire Service Area Fund Balance, Fund 259, To Project Nos. 45215 And 45155, Fund 405, To Allow The Greater Palmer Consolidated Fire Service Area To Purchase Communications And Global Positioning Satellite (GPS) Equipment, Personal Protective Equipment, And Provide Funding For A Fuel Oil Tank Project For Station 3-2.

RS 19-075: A Resolution Approving The Scopes Of Work And Budgets For Project Nos. 45215 And 45155, Fund 405, To Allow The Greater Palmer Consolidated Fire Service Area To Purchase Communications And GPS Equipment, Personal Protective Equipment, And Provide Funding For A Fuel Oil Tank Project For Station 3-2.

Ms. Henry 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. 19-102 and Resolution Serial No. 19-075. 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 19-103](#)

An Ordinance Adding MSB 3.08.450, Apprenticeship Utilization, Relating To The Performance Of Borough Construction Projects In Excess Of \$1,000,000; Adding Definitions To MSB 3.08.010; And Providing For A Waiver Process.

**Sponsors:** Sumner and Sykes

Ms. Henry read the legislation into the record.

Mayor Halter opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 19-103: Mr. Jimmy Krome, Mr. Shane Linse, Mr. Tim Hale, Mr. Adam Ferguson, and Ms. Suzanne McCarthy.

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

[Clerk's Note: At the conclusion of the public hearing, Mayor Halter exited the meeting at 8:08 p.m. and Deputy Mayor Beck assumed the duties of the Chair.]

**Assemblymember Sumner moved to adopt Ordinance Serial No. 19-103.**

**Assemblymember Sykes moved a primary amendment to Ordinance Serial No. 19-103, Page 3 of 7 of the ordinance, Waiver of apprenticeship utilization, by striking "Agency Head" and inserting "Purchasing Officer" in its place to read: " Waiver of Apprenticeship Utilization. Only when apprentices are not sufficiently available to fulfill the requirements of Subsection (A), the Purchasing Officer may waive the apprenticeship requirement and must report such a waiver to the Assembly as provided in MSB 3.08.170(F)."**

**The primary amendment passed by the following vote:**

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

**Assemblymember Leonard moved to direct the Manager to bring back policies and procedures prior to the legislation being adopted.**

**Assemblymember Leonard moved to withdraw his motion. The motion was withdrawn without objection.**

**The main motion passed as amended by the following vote:**

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

[OR 19-104](#)

An Ordinance Accepting And Appropriating \$40,000 From The Alaska State Department Of Health And Social Services Grant Program To Fund 425, Project No. 45284, For Supplies, Equipment, Training, Exercises, And Personnel Costs To Allow For The Implementation And Management Of Points Of Dispensing And Medical Countermeasures.

RS 19-076: A Resolution Approving The Scope Of Work And Budget For The Alaska State Department Of Health And Social Services Grant, Project No. 45284, Fund 425, For Supplies, Equipment, Training, Exercises, And Personnel Costs To Allow For The Implementation And Management Of Points Of Dispensing And Medical Countermeasures.

Ms. Henry read the legislation into the record.

Deputy Mayor Beck opened the public hearing.

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

**Assemblymember Mayfield moved to adopt Ordinance Serial No. 19-104 and Resolution Serial No. 19-076. 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 19-105](#)

An Ordinance Approving An Appropriation Of \$500,000 From The Talkeetna Sewer And Water Fund Balance, Fund 293, To Project No. 25053 For Talkeetna Wastewater Treatment Plant Upgrade Project.

RS 19-077: A Resolution Establishing The Scope Of Work And Budget For \$500,000 Appropriated From Fund 293 For The Talkeetna Wastewater Treatment Plant Upgrade Project, Project No. 25053.

Ms. Henry read the legislation into the record.

Deputy Mayor Beck opened the public hearing.

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

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

**Assemblymember Boeve moved to adopt Ordinance Serial No. 19-105 and Resolution Serial No. 19-077. 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 persons spoke to concerns with the award of the contract that is the subject of AM 19-079: Ms. D.J. McBride, Mr. Shane McBride, Ms. Martha Goff, Mr. Richard Sayers, Mr. Randall Kowalke, and Mr. Butch Moore.

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

**D. CONSENT AGENDA**

**1. RESOLUTIONS**

**2. ACTION MEMORANDUMS**

[AM 19-086](#)

Request To Vacate A Portion Of East Regents Drive Located On The Western Boundary Line Of Lot 16, Block 2, Campus By Cottrell Tract A, Plat No. 78-165; And Eliminate The East Adjoining 15-Foot Wide Utility Easement, Located Within The Southwest 1/4 Section 11, Township 17 North, Range 1 East, Seward Meridian.

[AM 19-099](#) Requesting To Reinstate The Capital Projects Department Administrative Specialist Position By Converting One Project Management And Engineering Specialist Position Using Existing Operating Funds Within The Capital Projects Department.

[AM 19-100](#) Approval Of Change Order No. 1 To Western Construction & Equipment, LLC In The Amount Of \$282,280 To Add Additional Quantities And Work As Part Of Shaw's Tri Lakes Subdivision Streets, Project No. 30045.

[AM 19-102](#) Approval Of Election Officials For the November 5, 2019, Regular Borough Election.

Ms. Henry read the legislation into the record.

**Assemblymember Mayfield 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 19-079](#) Award Of Bid No. 20-005B To Ficklin Construction, LLC. In The Annual Contract Amount Of \$362,732.58 For Caswell Lakes Road Service Area No. 15 Annual Road Maintenance.

Ms. Henry read the legislation into the record.

**Assemblymember Boeve moved to adopt AM 19-079. The motion failed by the following vote:**

**Yes:** 3 - Assemblymember Beck, Assemblymember McKee, and Assemblymember Sumner

**No:** 4 - Assemblymember Sykes, Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Boeve

**The main motion passed by the following vote:**

**Yes:** 3 - Assemblymember Beck, Assemblymember McKee, and Assemblymember Sumner

**No:** 4 - Assemblymember Sykes, Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Boeve

[AM 19-098](#) Recommendation To Allocate Ten Percent Of Wages And Benefits Of The Operations And Maintenance Division Manager Position To The Public Works Maintenance Division.

**Assemblymember Sumner moved to adopt AM 19-098. The motion passed by the following vote:**

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

## **VIII. UNFINISHED BUSINESS**

[AM 19-071](#) Approval Of Contract Amendment To Contract No. 17-085P With HDR Alaska, Inc. To Extend The Project Completion Time To December 31, 2019, For Construction Management Of The Leachate And Septage Facility.

**MOTION PENDING: Assemblymember Sumner moved to adopt AM No. 19-071.**

**The motion passed by the following vote:**

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

## **IX. VETO**

There were no vetoes presented.

## **X. NEW BUSINESS**

### **A. INTRODUCTIONS (For Public Hearing September 17, 2019, Assembly Chambers)**

[OR 19-106](#) An Ordinance Authorizing The Manager To Enter Into A Long-Term Lease With The Alaska State Department Of Transportation And Public Facilities On State Owned Land For The Lake Louise Recreational Site For The Operations And Maintenance Of A Parking Area And Boat Launch Facilities (MSB007509).

[OR 19-107](#) An Ordinance Reappropriating \$20,000 From Administration Operating Budget Fund 200, To Fund 480, Project No. 47021 Board Of Fisheries. RS 19-079: A Resolution Approving The Amended Scope Of Work And Budget For The Board Of Fisheries Project No. 47021 And Approving The Amended Budget For Project No. 47520.

[OR 19-108](#) An Ordinance Amending MSB 3.08.342(J), Findings And Decision, To Change The Date The Hearing Officer's Decision Is Due, From Calendar Days To Business Days.

[OR 19-109](#) An Ordinance Accepting And Appropriating \$4,200,000 In Insurance Proceeds To Fund 445, Project No. 55026, School Infrastructure; And Reappropriating \$5,000,000 From Fund 445, Project No. 55027, Borough Infrastructure, To Fund 445, Project No. 55026, School Infrastructure.

**Assemblymember Mayfield moved to introduce the legislation as read into the record by the Clerk and to set the public hearings for September 17, 2019. The motion passed by the following vote:**

**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**

Talkeetna Sewer & Water Service Area No. 7

Colby Coombs, resignation

**Assemblymember Mayfield moved to confirm the resignations as 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

[19-118](#) Vacancy Report

**Sponsors:** Halter

## **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. Spiropoulos noted that with the high dollar sales of 4H livestock that he should start raising cows.

Ms. Henry thanked the Assembly for their patience with her when she second guessed herself.

Assemblymember Sumner stated that the contract for the Caswell Road Service Area needs to be figured out before the snow comes.

Assemblymember Leonard thanked the fire fighters for all their hard work. Spoke in support of seeing a policy and procedure created for the apprenticeship waiver process.

Assemblymember McKee opined that the cost of government contracts is astounding.

Assemblymember Sykes thanked the fire fighters for their response to the numerous fires in the Borough. Thanked the Assembly for supporting the apprenticeship legislation.

Assemblymember Boeve thanked the Assembly for their support of the Willow Library Project. Summarized resources for those displaced by the fire. Noted that her thoughts are with all of those in Willow and Caswell that were impacted by the fires.

Assemblymember Mayfield opined that it was totally appropriate that the Willow Library Project and the Fish Creek Access Project were in the same piece of legislation. Noted that the legislation only sets aside funds for grant match requirements and is not being spent at this time. Commented that the Assembly sets aside grant match funds all the time so he is unsure of why it was such a big deal to separate the projects into two separate pieces of legislation. Thanked the fire fighters from the Borough, the State, and from out of state for their support and hard work on the fires. Spoke in support of the Willow Library Project.

Deputy Mayor Beck stated that he hopes Mayor Halter's eye is ok. Spoke to the large community support of the 4H program. Thanked the fire fighters from the Borough, the State, and from out of state for their support and hard work on the fires.

### **XIII. EXECUTIVE SESSION**

There was no executive session.

### **XIV. ADJOURNMENT**

The meeting adjourned at 9:51 p.m.