

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, January 12, 2016, 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**

Assembly members present and establishing a quorum were:

Mr. Jim Sykes, Assembly District No. 1  
Mr. Matthew Beck, Assembly District No. 2 (*Deputy Mayor*)  
Mr. George McKee, Assembly District No. 3  
Mr. Dan Mayfield, Assembly District No. 5 (*Attended telephonically*)  
Ms. Barbara Doty, Assembly District No. 6  
Mr. Randall Kowalke, Assembly District No. 7

Assemblymembers absent and excused were:

Mr. Steve Colligan, Assembly District No. 4

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk  
Mr. John Moosey, Borough Manager  
Mr. George Hays, Assistant Borough Manager  
Mr. Nicholas Spiropoulos, Borough Attorney  
Ms. Jessica Kilborn, Deputy Borough Clerk  
Mr. Jude Bilafer, Capital Projects Director  
Ms. Tammy Clayton, Finance Director  
Mr. Terrance Dolan, Public Works Director  
Ms. Lauren Driscoll, Chief of Planning  
Mr. Ken Barkley, FSA Deputy Emergency Services Director  
Ms. Patty Sullivan, Public Affairs Director  
Mr. Eric Phillips, Community Development Director  
Ms. Jessica Smith, Planning Department Planner II  
Ms. Sara Jansen, Planning Department Planner II  
Ms. Benji Wood, Administrative Assistant I

**III. APPROVAL OF AGENDA**

Mayor Halter inquired if there were any changes to the agenda.

Assemblymember Beck requested to remove the Reconsideration of Ordinance Serial No. 15-133 from the agenda.

Mayor Halter queried if there was any objection.

There was no objection noted.

GENERAL CONSENT: The agenda was approved as amended without objection.

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

The Pledge of Allegiance was led by Mr. Don Carney, Matanuska Susitna Borough School District Facilities Coordinator.

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

- A. Special Assembly Meeting: 11/19/15
- B. Special Assembly Meeting: 12/01/15
- C. Regular Assembly Meeting: 12/01/15
- D. Joint Assembly/School Board Meeting: 12/08/15
- E. Special Assembly Meeting: 12/15/15
- F. Regular Assembly Meeting: 12/15/15

Mayor Halter inquired if there were any changes/corrections to, the special meeting minutes of November 19, 2015, the special and regular meeting minutes of December 1, 2015, the joint meeting minutes of December 8, 2015, and the special and regular meeting minutes of December 15, 2015.

GENERAL CONSENT: The minutes were approved as presented without objection.

#### **VI. REPORTS/CORRESPONDENCE**

##### **A. AGENCY REPORTS**

1. Reports from cities

##### Houston City

Mayor Virgie Thompson spoke in support of Resolution Serial No. 15-115, in particular the Port to Parks at Houston project.

##### Wasilla City

Mayor Bert Cottle announced the following events:

- the “Skate the Lake” community skating party would be held at Wasilla Lake on Saturday, January 16, from noon to 2 p.m.;
- the Winter College Coaches Baseball Clinic for the Houston, Reddington, Wasilla, Colony, and Palmer High Schools, for age groups nine to 13, would be held on Monday, January 18, at the Menard Center;

- the Red Cross would hold a first aid and CPR class at the Menard Center on Saturday, January 23; and
- the 2016 Mat-Su Homeless Connect would be held at the Menard Center on Wednesday, January 27, from 10 a.m. to 3 p.m.

Mayor Halter welcomed former Governor Sean Parnell to the meeting.

2. Matanuska-Susitna Borough School District

*(There was no report provided.)*

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

- Assemblymember Beck: noted that a Joint Assembly/School Board Committee meeting was held and all projects were moving forward; and
- spoke to the Committee's request to reenact the Borough Area Schools Site Selection Committee for the purpose of conducting a thorough projection of future site needs.

2. Assembly Public Relations

*(There were no reports provided.)*

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

Mr. Moosey:

- reported that staff was working diligently to determine how the tax benefits would be divided between the communities upon the approval of the Alaska Liquid Natural Gas (AKLNG) project;
- noted that he would be issuing a letter to the Legislative Delegation, staking claim on the preferred route locations and take-off points related to the AKLNG project;
- spoke to the limited cost analysis conducted by staff, related to the AKLNG project;
- reported on the analysis conducted by the North Star Group, associated with the Fixing America's Surface Transportation (FAST) Act passed by Congress;
- invited Mr. Doug Clegg, Spring Creek Enterprise, to provide a presentation on the Mat-Su Colony Senior Living project.

Mr. Clegg provided a report on the Mat-Su Colony Senior Living project.

#### D. ATTORNEY COMMENTS

Mr. Spiropolous:

- spoke to the sales agreement documents regarding the Veteran's Wall and a clause within the agreement which included the condition that the Veteran's Wall was not be moved; however, as it was owned by a third party, a deed restriction was unlikely due to the ownership;
- commented on the Supreme Court ruling on the Ketchickan school funding lawsuit and that the minimum funding law for school funding would remain; and
- commented that the Evanston lawsuit regarding PERS had been dismissed by the Court; and
- noted that his office would be evaluating the ruling to determine potential strategies of further action by the Borough.

#### E. CLERK COMMENTS

Ms. McKechnie:

- spoke to the upcoming meeting schedule; and
- noted that Administration had requested a special meeting on Tuesday, March 15, 2016, at 4 p.m. regarding the Classification and Compensation Study Update; and
- asked if there was objection to scheduling the meeting.

There was no objection noted.

#### F. CITIZEN AND OTHER CORRESPONDENCE

##### 1. MSB Board/Committee Minutes:

- a. Agriculture Advisory Board: 10/14/15, Resolution Serial Nos. 15-03, 15-04
- b. Alpine RSA Board of Supervisors: 01/13/15
- c. Big Lake RSA Board of Supervisors: Resolution Serial No. 15-04
- d. Caswell FSA Board of Supervisors: 04/08/15
- e. Caswell Lakes RSA Board of Supervisors: 04/01/15
- f. Enhanced 911 Advisory Board: 10/13/15
- g. Local Emergency Planning Committee: 08/19/15
- h. Local Road Service Area Advisory Board: 09/17/15
- i. Meadow Lakes RSA Board of Supervisors: Resolution Serial Nos. 15-02, 15-03
- j. Planning Commission: 10/05/15, 10/19/15, 11/02/15, Resolution Serial Nos. 15-39, 15-41, 15-43, 15-44, 15-45, 15-46
- k. Platting Board: 11/05/15, 11/19/15
- l. Transportation Advisory Board: 10/28/15, Resolution Serial Nos. 15-13, 15-14, 15-15
- m. Willow FSA Board of Supervisors: 02/12/15, 10/08/15, 11/12/15

##### 2. Community Council Minutes:

- a. Fishhook Community Council: 02/03/15
- b. Talkeetna Community Council: 04/06/15, 05/04/15, 06/01/15, 07/06/15, 08/03/15, 09/08/15, 10/05/15

c. Trapper Creek Community Council: 10/15/15

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

G. INFORMATIONAL MEMORANDUMS

1. **IM 16-007:** Reporting Of Conclusion Of Contract For Bid No. 15-011B To Eklutna Services, LLC, For The Houston High School Exterior Envelope Upgrades For The Final Contract Amount Of \$606,024.15.
2. **IM 16-008:** Reporting Of Conclusion Of Contract For Bid 14-016B To Western Construction & Equipment, LLC For Caswell Lakes Road Upgrade For The Final Contract Amount Of \$2,301,365.70.

The informational memorandums were presented and no comments were noted.

VII. SPECIAL ORDERS

A. PERSONS TO BE HEARD (Three minutes per person.)

*(There were no persons to be heard.)*

B. PUBLIC HEARINGS (Three minutes per person.)

1. **Ordinance Serial No. 16-002:** An Ordinance Amending MSB 2.12.030 To Require Candidates Live In A Specific Assembly District For One Year Prior To Election And Adding MSB 25.15.010(B) To Formally Codify Rules For Determination Of Residency Of A Candidate. *(Requested by Assemblymember Sykes)*
  - a. IM 16-004

Mayor Halter opened the public hearing.

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

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

MOTION: Assemblymember Sykes moved to adopt Ordinance Serial No. 16-002.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke to the land acquisition for the Spring Creek Enterprise Mat-Su Colony Senior Housing project: John Schwoltz and Zeisel Schwoltz.

The following person spoke to concerns regarding MSB 24.05.070 Restraint of Animals: Todd Maushardt.

The following person spoke to the need of land development for future generations: Helen Munoz

The following person spoke to concerns regarding Resolution Serial No. 15-115, Capital Improvement Projects Item No. 4, Port to Parks: Beth Fread.

The following person spoke to concerns regarding the public process: Eugene Carl Haberman

The following person spoke to Ordinance Serial No. 15-133 regarding the Veteran's Wall: Dino Beligotti

The following person spoke to concerns with Trapper Creek Community Council members and the Council's meeting process in regards to Ordinance Serial No. 15-150: Kristie Parsons.

D. CONSENT AGENDA

1. RESOLUTIONS

a. **Resolution Serial No. 16-001:** A Resolution Authorizing A Loan Application To The Alaska State Department Of Environmental Conservation, Alaska Clean Water Fund, For The Amount Of \$7,000,000 For Design And Construction Of A New Lined Cell Tied To The Existing Leachate Collection System And Adjacent Landfill Cells At The Central Landfill.

(1) IM No. 16-009

b. **Resolution Serial No. 16-002:** A Resolution Approving The Scope Of Work And Budget For The Fiscal Year 2016 Capital Appropriation Recreation Priorities, Fund 480, Project No. 15035.

(1) IM No. 16-011

c. **Resolution Serial No. 16-003:** A Resolution Approving The Financial Responsibility For The M/V Susitna For January, February, And March 2016.

(1) IM No. 16-012

2. ACTION MEMORANDUMS

a. **AM No. 16-001:** Approving Utility Relocation Costs Of \$143,945 to Matanuska Telephone Association For Lazenby Road, Juanita Way Upgrade, Project No. 30046.

b. **AM No. 16-002:** Award Of Bid 16-054B To Wolverine Supply, Inc. In The Contract Amount Of \$157,000 For The Big Lake Elementary School Lights And Ceiling Grid.

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Beck moved to approve the consent agenda as read into the record by the Clerk.

VOTE: The motion passed without objection.

### **VIII. UNFINISHED BUSINESS**

A. **Ordinance Serial No. 15-039:** An Ordinance Placing A Moratorium On The Acceptance And Processing Of Applications To Dispose Of Fee Simple Interests Of Previously Disposed Borough Agricultural Property. *(Sponsored By Assemblymember Sykes)*

1. IM No. 15-073

MOTION: Assemblymember Sykes moved a primary amendment to Ordinance Serial No. 15-039, Section 2, by striking the date of “March 10, 2016” and inserting in its place “until the Assembly acts upon the Agriculture Advisory Board’s recommendations”.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

B. **Resolution Serial No. 15-115:** A Resolution Adopting The Capital Improvement Program For Fiscal Year 2017 To Fiscal Year 2022.

1. IM No. 15-240

PENDING MOTION: Assemblymember Sykes moved a primary amendment to Resolution Serial No. 15-115, Transportation Planning, by striking priority item no. 4 - Port to Parks Highway at Houston.

WITHDRAW: Assemblymember Sykes moved to withdraw the pending amendment.

VOTE: The motion passed without objection.

MOTION: Assemblymember Kowalke moved a primary amendment to Resolution Serial No. 15-115, General Public Facilities, by striking priority item no. 4 - Willow Community Center – Drainage and Access Improvements and inserting in its place priority item no. 5 - Willow Library Project.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Sykes moved a primary amendment to Resolution Serial No. 15-115, Aviation, priority item no. 6 - Regional Float Plane Facility Site Evaluation by:

- striking the language “in the Knik Goose Bay/Point MacKenzie area. Initial assessment of the Seven Mile Lake area recommended in the RASP has shown significant wetlands exist at that site, and along the logical access route. Borough staff is reviewing other location options and have begun preliminary research into a location in the proposed Point MacKenzie Townsite. This project”; and:
- inserting in its place “RASP 2” before the words “will further refine” and inserting the word “to” before the words “review the findings and recommendations of the RASP”.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Sykes moved a primary amendment to Resolution Serial No. 15-115, Emergency Services Facilities, by adding the following project:

- Lake Louise EMS Building Foundation Replacement:  
The slow motion failure of the current foundation continues at the Lake Louise EMS building that was constructed in 2010. After construction the foundation settled quickly and repairs were made by the contractor at no cost. The building seemed stable, but in 2012 parts of the foundation started settling further and that process accelerated to the point that the doors had to be adjusted to open and the foundation continues to degrade. Capital Projects investigated the situation with two contractors and the most cost-effective solution is to pick up the existing building and move it onto a new refrigerated foundation. The new foundation will be allowed to sit and cure for a year before the existing structure is moved onto it. This critical EMS facility in the farthest reaches of the Mat-Su Borough is an important asset to the community and the Borough that needs to be maintained.  
Funding Needed \$700,000

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Sykes moved a primary amendment to Resolution Serial No. 15-115, Community Transportation Program, Residential and Commercial Streets Needs List by striking Road Service Area Uncertified Road Upgrades-Design Phase.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Sykes moved a primary amendment to Resolution Serial No. 15-115, Community Transportation Program, Residential and Commercial Streets Needs List by striking Gonder Road Upgrade.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Sykes moved a primary amendment to Resolution Serial No. 15-115, Community Transportation Needs List, Minor Collector Needs, by striking Alsop Road Improvements.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

*(The meeting recessed at 7:31 p.m. and reconvened at 7:42 p.m.)*

## **IX. VETO**

*(There were no vetoes presented.)*

## **X. NEW BUSINESS**

### **A. INTRODUCTIONS (For public hearing – 01/26/16 Assembly Chambers)**

1. **Ordinance Serial No. 15-143:** An Ordinance Appending The Big Lake Comprehensive Plan MSB 15.24.030(B)(10), With The Big Lake Corridor Impact Assessment, March 2014, And Recognizing Route 3A As The Selected Route By The Big Lake Community Council. *(Sponsored By Assemblymember Mayfield)*
  - a. IM No. 15-198
  
2. **Ordinance Serial No. 16-004:** An Ordinance Accepting And Appropriating \$151,000 From The United States Fish And Wildlife Service To Fund 410, Project No. 30114, For Up To 24 Culvert Replacements As Part Of The Fish Passage Improvements Project, Project No. 30114.
  - a. **Resolution Serial No. 16-004:** A Resolution Approving The Scope Of Work And Budget For The Replacement Of Up To 24 Culverts For Fish Passage Improvements, Project No. 30114.
    - (1) IM No. 16-002
  
3. **Ordinance Serial No. 16-005:** An Ordinance Approving An Appropriation Of \$112,000 From The Sutton Fire Service Area Fund Balance, Fund 253 To Fund 405, Project No. 45051, To Allow For The Completion Of The Water Storage Tank, Pump, Well, And Access Driveway Project For Sutton Fire Station 1-1.
  - a. **Resolution Serial No. 16-005:** A Resolution Approving The Scope Of Work And Budget For Project No. 45051, To Allow For The Completion Of The Water Storage Tank, Pump, Well, And Access Driveway Project For Sutton Fire Station 1-1.
    - (1) IM No. 16-005

4. **Ordinance Serial No. 16-006:** An Ordinance Amending MSB 24.30.018, Animal Care And Regulation Board's Meetings, Agenda, Order of Business. *(Requested by Assemblymember Beck)*
  - a. IM No. 16-006
- B. INTRODUCTIONS (For public hearing – 03/01/16 Assembly Chambers)
  1. **Ordinance Serial No. 16-001:** An Ordinance Creating 2207 And 2287 E Carney Road Noncontiguous Natural Gas Local Improvement District No. 577, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement, And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.
    - a. IM No. 16-003

Ms. McKechnie read the above legislation into the record.

**MOTION:** Assemblymember Beck moved to introduce the legislation as read into the record by the Clerk and set the public hearings for January 26, 2016, and March 1, 2016, respectively.

**VOTE:** The motion passed without objection.

#### MAYORAL NOMINATIONS AND APPOINTMENTS

##### 1. VACANCY REPORT

Mayor Halter requested the following resignation and appointments for confirmation:

- Agriculture Advisory Board
  - Jenny Wren
- Animal Care and Regulatory Board
  - Barbara Landi
  - Kelleigh Orthman
- Aviation Advisory Board
  - David Lundin
  - David Palmer
- Board of Equalization
  - William Barnes
- Board of Ethics
  - Sarah Henkel
- Borough Area Schools Site Selection Committee
  - Matthew Beck
  - Deborah Retherford
  - Ray Michaelson
- Emergency Medical Services Board
  - David Calvert

Health and Social Services Board  
Ashley Peltier  
Philip Licht, resignation  
Historical Preservation Commission  
Eileen Haines  
Sonya Larkey-Walden  
Library Board  
Carol Goltz  
Local Emergency Planning Committee  
Donald Warble  
Ryan Pierce  
MSB Fish and Wildlife Commission  
Michael Wood  
Larry Engle  
Port Commission  
Steven Borell  
Talkeetna FSA #24  
Herman Thompson  
John Rice  
West Lakes FSA#136  
Cathi Kramer  
Willow FSA #35  
Phillip Rhode  
Caswell Lakes RSA #15  
Gordon Boeve  
Fairview RSA #14  
Daniel Elliott  
Gold Trail RSA #28  
Micah Schoming  
Greater Willow RSA #20  
Todd Smoldon  
North Colony RSA #23  
Barbara Gerard  
Chase Trail Service Area #134  
Donnie Billington

**CONFLICT OF INTEREST:** Assemblymember Beck declared a possible conflict of interest as his mother-in-law was an appointee to the Animal Care and Regulatory Board.

**RULING:** Mayor Halter ruled that Assemblymember Beck had a conflict of interest and would be recused from voting on the appointment to the Animal Care and Regulatory Board.

**MOTION:** Assemblymember Beck moved to divide the question to vote on the Animal Care and Regulation Board appointments separately.

VOTE: The motion passed without objection.

MOTION: Assemblymember Beck moved to confirm the Mayor's appointments and resignations with the exception of the Animal Care and Regulation Board appointments.

VOTE: The motion passed without objection.

*(Assemblymember Beck exited the meeting.)*

MOTION: Assemblymember Doty moved to confirm the Mayor's appointments to the Animal Care and Regulation Board appointments.

VOTE: The motion passed without objection.

*(Assemblymember Beck reentered the meeting.)*

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 presented.)*

**XI. RECONSIDERATION**

A. **Resolution Serial No. 15-119:** A Resolution Adopting the Revised Emergency Services Fee Schedule For Rescue Services Effective January 1, 2016. *(Reconsideration Filed By Assemblymember McKee On December 16, 2015)*

(1) IM No. 15-259

MOTION: Assemblymember McKee moved to reconsider Resolution Serial No. 15-119.

VOTE: The motion passed with Assemblymembers Doty and Mayfield opposed.

WITHDRAW: Assemblymember McKee moved to withdraw the motion to reconsider.

VOTE: The motion passed with no objection.

B. ~~**Ordinance Serial No. 15-133:** An Ordinance Approving A Sale By Application Of Tract B, Best View Subdivision And The Improvements Thereon For \$1,215,000; Authorization For The Manager To Negotiate The Sale; And Appropriation Of \$50,000~~

~~From Sale Proceeds To The Parks Shop Building, Fund 440, Project No. 15039, With The Remainder Of Sale Proceeds To Be Deposited To Land Management Fund And Appropriated At A Later Time By The Borough Assembly (MSB007067). (Reconsideration Filed By Assemblymember Beck — Reconsideration Is On The Amendment That Was Moved And Failed At The December 15, 2015 Meeting)~~

(1) ~~IM No. 15-194~~

## **XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS**

Mr. Moosey:

- thanked the Assembly for adopting Resolution Serial No. 15-115;
- noted that staff was available to assist the Assembly if members had specific projects to add to the CIP list; and
- offered the assistance of staff for amendments the Assembly wished to make to items on any meeting agendas.

Assemblymember Doty:

- thanked individuals for comments and input on the Veteran's Wall and on the Mat-Su Colony Senior Living project;
- requested information from Mr. Moosey on the EMS collections rate and backup on what improvements were made and the actual monies received;
- requested financial detail on projects presented to the Assembly;
- commented on the CIP process and encouraged a plan going forward;
- requested consideration of the road improvement components to the CIP list, emphasizing connectors, high traffic areas, congestion, and safety; and
- welcomed a civic education student who was present in the audience.

Assemblymember Sykes:

- thanked the Planning Department for its work on the CIP; spoke to his reasons for the amendments to Resolution Serial No. 15-115 and urged the Assembly to become more involved in the process;
- recommended renaming the budget process for CIP projects for which funding was being sought;
- voiced appreciation for the public process and to the IT Department for posting the online budget as these assisted with public participation;
- spoke to the evaluation process for the Manager, Clerk, and Attorney; and
- requested that discussion to establish a formal evaluation process of the Manager, Clerk, and Attorney be placed on the next agenda.

Assemblymember Kowalke spoke to clarifying the ambiguity of the Veteran's Wall issue.

Assemblymember Beck

- thanked the Planning Department for its work and the presentation during the Special Meeting;
- spoke in support of establishing a Blue Ribbon Taskforce regarding Titles 17 and 43; and

- spoke to the formal evaluation process for employees as presented by Assemblymember Sykes.

Mayor Halter:

- encouraged the Assembly to thoroughly review the FAST Act analysis provided by the North Star Group in order to leverage funds for the Borough;
- announced he and Assemblymember Kowalke would be in attendance at the AKLNG meeting on Friday, January 15, 2016;
- spoke to the desire of a road bond package which would include a list of the top 10 road projects, for future planning, and in order to determine the priorities of the Districts;
- commented on the Mat-Su Colony Senior Living project presentation; and
- thanked Mr. Talis Colberg, Mat-Su College Director, for the tour of the Mat-Su College campus.

### **XIII. EXECUTIVE SESSION**

*(There was no executive session held.)*

### **XIV. ADJOURNMENT**

The regular meeting adjourned at 8:21 p.m.

  
VERN HALTER, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 01/26/16