

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

Michael Brown

BOROUGH ATTORNEY

Nicholas Spiropoulos



BOROUGH ASSEMBLY

Tim Hale, District 1
Stephanie Nowers, District 2
George McKee, District 3
Robert Yundt, District 4
Mokie Tew, 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 15, 2020

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, September 15, 2020, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:01 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

The agenda was approved as presented.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Ms. Patty Fisher, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

There were no minutes of preceding meetings.

VI. REPORTS/CORRESPONDENCE

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

1. Reports From Cities

There were no reports provided.

2. Matanuska-Susitna Borough School District

There was no report provided.

3. State of Alaska

Mr. Todd Smoldon, Executive Director of Governor Dunleavy's Mat-Su Office, reported on the activities of the State regarding CARES Act Funds.

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. Alex Strawn, Planning and Land Use Director, reported on status of shooting range legislation.

D. ATTORNEY COMMENTS

There were no comments provided.

E. CLERK COMMENTS

Ms. McKechnie spoke to the upcoming meeting schedule. Related that as of the date of the meeting, that 1,200 absentee by-mail ballot applications had been received. Stated that code requires that each household receive a single election brochure. Advised that her plan is to send the election brochure to all registered voters in the Borough so that all registered voters receive another by-mail ballot application. Noted that Ms. Henry had recorded an election add that is playing on numerous radio stations. Stated that the draft election brochure is attached to the Clerk's Report and requested that if the Assembly has any changes, to please let her know.

There were no changes requested.

F. CITIZEN AND OTHER CORRESPONDENCE

[20-134](#)

1. Fairview RSA Board of Supervisors: 02/11/20
2. Local Road Service Area Advisory Board: 07/23/20
3. Parks, Recreation, and Trails Advisory Board: 02/24/20
4. Platting Board: 07/02/20
5. Transportation Advisory Board: 06/05/20
6. Trapper Creek Community Council: 06/18/20

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

G. INFORMATIONAL MEMORANDUMS

[IM 20-178](#)

Notification Of Certification Of 2020 Regular Real Property, Personal Property, Oil And Gas Properties, Exempted Properties, And Board Of Equalization Actions.

The informational memorandum was 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.

B. PUBLIC HEARINGS (Three Minutes Per Person.)

[OR 20-016](#)

An Ordinance Adopting MSB 11.12, Driveway Standards, In Order To Ensure Driveways Within Borough Rights-Of-Way Minimize Negative Impact To Drainage, Maintenance, And Safety Of The Traveling Public. Ms. McKechnie read the legislation into the record.

Mr. Alex Strawn, Planning and Land Use Director, provided a staff report.

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. 20-016.

Assemblymember Mayfield moved a primary amendment to Ordinance Serial No. 20-016, by incorporating the amendments as suggested by staff. The motion 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 20-085](#) An Ordinance Amending MSB 3.60.150(B), Marijuana Sales Tax, To Allow Sales Tax To Be Incorporated Into The Total Price Of Retail Products.

Sponsors: Mayfield

Ms. McKechnie read the legislation into the record.

Ms. Heindel provided a staff report.

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. 20-085. The motion passed by the following vote:

Yes: 5 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Boeve

No: 2 - Assemblymember McKee, and Assemblymember Sumner

[OR 20-086](#)

An Ordinance Approving An Appropriation Of \$30,000 From The Sutton Fire Service Area Fund Balance, Fund 253, To Project No. 45051, Fund 405, To Replace A Chassis And Upgrade Equipment On A Sutton Fire Service Area Emergency Response Vehicle.

RS 20-087: A Resolution Approving The Scope Of Work And Budget For Project No. 45051, Fund 405, To Replace A Chassis And Upgrade Equipment On A Sutton Fire Service Area Emergency Response Vehicle.

Ms. McKechnie read the legislation into the record.

Mr. Ken Barkley provided a staff report.

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. 20-086 and Resolution Serial No. 20-087. 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 20-087](#)

An Ordinance Appropriating \$5,900,000 From The Matanuska-Susitna Borough School District To Fund 445, Project No. 55026, For Reconstruction And Repairs To Houston Middle School.

Ms. McKechnie read the legislation into the record.

Ms. Heindel provided a staff report.

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. 20-087. 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 20-089](#)

An Ordinance To Condemn Houston Middle School As A Fire And Health Hazard.

Ms. McKechnie read the legislation into the record.

Mr. Bilafer provided a staff report.

Mayor Halter opened the public hearing.

The following person spoke to concerns with the teleconference line and in opposition to the condemnation of the Houston Middle School: Mr. Eugene Carl Haberman.

Assemblymember Boeve moved to adopt Ordinance Serial No. 20-089. The motion passed by the following vote:

Yes: 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

No: 1 - Assemblymember McKee

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

The following person spoke in opposition to the outdoor shooting range legislation: Ms. Ester Huddleston.

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

D. CONSENT AGENDA

1. RESOLUTIONS

[RS 20-089](#)

A Resolution Approving The Scope Of Work And Budget For A Grant In The Amount Of \$754,435 From The Alaska State Department Of Military And Veterans Affairs, Division Of Homeland Security And Emergency Management, Public Assistance Grant Program For Repairs To Portions Of Earthquake Damaged Infrastructure.

2. ACTION MEMORANDUMS

[AM 20-094](#)

Award Of Contract No. 21-062C To Hughes Fire Equipment, Inc. In The Contract Amount Of \$327,015 To Purchase A Critical Response Unit For Central Mat-Su Fire Service Area.

- [AM 20-101](#) Award Of Contract 21-068C To Reberland Equipment, Inc. In The Contract Amount Of \$709,436 To Purchase A Firovac Rescue Pumper Fire Apparatus For Butte Fire Service Area.
- [AM 20-102](#) Award Of Contract No. 21-072C To Gaumard In The Contract Amount Of \$104,041.20 To Purchase High Fidelity Simulation Trauma Manikins.
- [AM 20-103](#) Award Of Bid 21-059B To Western Construction And Equipment In The Contract Amount Of \$610,800 For The Purchase Of Winter Sand And Chips.
- [AM 20-104](#) Award Of Bid No. 21-029B To McKenna Brothers Paving, Inc. In The Annual Contract Amount Of \$456,466.20 For Caswell Lakes Road Service Area No. 15 Annual Road Maintenance.
- [AM 20-105](#) Award Of Bid No. 21-030B To Spain Excavating LLC. In The Annual Contract Amount Of \$153,770.64 For Trapper Creek Road Service Area No. 30 Annual Road Maintenance.
- [AM 20-106](#) Award Of Bid No. 21-055B To Steppers Construction, Inc. In The Annual Contract Amount Of \$101,238 For North Colony Road Service Area No. 23 Annual Road Maintenance.
- [AM 20-107](#) Award Of Bid No. 21-056B To Steppers Construction, Inc. In The Annual Contract Amount Of \$138,289.50 For Alpine Road Service Area No. 31 Annual Road Maintenance.
- [AM 20-108](#) Award Of Bid No. 21-049B To Western Construction & Equipment, LLC. In The Contract Amount Of \$106,230 For Sutton Traffic Calming.
- [AM 20-109](#) Award Of Bid No. 21-052B To OT Enterprises LLC. In The Contract Amount Of \$153,019.55 For Sunshine Creek Circle Road Camping/Parking Improvements.

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

[RS 20-090](#)

A Resolution Amending The Covid-19 Small Business & Nonprofit Relief Grant Program By Modifying The Eligibility Requirements To Specify That The Business License Must Be Current As Of March 31, 2020.

Ms. McKechnie read the legislation into the record.

CONFLICT OF INTEREST: Mayor Halter declared a conflict of interest as he has applied for a small business grant.

RULING: Deputy Mayor Mayfield ruled that Mayor Halter had a conflict and would be recused from voting.

Mayor Halter exited the meeting and Deputy Mayor Mayfield assumed the duties of the chair.

Assemblymember Hale moved to adopt Resolution Serial No. 20-090.

Assemblymember Nowers moved a primary amendment to Resolution Serial No. 20-090 and IM 20-20-176, by striking the words "as of March 31, 2020" and inserting in its place "before a grant award is made" throughout the legislation.

Assemblymember Sumner moved a secondary amendment by inserting "any business that applies for a grant must have paid the 2019 business license fee" after the words "before a grant award is made" throughout the legislation.

The secondary amendment failed by the following vote:

Yes: 2 - Assemblymember McKee, and Assemblymember Sumner

No: 5 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Boeve

The primary amendment passed by the following vote:

Yes: 5 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Boeve

No: 2 - Assemblymember McKee, and Assemblymember Sumner

Assemblymember Nowers moved a primary amendment to Resolution Serial No. 20-090 and IM No. 20-176, to add to the end of both titles “and increase the award amount to \$20,000.,” and to Resolution Serial No. 20-090, to insert a be it further resolved clause to read: “Be it further resolved that the maximum amount of the grant award is increased to \$20,000 and applies retroactively to the original date of the grant program.

Assemblymember Mayfield moved a secondary amendment by striking “\$20,000” and inserting “\$25,000” in its place. The secondary amendment passed by the following vote:

Yes: 4 - Assemblymember Nowers, Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Sumner

No: 3 - Assemblymember Hale, Assemblymember McKee, and Assemblymember Boeve

The primary amendment passed by the following vote:

Yes: 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

No: 1 - Assemblymember McKee

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

Mayor Halter re-entered the meeting.

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. VETO

There were no vetoes presented.

X. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing 10/06/20, Assembly Chambers)

[OR 20-090](#)

An Ordinance To Accept And Appropriate A \$19,000 Grant From The Mat-Su Trails And Parks Foundation Association, For The Extension Of The East Nelson Road Pedestrian/Bike Path Phase II Project, Fund 430, Project No. 35468.

RS 20-091: A Resolution Approving The Amended Budget For The Extension Of The East Nelson Road Pedestrian/Bike Path Phase II Project, Fund 430, Project No. 35468.

B. INTRODUCTIONS (For Public Hearing 11/17/20, Assembly Chambers)

[OR 20-025](#)

An Ordinance Adopting MSB 17.68, Outdoor Shooting Facilities, In Order To Establish Standards For Commercial, Educational, And Nonprofit Outdoor Shooting Facilities.

Ms. McKechnie read the legislation into the record.

Assemblymember Mayfield moved to introduce the public hearings as read into the record by the Clerk and to set the public hearings for October 6, 2020, and November 17, 2020, respectively. The motion passed by the following vote:

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. Vacancy Report

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

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

[20-136](#)

Mayoral Requests for Confirmation

Sponsors:

Halter

Platting Board

John Schadrach

Greater Palmer Consolidated FSA No. 132

Marty VanDiest

D. OTHER NEW BUSINESS

1. Recruitment of a New Borough Manager

There was no report provided.

E. REFERRALS (For Referral To The Planning Commission For 90 Days Or Other Date Specified By The Assembly)

There were no referrals.

XI. RECONSIDERATION

[AM 20-093](#) Approval To Change The Scope Of Work For Contract No. 20-001P With Bezek, Durst, Seiser Inc. For Houston Middle School Design, Repair, And Reconstruction, Project No. 55026 In The Contract Amount Of \$213,728 To Allow Demolition And Reconstruction Of The Houston Middle School Administrative Wing.

[Clerk's Note: The motion for reconsideration was not moved.]

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Assemblymember Sumner stated that he hopes that the next time he suggests eliminating the need for business licenses, that it will be supported.

Assemblymember Leonard stated that he would support the elimination of business licenses. Thanked the body for supporting the increase of the grant to small businesses.

Assemblymember Nowers thanked the body for their support of her amendments to the CARES Act legislation. Noted the importance of getting funds out to the community as quickly as possible. Spoke in support of the discussion regarding CARES Act funds. Noted that Palmer High School was closed for one day due to a person who tested positive for COVID.

Assemblymember McKee spoke to the need to presell some ideas to the public. Opined that regulation of outdoor shooting ranges is likely one of them.

Assemblymember Mayfield stated that the body should feel good about the work done this evening regarding CARES Act funds. Stated his support for the amendments that were made. Spoke to the need to support small business and get people back to work.

Assemblymember Hale noted his agreement with Assemblymember McKee. Noted that public perception of government is at an all time low. Queried when the individual grants would be going out.

Mr. Hays stated that they are looking at October 1, 2020.

Mayor Halter spoke in support of staff reports. Thanked staff for providing that valuable information to the body. Noted that it makes it easier for them to address important issues. Stated that there is a lot of work to do for Houston Middle School and that he is glad that project is moving forward. Spoke in support of the work the body has done regarding CARES Act funds. Wished everyone a good evening.

XIII. EXECUTIVE SESSION

There was no executive session.

XIV. ADJOURNMENT

The meeting adjourned at 8:10 p.m.