

MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645 - 907-861-8683

BOROUGH MAYOR

Edna DeVries

BOROUGH CLERK

Lonnie R. McKechnie, CMC

BOROUGH MANAGER

Michael Brown

BOROUGH ATTORNEY

Nicholas Spiropoulos



BOROUGH ASSEMBLY

Tim Hale, District 1
Stephanie Nowers, District 2
Dee McKee, District 3
Robert Yundt, District 4
Mokie Tew, District 5
Jesse Sumner, District 6
Ron Bernier, District 7

MEETING MINUTES

ASSEMBLY CHAMBERS
350 EAST DAHLIA AVENUE, PALMER

ASSEMBLY REGULAR MEETING

6:00 PM

TUESDAY, DECEMBER 3, 2019

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, December 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 Tim Hale, Assemblymember Stephanie Nowers, Assemblymember George McKee, Assemblymember Ted Leonard, Assemblymember Dan Mayfield, Assemblymember Jesse Sumner, and Assemblymember Tam Boeve

III. APPROVAL OF AGENDA

Mayor Halter welcomed Assemblymembers Hale and Nowers to their first official Assembly meeting. Led the meeting attendees in singing happy birthday to Assemblymember Mayfield. Queried if there were any changes to the agenda.

Mr. Moosey requested to remove Resolution Serial No. 19-099 from the agenda.

Mayor Halter queried if there was any objection.

There was no objection noted.

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

Mr. Moosey requested to remove IM 19-190 from the agenda and to take no action.

Mayor Halter queried if there was any objection.

There was no objection noted.

Mayor Halter advised that under the Manager's report, there will be staff reports regarding each piece of legislation up for public hearing. Stated that if there was no objection, that at future meetings, staff reports will occur after the Clerk reads the legislation into the record. Stated that the reports will be limited to 3 minutes.

There was no objection noted and the agenda was approved as amended.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mr. John Harris, Borough State Lobbyist.

V. MINUTES OF PRECEDING MEETINGS

[19-187](#)

A. Election Certification Meeting: 11/19/19

B. Regular Assembly Meeting: 11/19/19

C. Special Assembly Meeting: 11/20/19

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

The minutes were approved as presented without objection.

VI. SPECIAL ORDERS OF THE DAY

A. Appointment of Deputy Mayor - Dan Mayfield

Mayor Halter queried if there was any objection to appointing Assemblymember Mayfield as Deputy Mayor.

There was no objection noted.

VII. 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

Mayor Halter noted that there was a vacant Assembly seat on this committee and queried if there was a member interested in filling that vacancy.

Assemblymember Nowers stated that she would like to fill that seat.

Mayor Halter queried if there was any objection.

There was no objection noted.

2. Assembly Public Relations

There was no report provided.

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

3. Governor Dunleavy's Office Update

There was no report provided.

4. Team Rubicon Report

Mr. Kelly Isham, Team Rubicon Field Operations, reported on the functions of the disaster response organization.

5. Staff Reports

Mr. Terry Dolan, Public Works Director, provided a staff report regarding AM 19-125.

Mr. Ken Barkley, Emergency Services Director, introduced Mr. Brian Davis, the new Fire Deputy Director.

Mr. Casey Cook, Emergency Manager, provided a staff report regarding Ordinance Serial No. 19-128.

Mr. Emerson Kruger, Land Management Specialist, provided a staff report regarding Ordinance Serial No. 19-040.

Mr. Eric Phillips, Community Development Director, provided a staff report regarding Ordinance Serial No. 19-126.

Mr. Hugh Leslie, Recreation and Library Services Manager, provided a staff report regarding AM 19-128.

Mr. Joe Metzger, Planner II, provided a staff report regarding Ordinance Serial No. 19-114.

Ms. Cheyenne Heindel, Finance Director, provided a staff report regarding Ordinance Serial No. 19-132.

Mr. Adam Bradway, Planner II provided a staff report regarding Ordinance Serial No. 19-124.

D. ATTORNEY COMMENTS

There was no report provided.

E. CLERK COMMENTS

Ms. McKechnie reported on the upcoming meeting schedule. Noted that January 3, 2020, at 10 a.m. has been suggested as a good date for the annual Joint Assembly/Legislative Delegation meeting. Queried if this was a meeting the Assembly would like to schedule.

Mayor Halter queried if there was any objection.

There was no objection noted.

Assemblymember Leonard advised that he would like to reschedule the Joint Assembly/School Board meeting from December 10, 2019, to December 17, 2019, at 3 p.m. and to conduct the meeting in a less formal fashion.

Mayor Halter queried if there was any objection.

There was no objection noted.

Ms. McKechnie spoke to meeting logistics and queried if the body would like to hold that meeting in the employee break room.

Mayor Halter queried if there was any objection.

There was no objection noted.

Ms. McKechnie noted that she is working with Human Resources to locate a facilitator for the strategic planning session. Stated that as soon as one is selected, that she will bring back dates for the Assembly to choose from.

F. CITIZEN AND OTHER CORRESPONDENCE

[19-190](#)

1. Butte FSA Board of Supervisors: 05/09/19, 09/12/19
2. Enhanced 911 Advisory Board: 10/08/19
3. Fairview RSA Board of Supervisors: 05/15/19
4. Greater Talkeetna RSA Board of Supervisors: 06/13/19
5. Greater Willow RSA Board of Supervisors: 10/09/19
6. Parks, Recreation, and Trails Advisory Board: 08/26/19
7. Planning Commission: 10/07/19, 11/04/19, Resolution No. 19-24
8. Platting Board: 10/03/19, Resolution No. 19-115
9. Trapper Creek RSA Board of Supervisors: 04/24/19, 08/29/19
10. Wastewater and Septage Advisory Board: 06/13/19
11. Glacier View Community Council: 09/26/19
12. Susitna Community Council: 10/03/19
13. Talkeetna Community Council: 10/06/19
14. Willow Area Community Organization: 10/02/19

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

G. INFORMATIONAL MEMORANDUMS

[IM 19-190](#)

Reporting Of Conclusion Of Contract For Bid No. 19-071B To Hybrid Construction Alaska, LLC. For Nelson Pathway.

[Clerk's Note: IM No. 19-190 was removed from the agenda at approval of the agenda and no action was taken.]

VIII. SPECIAL ORDERS

A. PERSONS TO BE HEARD (MSB 2.12.081; Three Minutes Per Person.)

B. PUBLIC HEARINGS (Three Minutes Per Person.)

[OR 19-040](#)

An Ordinance Amending And Updating Title 23, Real Property.

RS 19-027: A Resolution Amending The Land And Resource Management Division Policy And Procedures Manual; And Amending The Fiscal Year 2020 Schedule Of Rates And Fees, Effective July 1, 2019.

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 Mayfield moved to adopt Ordinance Serial No. 19-040 and Resolution Serial No. 19-027.

Assemblymember Hale moved a primary amendment to the Land and Resource Management Division Policy and Procedure Manual, page 25-14, Trail Dedication 7.4, to read as follows: "Trails shall be open to the public but may be temporarily restricted for certain purposes (weight limits, closures for maintenance, maintain the integrity of the trail, etc.), if the restriction has been approved and / or posted by the borough. When it is determined a restricted use is required to maintain the integrity of the trail, a Manager's Decision document will be drafted for consideration and temporary approval by the Borough Manager. Long-term restrictions to certain uses (e.g., equestrian, pedestrian, mountain bike, dog mushing, snow machines, etc.) may be approved by the Assembly as recommended by the MSB Parks, Recreation and Trails Advisory Board."

The primary amendment passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

The main motion passed as amended by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[OR 19-114](#) An Ordinance Modifying A Special Condition Of The Mass Excavation Interim Materials District To Accommodate The Glenn Highway Expansion 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 Nowers moved to adopt Ordinance Serial No. 19-114. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[OR 19-124](#) An Ordinance Waiving The Provision Of MSB 8.40.030 For Denny Investments 2020 State Liquor License Renewal.
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 Mayfield moved to adopt Ordinance Serial No. 19-124. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[OR 19-125](#)

An Ordinance Authorizing The Land Reclassification For A 5 Acre Home Site Within A Portion Of The Northwest 1/4 Southwest 1/4, Section 13, Township 19 North, Range 5 West, Seward Meridian, As Residential; And Approving The Owner's Request To Subdivide And Purchase The Fee Simple Estate Of The Home Site (MSB 007476 (Subdivide) & MSB001235 (Sale)).

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.19-125. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[OR 19-126](#)

An Ordinance Approving A Reappropriation Of \$50,000 From The Fiscal Year 2020 Community Development Department Operating Budget 203.170.141, To Fund 440, Project No. 15040, Settlers Bay Coastal Park Project.

RS 19-093: A Resolution Amending The Budget For The Settlers Bay Coastal Park, Fund 440, Project No. 15040, For Park Ongoing Development.

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 Mayfield moved to adopt Ordinance Serial No. 19-126 and Resolution Serial No. 19-093. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[OR 19-128](#)

An Ordinance Accepting And Appropriating 2018 Cook Inlet Earthquake Disaster Relief Monies In The Amount Of \$612,899.33 From The Federal Emergency Management Agency And \$204,299.78 From The Alaska State Division Of Homeland Security And Emergency Management, To Fund 445, Project Nos. 55026 And 55027.

RS 19-096: A Resolution Approving The Scope Of Work And Budget For A Portion Of The 2018 Cook Inlet Earthquake Disaster Relief Monies, Project Nos. 55026 And 55027.

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 Mayfield moved to adopt Ordinance Serial No. 19-128 and Resolution Serial No. 19-096. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[OR 19-130](#)

An Ordinance Appropriating \$1,058.06 In Fiscal Year 2020 Project Income And \$775 In Anticipated Fiscal Year 2020 Project Income For The Hazard Mitigation Grant Program, Project No. 20395.

RS 19-097: A Resolution Approving The Scope Of Work And Budget, For The Hazard Mitigation Grant Program, Project No. 20395.

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 Mayfield moved to adopt Ordinance Serial No. 19-130 and Resolution Serial No. 19-097. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[OR 19-132](#) An Ordinance Accepting And Appropriating \$5,800,000 In Insurance Proceeds To Fund 445, Project No. 55026, School Infrastructure.
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.

The meeting recessed at 7:18 p.m. and reconvened at 7:25 p.m.

Assemblymember Mayfield moved to adopt Ordinance Serial No. 19-132. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

There was no one present who wished to testify.

D. CONSENT AGENDA

1. RESOLUTIONS

[RS 19-092](#) A Resolution Amending The Scope Of Work On Project No. 10139, Fund 405, To Further Support The Repairs, Upgrades And Addition To Central Mat-Su Fire Station 6-1.

[RS 19-099](#) A Resolution Authorizing The Manager To Convert One Full-Time Animal Control Officer Position Into One Full-Time Animal Care Shelter Manager Position.

[Clerk's Note: Resolution Serial No. 19-099 was removed from the agenda at approval of the agenda.]

2. ACTION MEMORANDUMS

[AM 19-125](#) Approval Of The Road Service Area Road Improvement Project List - Summer 2020.

[AM 19-126](#) Vacate A Portion Of The Section Line Easement And Vacate A Portion Of The McLeod Road Right-Of-Way Within Tract C-2 Sky Ranch At Pioneer Peak Addition 1; Located In Section 20, Township 17 North, Range 2 East, Seward Meridian, Alaska.

[AM 19-127](#) Approval Of Change Order No. One To Extend The Completion Date Of Contract No. 19-005P With Electric Power Systems, Inc. For Project Management Services For The Hazard Mitigation Program Grant Awards.

[AM 19-128](#) Authorizing The Borough Manager To Enter Into A Long-Term Management Agreement With The State Of Alaska For Purpose Of Maintaining A Borough Installed Restroom And Creating A Primitive Campground At Sunshine Creek.
Ms. McKechnie 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 Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

IX. UNFINISHED BUSINESS

There was no unfinished business.

X. VETO

There were no vetoes presented.

XI. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing 12/17/19, Assembly Chambers)

[OR 19-134](#) An Ordinance Approving A Reappropriation Of \$75,000 From The Road Improvement Project List, Project No. 30049 To Talkeetna Road Service Area No. 29 Fund Balance, Fund 283.
Ms. McKechnie read the legislation into the record.

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

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

[19-191](#)

Appointments & Resignations
Enhanced 911 Advisory Board
Rebecca Turney
Parks, Recreation, and Trails Advisory Board
Nicklette LaFluer
Port Commission
Helga Larson
Willow FSA No. 35
Charles Fitzgaird

Assemblymember Mayfield moved to confirm the Mayor's recommendations. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, 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

Assemblymember Leonard congratulated Assemblymember Mayfield for being confirmed as Deputy Mayor. Stated that he is looking forward to working with Assemblymembers Hale and Nowers.

Assemblymember Nowers spoke to her attendance at the Small Business event on Saturday. Opined that it was well attended. Thanked staff for being patient with her questions. Thanked the body for the meeting.

Assemblymember McKee spoke to concerns with tax collection from cultivation facilities.

Assemblymember Hale shared that he has applied for a few local job positions in order to be more present at Assembly meetings instead of having to call into meetings from the slope. Noted that he may still have to call in until he transitions. Related that he is leaving tomorrow to go back to work. Stated that is hopeful that he will be back prior to the meeting on December 17, but if he is not he will call in.

Assemblymember Boeve thanked staff and the Manager for the staff reports. Commented that they are very helpful.

Assemblymember Mayfield welcomed Assemblymembers Hale and Nowers. Noted that some meetings can be more challenging than others. Spoke to his appreciation of staff reports. Thanked everyone for the happy birthday serenade.

Mayor Halter stated that he is happy with staff reports. Related that they used to occur all the time when he was on the Assembly. Opined that they are helpful for the Assembly as well as the public.

XIII. EXECUTIVE SESSION

There was no executive session.

XIV. ADJOURNMENT

The meeting adjourned at 7:36 p.m.