

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, APRIL 6, 2021

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, April 6, 2021, 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 Robert Yundt, Assemblymember Mokie Tew, Assemblymember Jesse Sumner, and Assemblymember Tam Boeve

III. APPROVAL OF AGENDA

Mayor Halter queried if there was any objection to him issuing a proclamation in recognition of Safe Digging Month.

There was no objection noted and the agenda was approved as amended without objection.

IV. PLEDGE OF ALLEGIANCE

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

V. MINUTES OF PRECEDING MEETINGS

Mayor Halter read the proclamation in recognition of Safe Digging Month into the record.

[21-083](#)

A. Regular Assembly Meeting Minutes: 02/16/21

B. Planning Session Meeting Minutes: 02/20/21

C. Regular Assembly Meeting Minutes: 03/02/21

D. Joint Assembly/Planning Commission Meeting Minutes: 03/09/21

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

City of Wasilla Mayor Glenda Ledford reported on the activities of the city.

2. Matanuska-Susitna Borough School District

There was no report provided.

Mayor Halter thanked the School District for the remaining funding needed to move forward with the reconstruction of Houston Middle School.

3. State of Alaska

Mr. Todd Smoldon, Executive Director of Governor Dunleavy's Mat-Su Office, reported on the status of the Governor's budget.

4. Borough Library Board

Ms. Diane Hall-Rambo, Library Board Chair, reported on the activities of the Library Board.

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. Brown reported on local COVID-19 vaccinations points of distribution. Thanked the Department of Emergency Services for their work in ensuring the vaccine is available for Borough residents. Spoke to who the vaccine is available to.

Mr. John Harris and Mr. Bill Stolze, State Lobbyists for the Borough, provided an update on the State Legislative Session.

D. ATTORNEY COMMENTS

[21-107](#)

Attorney Comments Power Point Presentation

Mr. Spiropoulos reported on Article X, Section 12 and 13 of the Alaska State Constitution.

E. CLERK COMMENTS

Ms. McKechnie spoke to the upcoming meeting schedule.

F. CITIZEN AND OTHER CORRESPONDENCE

[21-079](#)

1. Agriculture Advisory Board: 10/21/20
2. Big Lake Community Council: 01/12/21, 02/09/21
3. Board of Adjustment and Appeals: 12/28/20, BOAA 21-01 Final Decision, 03/08/21, BOAA 21-02 Final Decision
4. Butte Community Council: 03/10/21
5. Local Road Service Area Advisory Board: 02/11/21
6. Louise/Susitna/Tyone Community Association: 01/09/21
7. MSB Fish and Wildlife Commission: 02/18/21
8. Susitna Community Council: 02/05/21
9. Talkeetna Community Council: 02/01/21
10. Trapper Creek Community Council: 02/18/21
11. West Lakes FSA Board of Supervisors: 02/08/21

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

G. INFORMATIONAL MEMORANDUMS

[IM 21-056](#)

Reporting Of Conclusion Of Contract For Bid No. 21-039B To Jim Psenek Construction LLC. For Project No. 75004, Talkeetna Dike Repair.

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 21-013

An Ordinance Amending MSB 17.73.095, Domestic Wastewater System Plan Review.

Ms. McKechnie read the legislation into the record.

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

Mayor Halter opened the public hearing.

The following person spoke to concerns with where the septage is being disposed of: Mr. Eugene Carl Haberman.

Assemblymember Boeve moved to adopt Ordinance Serial No. 21-013. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

OR 21-022

An Ordinance Reappropriating \$150,000 From The Fiscal Year 2021 Information Technology Department Operating Budget Fund 100, To The Human Resources Information System Project No. 20316-4204, Fund 480, For The Procurement Of A New Human Resources Information Management System.

RS 21-021: A Resolution Approving The Scope Of Work And Budget For The Human Resources Information Management System Project No. 20316-4204.

Ms. McKechnie read the legislation into the record.

Mr. Eric Wyatt, Information Technology 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 Boeve moved to adopt Ordinance Serial No. 21-022 and Resolution Serial No. 21-021. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

[OR 21-023](#)

An Ordinance Amending MSB 18.04.035 (A), Port Commission Membership.

Ms. McKechnie read the legislation into the record.

Mayor Halter provided a staff report.

Mayor Halter opened the public hearing.

The following person spoke to concerns with Port Commission meetings: Mr. Eugene Carl Haberman.

The following person spoke in support of the legislation and noted that Staff explained her position with the Commission well.

Assemblymember Boeve moved to adopt Ordinance Serial No. 21-023. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

[OR 21-026](#)

An Ordinance Approving A Sale To Adjacent Property Owners Of Substandard Tax Foreclosed Properties That Have Been Held By The Borough For Over 10 Years In Which Repurchase Rights Of Former Record Owners Have Been Extinguished (MSB007706).

Ms. McKechnie read the legislation into the record.

Ms. Nancy Cameron, Land Management Agent, 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. 21-026. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

The following person spoke to frustrations when dealing with the Borough: Mr. William Folsom.

The following person requested that the \$200 late fee for her tax payment be waived and provided documents in support of her request: Ms. Amy Henry.

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

D. CONSENT AGENDA

1. RESOLUTIONS

[RS 21-028](#) A Resolution Approving The Amendment Of The Farm Conservation Plan Located Within Lots 1, 2, 3, And 4, And The South One-Half Of The North One-Half, Section 4, Township 18 North, Range 1 East, Seward Meridian (MSB000471).

[RS 21-031](#) A Resolution Approving The Timeline Extension For Project No. 47520, Planning; Subproject No. 4200-4204, Borough-Wide Comprehensive Plan; Project No. 47514, Subproject No. 1800-1801; For Stormwater Management Projects; And Project No. 20396 Community Transit, Subproject No. 1800-1802; Matching Funds For Sunshine Transit's New Facility, To June 30, 2024.

[RS 21-032](#) A Resolution Approving Certain Unincorporated Communities For Participation In The Fiscal Year 2022 Community Assistance Program.

[RS 21-034](#) A Resolution Supporting The Alaska State Department Of Transportation And Public Facilities' Willow Airport Rehabilitation Project.

Sponsors: Boeve

2. ACTION MEMORANDUMS

[AM 21-017](#) Request Approval Of A Change Order To Contract No. 21-087P With HDL Engineering Consultants LLC. In The Contract Amount Of \$60,622 For Additional Construction Phase Services For The Talkeetna Sewer System Upgrade Project; And Approval To Extend Contract Completion To July 31, 2021.

- [AM 21-023](#) Award Of Proposal No. 21-124P To Lounsbury And Associates, LLC. In The Contract Amount Of \$143,466 To Design Point Mackenzie Area Earthquake Repairs.
- [AM 21-025](#) Award Of Bid No. 21-143B To Mechanical Specialists, Inc. In The Contract Amount Of \$126,718 For Heating, Ventilation, And Air Conditioning Upgrades To Public Safety Building 6-5.
- [AM 21-026](#) Award Of Bid No. 21-144B To CONTECH Engineered Solutions, LLC. In The Contract Amount Of \$183,658 For O'Brien Creek Fish Passage Culverts.
- [AM 21-027](#) Award Of Bid No. 21-135B To Bauer Construction, Inc. In The Contract Amount Of \$129,999 For Earthquake Damage Repairs to Fire Stations 8-1, 7-3, 7-2, 1-1, And 2-1; And Emergency Medical Services Stations 7-9 And 3-9.
- [AM 21-028](#) Award Of Bid No. 21-145B To Western Construction And Equipment, LLC. In The Contract Amount Of \$346,658 For Denelle Street And Sapphire Road Improvements.
- [AM 21-029](#) Authorize The Addition Of \$99,000 To Contract No. 21-048C With Resource Data, Inc.; And Extending Contract Nos. 21-048C And Alaska IT Group Contract No. 21-047C For The Period Of July 1, 2021, Through December 31, 2021, For The Continuation Of The Govern To OpenForms Upgrade Project.
- Ms. McKechnie read the consent agenda into the record.
- Assemblymember Boeve 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 Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. VETO

There were no vetoes presented.

X. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing 04/20/21, Assembly Chambers)

[OR 21-024](#) An Ordinance Accepting And Appropriating \$4,434.48 In Interest Income To Fund 475, Project No. 47532, Federal Cares Relief Act (COVID-19).

RS 21-023: A Resolution Approving The Scope Of Work And Budget For Interest Income Generated From The Federal Cares Relief Act (COVID-19), Fund 475, Project No. 47532

[OR 21-030](#) An Ordinance Reappropriating \$137,000 From The Fiscal Year 2021 Information Technology Department Operating Budget Fund 100, To The Govern Project No. 20316, Fund 480, For The Completion Of The Govern System Upgrade To Openforms 6.1.

RS 21-026: A Resolution Approving The Scope Of Work And Budget For The Govern System Upgrade To Openforms 6.1 Project No. 20316-4205.

[OR 21-031](#) An Ordinance Accepting And Appropriating \$28,042.17 From The Alaska State Division Of Forestry Volunteer Fire Assistance Grant Program; And Appropriating \$2,804.23 In Matching Funds To Project Nos. 20144, 20151, 20150, 20145, 20255, And 20146, Fund 405, For Firefighter And Firefighting Equipment, Supplies, And Clothing.

RS 21-027: A Resolution Approving The Scopes Of Work And Budgets For The Alaska State Division Of Forestry Volunteer Fire Assistance Grants And Matching Funds For The Fire Service Areas Of Butte, Project No. 20144; West Lakes, Project No. 20151; Caswell, Project No. 20150; Talkeenta, Project No. 20145; Sutton, Project No. 20255; And Willow, Project No. 20146; Fund 405.

[OR 21-032](#) An Ordinance Reappropriating \$22,797 From Fund 475, Project No. 20398, Human Services Community Matching Grant Fiscal Year 2021 To Fund 480, Project No. 45002, Census.

RS 21-025: A Resolution Amending The Scope Of Work And Budgets For Project No. 20398 Human Services Community Matching Grant Fiscal Year 2021; Project No. 47520-4200-4205 Zoning Code Update; And Project No. 45002 Census; And Extending Time Of Completion On Funding To June 30, 2025.

[OR 21-033](#) An Ordinance Accepting And Appropriating \$100,000 From The Alaska State Department Of Transportation And Public Facilities To Fund 480 Project 47038 Regional Transportation Organization For The Performance Of Premetropolitan Planning Organization Planning Efforts.

RS 21-029: A Resolution Approving The Amendment Of Addendum A & B, The Scope Of Work, Budget, And Schedule To Continue The Premetropolitan Planning Organization Planning Activities.

[OR 21-034](#) An Ordinance Approving A Reappropriation Of \$120,000 From The Fiscal Year 2021 Planning Services Division Operating Budget 100-130-130, To Fund 440, Project No. 20203; Fund 480, Project No. 47021; And Fund 480, Project No. 47052.

RS 21-030: A Resolution Approving The Scope Of Work And Budget For The Historic Preservation Plan Phase II, Project No. 20203; Board Of Fisheries Proposal, Project No. 47021; And Air Quality Public Outreach, Education, And Incentives, Project No. 47052.

[OR 21-035](#) An Ordinance Adopting MSB 2.85.015, Trailhead Parking Regulations, To Establish A Provision For The Regulation Of The Payment Of Fees At Trailheads Within The Borough And Providing For Penalties For Failure To Pay Parking Fees.

OR 21-036: An Ordinance Amending MSB 1.45.100, Schedule Of Fines For Infractions; Adding Fines For New Code Infractions.

[OR 21-037](#) An Ordinance Accepting And Appropriating 2017 Series A Parks And Recreation Bond Interest Income, Fund 440, Project No. 15053, Roof Replacement - Brett Memorial And Wasilla Pool.

RS 21-035: A Resolution Approving The Scope Of Work And Budget For Project No. 15053, Roof Replacement - Brett Memorial And Wasilla Pool; And Amending The Budget For Project No. 15041, Palmer And Wasilla Pool Improvements.

[OR 21-038](#) An Ordinance Accepting And Appropriating \$500,000 In Property Insurance Proceeds From XL America; And Appropriating \$947,893 From The Unassigned Areawide Fund Balance To Fund 445, Project No. 55025 For Reimbursement Of Emergency Expenditures Related To The 2018 Cyber Attack.

RS 21-036: A Resolution Approving The Scope Of Work And Budget To Reimburse Emergency Expenses To Remediate Systems Damaged By The 2018 Cyber Attack.

[OR 21-039](#) An Ordinance Approving The Termination Of Leases And Release Between The Matanuska-Susitna Borough And NPI.

Ms. McKechnie read the legislation into the record.

Assemblymember Boeve moved to introduce the legislation as read into the record by the Clerk and to set the public hearings for April 20, 2021. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

[21-085](#)

Mayoral Requests for Confirmation

Agriculture Advisory Board

Derylee Hecimovich, resignation

Board of Equalization

Ken Kincaid

Elizabeth Elder, resignation

Borough Area Schools Site Selection Committee

Rebecca Huggins

Stephanie Maynard

Brandt Bowen

Susan McCauley

Local Emergency Planning Committee

Scott Bell, resignation

Micah Weinstein, resignation

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

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, 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.

XIII. EXECUTIVE SESSION (For Matters, Which The Immediate Public Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Borough; And Matters Which By Law, Municipal Charter, Or Ordinance Are Required To Be Kept Confidential; And To Discuss Matters Involving Consideration Of Borough Records That By Law Are Not Subject To Public Disclosure; And Discussion Of Matters Subject To The Attorney/Client Privilege.)

A. Union Contract Negotiations

Assemblymember Boeve moved to enter into executive session for matters, which the immediate public knowledge of which would clearly have an adverse effect upon the finances of the Borough; and matters which by law, municipal charter, or ordinance are required to be kept confidential; and to discuss matters involving the consideration of Borough records that by law are not subject to public disclosure; and discussion of matters subject to attorney/client privilege. In particular to discuss union contract negotiations. Those present during the executive session were the Mayor, the Assembly, the Attorney, the Clerk, the Finance Director, the Human Resources Director, and Mr. Will Earnhart.

The motion passed without objection and the Assembly entered into executive session at 7:20 p.m.

Assemblymember Boeve moved to exit executive session.

The motion passed without objection and the Assembly exited executive session at 8:15 p.m.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Assemblymember Boeve congratulated Susitna Valley Girls Basketball team who placed second at State.

XIV. ADJOURNMENT

The meeting adjourned at 8:17 p.m.