

# 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, OCTOBER 5, 2021

## I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, October 5, 2021, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:01 p.m. by Deputy Mayor Tam Boeve.

## II. ROLL CALL

**Present:** 6 - Assemblymember Stephanie Nowers, Assemblymember George McKee, Assemblymember Robert Yundt, Assemblymember Mokie Tew, Assemblymember Jesse Sumner, and Assemblymember Tam Boeve

**Telephonic:** 1 - Assemblymember Tim Hale

## III. APPROVAL OF AGENDA

Deputy Mayor Boeve queried if there were any changes to the agenda.

Mr. Brown, Borough Manager, requested to remove AM 21-105 from the agenda and to take no action.

Deputy Mayor Boeve queried if there was any objection.

There was no objection noted.

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

The following person led the pledge of allegiance: Mr. Chris Loscar,  
Animal Care Director.

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

[21-194](#)

A. Regular Assembly Meeting: 09/21/21

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**

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

###### **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, advised that the Alaska State Department of Health and Social Services would not be at the meeting this evening, but would report at the October 19, 2021, meeting instead.

##### **B. COMMITTEE REPORTS**

###### **1. Joint Assembly/School Board Committee On School Issues**

Assemblymember Nowers reported on issues the school district is facing due to COVID and bus driver shortages.

###### **2. Assembly Public Relations**

There was no report provided.

##### **C. MANAGER COMMENTS**

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

## **2. Strategic Planning Issues**

Mr. Brown reported on the following topics:

- \* the success of the Emergency Preparedness Expo;
- \* the possibility of applying for the Build-Back grant;
- \* the legislation that will be on the October 19 agenda regarding the Build-Back grant;
- \* that the Build-Back grant would enable Phases III, IV, and V to be completed for the rail extension project;
- \* the positive economic impacts that the completion of the rail extension would have on the Borough;
- \* that there is already a potential customer for Port MacKenzie if the rail extension project is completed; and
- \* requested a special meeting on October 19, 2021, at 4:30 p.m., to discuss economic indicators.

**Deputy Mayor Boeve queried if there was any objection to scheduling the requested meeting. The motion passed by the following vote:**

**Yes:** 5 - Assemblymember Nowers, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner and Assemblymember Boeve

**No:** 1 - Assemblymember McKee

Mr. Brown requested to schedule a special meeting on December 7, 2021, at 4 p.m., to have a discussion regarding the gravel industry.

Deputy Mayor Boeve queried if there was any objection.

There was no objection noted.

## **3. Alaska State Department of Health and Social Services COVID-19 Update**

There was no report provided.

### **D. ATTORNEY COMMENTS**

There was no report provided.

### **E. CLERK COMMENTS**

Ms. McKechnie spoke to the upcoming meeting schedule. Noted that Chambers was divided due to the city of Palmer using the back half for their election.

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

### **21-196**

1. Agriculture Advisory Board: 03/17/21
2. Animal Care and Regulation Board: 06/03/20, AC&R 21-01 Final Decision
3. Big Lake Community Council: 06/08/21, 07/13/21, 08/10/21
4. Local Road Service Area Advisory Board: 08/19/21, Resolution No. 21-03
5. Talkeetna Community Council: 04/05/21, 05/03/21, 06/07/21, 08/02/21
6. Talkeetna FSA Board of Supervisors: 12/09/20, 04/14/21
7. West Lakes FSA Board of Supervisors: 08/09/21

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

## **G. INFORMATIONAL MEMORANDUMS**

### **IM 21-201**

Informing The Assembly Of A Grant Amendment From The Alaska State Department Of Fish And Game For The Big Lake Area Fish Passage Improvement Project That Will Be Presented To The Borough Manager For Signature.

### **IM 21-204**

Notification Of Certification Of 2021 Regular Real Property, Personal Property, Oil And Gas Properties, Exempted Properties, And Board Of Equalization Actions.

### **IM 21-206**

Reporting The Conclusion Of Contract Bid 17-082P With Architects Alaska For The Palmer And Wasilla Pool Improvement Designs Project.

The informational memorandums were 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 21-085](#) An Ordinance Amending MSB 17.67.030, Exemptions, Under Chapter 17.67 Tall Structures Including Telecommunication Facilities, Wind Energy Conversion Systems, And Other Tall Structures.

**Sponsors:** Boeve

Ms. McKechnie read the legislation into the record.

Mr. Jason Ortiz, Development Services Manager, provided a staff report.

Deputy Mayor Boeve opened the public hearing.

The following person spoke to concerns that drilling rigs would no longer be allowed: Ms. Beth Fread.

The following persons spoke in support of the legislation: Ms. Ruth Wood and Mr. John Strassenburgh.

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

**Assemblymember Nowers moved to adopt Ordinance Serial No. 21-085.**

**Assemblymember Nowers called for the question (to stop debate). The motion failed (requires five votes) by the following vote:**

**Yes:** 6 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner and Assemblymember Boeve

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

**Yes:** 4 - Assemblymember Nowers, Assemblymember Yundt, Assemblymember Sumner and Assemblymember Boeve

**No:** 2 - Assemblymember McKee and Assemblymember Tew

[OR 21-092](#)

An Ordinance Amending MSB 23.20, Forest Management, Affecting Timber Salvage Sales On Borough Land By Adopting Broader Terms To Address Forest Health And Facilitate The Removal Of Damaged Timber; And Repealing MSB 28.60.070, Traffic Safety Plan; And MSB 28.60.080 Timber Transport Permit.

Ms. McKechnie read the legislation into the record

Mr. Eric Phillips, Community Development Director, and Mr. Emerson Kruger, Natural Resource Manager, provided a staff report.

Deputy Mayor Boeve opened the public hearing.

The following persons spoke in opposition of Ordinance Serial No. 21-092: Ms. Ruth Wood, Ms. Kathy Trump, Mr. John Strassenburgh, and Ms. Laura Wright.

The following persons spoke in support of Ordinance Serial No. 21-092: Mr. Greg Bell, Mr. Andrew Traxler, and Mr. Scott Jewell.  
**Assemblymember Nowers moved to adopt Ordinance Serial No. 21-092.**

**Assemblymember Nowers moved a primary amendment to Ordinance Serial No. 21-092 as follows:**

- **page 6, by striking sections 6 and 7 in their entirety;**
- **in the title, by striking the words “and repealing MSB 28.70.080, Traffic Safety Plan and MSB 28.60.080, Timber Transport Permit;” and**
- **by striking whereas clauses no. 6 through 12.**

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

**Yes:** 2 - Assemblymember Nowers and Assemblymember Boeve

**No:** 4 - Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew and Assemblymember Sumner

**Assemblymember Tew called for the question (to stop debate).**

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

**Yes:** 6 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner and Assemblymember Boeve

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

**Yes:** 5 - Assemblymember Nowers, Assemblymember McKee,  
Assemblymember Yundt, Assemblymember Tewand  
Assemblymember Sumner

**No:** 1 - Assemblymember Boeve

**OR 21-099**

An Ordinance Accepting And Appropriating \$314,042 From The Alaska State Department Of Military And Veteran's Affairs, Emergency Management Performance Grant Program; And Requesting A Reappropriation Of \$303,542 From The Emergency Management Fiscal Year 2022 Operating Budget; And \$10,500 From The Emergency Services Administration Fiscal Year 2022 Operating Budget For Emergency Management Wages And Benefits.

RS 21-097: A Resolution Approving The Scope Of Work And Budget For A Grant In The Amount Of \$314,042 From The Alaska State Department Of Military And Veteran's Affairs, Emergency Management Performance Grant For Emergency Management Wages And Benefits.

CONFLICT OF INTEREST: Deputy Mayor Boeve declared a conflict of interest as this legislation would fund her daughter's position.

RULING: The Assembly ruled that Deputy Mayor Boeve had a conflict of interest and would be recused from voting.

Assemblymember Boeve exited the meeting.

Assemblymember Nowers assumed the duties of the Chair.

Ms. McKechnie read the legislation into the record.

Ms. Cheynne Heindel, Finance Director, provided a staff report.

Presiding Officer Nowers opened the public hearing.

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

**Assemblymember Sumner moved to adopt Ordinance Serial No. 21-099. The motion passed by the following vote:**

**Yes:** 5 - Assemblymember Nowers, Assemblymember McKee,  
Assemblymember Yundt, Assemblymember Tewand  
Assemblymember Sumner

**Recused:** 1 - Assemblymember Boeve

Assemblymember Boeve re-entered the meeting.

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

The meeting recessed at 7:50 p.m. and reconvened at 8 p.m.

The following person opined that veterinarians should be in charge of issuing kennel licenses instead of Animal Care and Regulation Officers:  
Mr. Doug Bartko

The following person spoke to the need to use extreme caution if a gas line is installed near the rail extension and to concerns that the tower legislation would impede well drilling: Ms. Beth Fread.

## **D. CONSENT AGENDA**

### **1. RESOLUTIONS**

[RS 21-102](#) A Resolution Approving A Loan From The Fire Service Area Revolving Loan Fund In The Amount Of \$489,000 To The Talkeetna Fire Service Area For The Purchase Of A Pumper Tender And Related Equipment.

[RS 21-103](#) A Resolution Authorizing Participation In Settlement Agreements Related To The Nationwide Opioid Litigation.

[RS 21-105](#) A Resolution In Support Of Continuous Highway Lighting Along The Knik-Goose Bay Road Corridor From The Intersection Of The Parks Highway To Settlers Bay Drive.

### **2. ACTION MEMORANDUMS**

[AM 21-099](#) Award Of Bid No. 22-049C To GCSIT In The Contract Amount Of \$149,528 To Purchase EMC PowerStore Storage Array.

[AM 21-101](#) Approval Of Contract Extension To Contract No. 20-056P With ECI/Hyer, Inc. To Design The Willow Library Replacement And Community Center Upgrades To October 31, 2021.

[AM 21-102](#) Approval Of Contract Extension To Contract No. 21-162B With BINW To Supply And Install Furniture, Fixtures, and Equipment At Willow Library To November 30, 2021.

[AM 21-104](#) Approval Of A Change Order 1 To Contract No. 19-109P With Hatcher Pass Survey And Platting To Extend The Completion Time To December 31, 2022.



[AM 21-105](#)

Award of Bid No. 22-040B to Valley General Construction, LLC. In the contract amount of \$616,621 For Muskrat Street, Fox Avenue, Mink Street, Musk Ox Street, and Marten Avenue Road Improvements.

Ms. McKechnie read the legislation into the record.

**Assemblymember Nowers moved to approve the consent agenda as read into the record by the Clerk. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner and Assemblymember Boeve

[RS](#)

[21-101-R](#)

A Resolution Approving A Change To The Fiscal Year 2022 Schedule Of Rates And Fees For Central Landfill And All Transfer Sites To Add A Special Level Pickup Truck Rate Of \$10.

**Sponsors:** Tew

[Clerk's note: Assemblymember Hale entered the meeting at 8:37 p.m.]

Ms. McKechnie read the legislation into the record.

Mr. Terry Dolan, Public Works Director, provided a staff report.

**Assemblymember Nowers moved to adopt Resolution Serial No. 21-101.**

**Assemblymember Sumner called for the question (to stop debate). The motion failed (requires five votes) by the following vote:**

**Yes:** 4 - Assemblymember Hale, Assemblymember McKee, Assemblymember Tew and Assemblymember Sumner

**No:** 3 - Assemblymember Nowers, Assemblymember Yundt and Assemblymember Boeve

**Assemblymember Sumner moved a primary amendment to Resolution Serial No. 21-101, by striking "\$10" and inserting "\$30" throughout the legislation.**

**Assemblymember Tew called for the question (to stop debate). The motion failed (requires five votes) by the following vote:**

**Yes:** 4 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Sumner and Assemblymember Boeve

**No:** 3 - Assemblymember McKee, Assemblymember Yundt and Assemblymember Tew

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

**Yes:** 2 - Assemblymember Hale and Assemblymember Sumner

**No:** 5 - Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew and Assemblymember Boeve

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

**Yes:** 4 - Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew and Assemblymember Sumner

**No:** 3 - Assemblymember Hale, Assemblymember Nowers and Assemblymember Boeve

## **VIII. UNFINISHED BUSINESS**

## **IX. VETO**

## **X. NEW BUSINESS**

### **A. INTRODUCTIONS (For Public Hearing 10/19/21, Assembly Chambers)**

[OR 21-100](#) An Ordinance Approving The Sale Of Borough-Owned Land Identified As Lot 927, Caswell Lakes Subdivision, To Adjacent Property Owner Brad McCourt On Behalf Of McCourt Family Trust, Pursuant To MSB 23.10.230, Agreements By Application.

[OR 21-101](#) An Ordinance Accepting And Appropriating COVID-19 Disaster Relief Funds Of \$17,918.34 From The Federal Emergency Management Agency.  
RS 21-104: A Resolution Approving The Amended Budget For COVID-19 Disaster Relief Funds.

[OR 21-102](#) An Ordinance Reappropriating \$33,600 From The Cash Performance Areawide Bond Fund Account To The Chanlyut Circle Upgrade Project.  
RS 21-106: A Resolution Amending The Scope Of Work And Budget For The MSB Facility Access Improvements Project, Chanlyut Circle Upgrade.

[OR 21-104](#)

An Ordinance Authorizing The Issuance Of Areawide General Obligation Bonds, In One Or More Series, To Finance The Construction, Additions, Improvements, Betterments, Repair, Reconstruction, Or Acquisition Of Public Roads And Facilities Related Thereto In The Matanuska-Susitna Borough, Together With All Necessary Equipment And Transportation Facilities, And The Acquisition Of Lands Or Rights In Lands In Connection Therewith, And To Refund Certain Outstanding General Obligation Bonds Of The Borough; Fixing Certain Details Of Such Bonds; And Authorizing Their Sale.

Ms. McKechnie read the legislation into the record.

**Assemblymember Nowers moved to introduce the legislation and set the public hearings for October 19, 2021. The motion passed by the following vote:**

**Yes:** 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumnerand Assemblymember Boeve

**B. MAYORAL NOMINATIONS AND APPOINTMENTS**

**1. VACANCY REPORT**

[21-198](#)

Mayoral Requests for Confirmation  
Wastewater and Septage Advisory Board  
William Nall, resignation

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

**Yes:** 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumnerand 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**

Mr. Brown noted that wildfire risk reduction was a strategic priority of the Assembly and that is why Ordinance Serial No. 21-092 was brought forward for consideration. Stated that it was not to raise revenue.

Assemblymember Hale apologized for being late.

Assemblymember McKee noted his surprise about a possible wood chipping venture. Noted that there is no way to load wood chips on a ship until the conveyor belt is repaired.

Assemblymember Tew opined that it was a great thing to lower the rate for trash disposal. Spoke to concerns that the tall structure legislation may be putting the Talkeetna balloon company out of business.

Assemblymember Yundt spoke in support of the timber legislation. Spoke to concerns with the quality of the wood available to be salvaged. Stated that wildfires are a major concern of his. Spoke to the need to get the conveyor belt fixed.

Assemblymember Nowers spoke to the possible opioid settlement funds that would come to the state of Alaska. Noted it would be a small annual amount that the Borough would receive. Commented that she is pleased that a lot of thought was put into the infrastructure package. Noted her frustration with amending landfill rates without any justification. Opined that there should be a reason why the body does things and that it is a bad precedent to just do them for no reason.

Assemblymember Boeve advised that the balloon business in Talkeenta never materialized. Stated that it is fair to say that she has the most wildfire experience of anyone on the Assembly. Noted that she clearly understands wildfire risk. Advised that the Sockeye Fire was not due to beetle-killed spruce. Spoke to concerns that the Assembly does not always take the advice of advisory boards. Spoke to the importance of the public process.

## **XIII. EXECUTIVE SESSION**

There was no executive session.

## **XIV. ADJOURNMENT**

The meeting adjourned at 9:07 p.m.