

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on September 6, 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 (*arrived at 6:20 p.m.*)
Mr. Steve Colligan, Assembly District No. 4
Mr. Dan Mayfield, Assembly District No. 5
Ms. Barbara Doty, Assembly District No. 6 (*attended telephonically*)
Mr. Randall Kowalke, Assembly District No. 7

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. Brenda J. Henry, Assistant Clerk
Mr. Jude Bilafer, Capital Projects Director
Ms. Cheyenne Heindel, Acting Finance Director
Mr. Terrance Dolan, Public Works Director
Ms. Eileen Probasco, Planning and Land Use Director
Mr. Bill Gamble, Emergency Services Director
Mr. Ken Barkley, Emergency Services Deputy Director - Fire
Ms. Patty Sullivan, Public Affairs Director
Mr. Eric Phillips, Community Development Director
Mr. Eric Wyatt, Information Technology Director

III. APPROVAL OF AGENDA

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

MOTION: Assemblymember Mayfield moved to pull Ordinance Serial No. 16-115 from the agenda and take no action.

VOTE: The motion failed with Assemblymembers Doty and Mayfield in support.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Helen Munoz, a member of the audience.

Mayor Halter queried if there was any objection to adding the presentation of a proclamation to the agenda.

There was no objection noted.

Mayor Halter presented a proclamation in recognition of Child Safety Week to Ms. Gwen Teutsch from Mat-Su Services for Children and Adults.

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 08/02/16
- B. Regular Assembly Meeting: 08/02/16
- C. Special Assembly Meeting: 08/17/16
- D. Regular Assembly Meeting: 08/17/16

Mayor Halter inquired if there were any changes/corrections to the special or regular meeting minutes of August 2, 2016, or the special or regular meeting minutes of August 17, 2016.

Ms. McKechnie requested a change to the August 2, 2016, regular minutes, on page 11 of 17, to Assemblymember Kowalke's conflict of interest statement, by inserting after the word "for" the words "a company owned by" and inserting after the word "services" the word "principals" to read: "Assemblymember Kowalke declared a conflict of interest as he has a family member who works for a company owned by D&S Services principals."

Mayor Halter queried if there was any objection.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

- 1. Reports from cities

Wasilla City

Mayor Bert Cottle reported on the activities of the City.

Palmer City

Mr. Nathan Wallace, City Manager, reported on the activities of the City.

2. Matanuska-Susitna Borough School District

Mr. Luke Fulp, Assistant Superintendent, reported on the activities of the School District.

3. Alaska State Department of Conservation – Willow Creek Water Quality Sampling Project Update

Ms. Cindy Gilder, Environmental Program Manager for the state of Alaska, provided an update on the Willow Creek Water Quality Sampling Project.

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
3. Insurance Update on Ferry and Port

Mr. Moosey reported on the following:

- insurance issues with the ferry and the port;
- cathodic protection repair at the port; and
- E-911 dispatch proposals.

Mr. Terry Dolan, Public Works Director, provided a staff report regarding Ordinance Serial No. 16-106.

Mr. Moosey summarized topics he would like to discuss at the planning session update.

D. ATTORNEY COMMENTS

Mr. Spiropoulos advised the Assembly that the Borough is being sued regarding the ballot initiative that would ban commercial marijuana facilities other than industrial hemp.

E. CLERK COMMENTS

Ms. McKechnie spoke regarding the upcoming meeting schedule.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Big Lake RSA Board of Supervisors: 03/15/16, Resolution No. 16-01
 - b. Caswell FSA Board of Supervisors: 05/11/16
 - c. Central Mat-Su FSA Board of Supervisors: 07/11/16
 - d. Enhanced 911 Advisory Board: 06/14/16
 - e. Fairview RSA Board of Supervisors: 05/17/16, Resolution No. 16-03
 - f. Greater Talkeetna RSA Board of Supervisors: 05/12/16
 - g. Library Board: 04/16/16, 05/21/16
 - h. Local Emergency Planning Committee: 04/20/16, 06/15/16
 - i. Local Road Service Area Advisory Board: 06/16/16
 - j. Planning Commission: 08/01/16
 - k. Trapper Creek RSA Board of Supervisors: Resolution No. 16-02
 - l. West Lakes FSA Board of Supervisors: 07/11/16

2. Community Council Minutes:
 - a. Meadow Lakes Community Council: 07/13/16
 - b. Point MacKenzie Community Council: 04/11/16, 06/09/16
 - c. Talkeetna Community Council: 07/05/16

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

G. INFORMATIONAL MEMORANDUMS

1. **IM No. 16-163:** Reporting Of Conclusion Of Contract For Bid No. 15-157B, Fund 450, To Bristol Prime Contractors, LLC. For Lu Young Lane Upgrade, For The Final Contract Amount Of \$1,249,992.70.

The informational memorandum was presented and no comments were noted.

(The meeting recessed at 6:43 p.m. reconvened at 6:47 p.m.)

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. 16-103:** An Ordinance Accepting \$13,140 From The Insurance Proceeds Account, Fund 100, To Allow For The Replacement Of An Emergency Medical Services Vehicle That Was Destroyed In A Collision.
 - a. IM No. 16-140

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.

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 16-103.

VOTE: The motion passed without objection.

2. **Ordinance Serial No. 16-104:** An Ordinance Accepting And Appropriating \$13,755.67 From The Alaska State Division Of Homeland Security And Emergency Management For The Borough Local Emergency Planning Committee, Fund 480, Project No. 20259, For Fiscal Year 2017 Operations.
 - a. **Resolution Serial No. 16-071:** A Resolution Approving The Scope Of Work And Budget For The Alaska State Division Of Homeland Security And Emergency Management Grant, Project No. 20259, Fund 480, For The Borough Local Emergency Planning Committee.
 - (1) IM No. 16-144

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.

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 16-104 and Resolution Serial No. 16-071.

VOTE: The motion passed without objection.

3. **Ordinance Serial No. 16-106:** An Ordinance Approving The Loan Offer From The Alaska State Department Of Environmental Conservation, Clean Water Fund, Loan No. 561041; And Authorizing The Manager To Incur Debt In The Amount Not To Exceed \$5,000,000, Accept And Appropriate The Loan Proceeds To The Septage And Leachate Treatment And Disposal Facility, Fund 415, Project No. 25054 For The Design, Permitting, And Initial Phase Of Construction Of The Septage And Leachate Treatment And Disposal Facility.
 - a. **Resolution Serial No. 16-072:** A Resolution Approving The Scope Of Work And Budget For The Design, Permitting And Initial Phase Of Construction Of The Septage And Leachate Treatment And Disposal Facility.
 - (1) IM No. 16-155

Mayor Halter opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 16-106 and Resolution Serial No. 16-072: Ms. Helen Munoz and Ms. Beth Fread.

The following person spoke to concerns with the public hearing 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 Beck moved to adopt Ordinance Serial No. 16-106 and Resolution Serial No. 16-072.

VOTE: The motion passed without objection.

4. **Ordinance Serial No. 16-107:** An Ordinance Amending MSB 5.25.145, To Annex Property In The Brazil Circle Area Into The West Lakes Fire Service Area No. 136.
 - a. **Resolution Serial No. 16-073:** A Resolution Finding The Annexation Of Properties In The Brazil Circle Area Into The West Lakes Fire Service Area No. 136 Serves The Public Interest Without The Placement Of The Question On The Ballot. *(Sponsored By Assemblymember Mayfield)*
- (1) IM No. 16-156

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.

MOTION: Assemblymember Mayfield moved to adopt Ordinance Serial No. 16-107 and Resolution Serial No. 16-073.

VOTE: The motion passed without objection.

5. **Ordinance Serial No. 16-108:** An Ordinance Accepting And Appropriating \$279,160 From The Alaska State Department Of Health And Social Services, To Fund 475, Project No. 20391, For The Human Services Community Matching Grant.
 - a. **Resolution Serial No. 16-074:** A Resolution Approving The Scope Of Work And Budget For Participation In The Human Services Community Matching Grant Program.
 - b. **Resolution Serial No. 16-075:** A Resolution Allocating Human Services Community Matching Grant Funds To Non-Profit Human Service Agencies Within The Community And Authorizing The Manager To Enter Into Grant Agreements With The Sub-Grantee Agencies.
- (1) IM No. 16-157

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.

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 16-108 and Resolution Serial Nos. 16-074 and 16-075.

VOTE: The motion passed without objection.

6. **Ordinance Serial No. 16-109:** An Ordinance Authorizing The Borough To Issue Areawide General Obligation Bonds, In One Or More Series, To Refund Certain Outstanding General Obligation Bonds Of The Borough; Fixing Certain Details Of Such Bonds; And Authorizing Their Sale.
 - a. IM No. 16-162

Mayor Halter opened the public hearing.

The following person spoke to concerns with the public hearing 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 Beck moved to adopt Ordinance Serial No. 16-109.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke to the upcoming 2016 Emergency Preparedness Expo: Ms. Beatrice Adler, Local Emergency Planning Committee Chair; and Ms. Debra McGhan.

The following person spoke to concerns with increased traffic flow on Beverly Lakes Road: Ms. Patricia Fisher, Meadow Lakes Community Council member.

The following person suggested amendments to Resolution Serial No. 16-047: Ms. Beth Fread.

The following person spoke in opposition to Ordinance Serial No. 16-011: Mr. Brian Endle.

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

D. CONSENT AGENDA

1. RESOLUTIONS

- a. **Resolution Serial No. 16-047:** A Resolution Supporting Planning Efforts To Develop A Regional Transportation Planning Partnership Process To Ensure Better Communication And Collaboration Between The Alaska State Department Of Transportation And Public Facilities, The Borough, And The Cities Of Palmer, Wasilla, And Houston.
 - (1) IM No. 16-109

2. ACTION MEMORANDUMS

- a. **AM No. 16-076:** Authorization To Purchase Sodium Chloride From Bering Marine Corporation In The Amount Of \$423,518 For Winter Road Maintenance.
- b. **AM No. 16-077:** Authorization To Purchase Microwave Radio Equipment From Aviat Inc. In The Amount Of \$138,956 To Support Public Safety Communications And Borough Business Functions.
- c. **AM No. 16-078:** Vacation Of A 30-Foot Wide Public Use Easement And A 15-Foot Wide Pedestrian Easement Within Lots 2 And 3, Block 11, Potter Place Addition II, Located Within Section 17, Township 17 North, Range 2 West, Seward Meridian, Alaska.
- d. **AM No. 16-079:** Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications.
- e. **AM No. 16-080:** Award Of Bid No. 17-016B To Valley General Construction, LLC. In The Contract Amount Of \$398,816 For Labor, Equipment, And Material To Reconstruct West Hazel Avenue.
- f. **AM No. 16-082:** Assembly Approval For The Manager To Enter Into A Memorandum Of Agreement With The Owners Of Lot 3, Block 4, Yadon Acres, Addition No. 1, MSB Tax Parcel 6438B04L003, To Purchase A Public Use Easement For The East Yadon Drive And North Country Lane Road Upgrade Project No. 14-09-003148, Not To Exceed \$8,550 (DPW290).

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.

- b. **Resolution Serial No. 16-076:** A Resolution Approving The Amended Budgets And Transfer Of Funds From Old Glenn Highway Paved Pathway In Butte, Project No. 35412, Fund 430; Roads And Bridges Capital Projects Fund To Collector Road Access To Machetanz Elementary, Also Known As Trunk Road Extension South, Project No. 35402, Fund 430, Roads And Bridges Capital Projects Fund, In The Amount Of \$500,000.

(1) IM No. 16-167

MOTION: Assemblymember Sykes moved to adopt Resolution Serial No. 16-076.

VOTE: The motion passed without objection.

VIII. UNFINISHED BUSINESS

- A. **Ordinance Serial No. 16-100:** An Ordinance Amending And Updating Title 23, Real Property.
1. **Resolution Serial No. 16-068:** A Resolution Amending The Land And Resource Management Division Policy And Procedures Manual.
- a. IM No. 16-094

MOTION PENDING: Assemblymember Beck moved to adopt Ordinance Serial No. 16-100 and Resolution Serial No. 16-08.

MOTION: Assemblymember Beck moved a primary amendment to Ordinance Serial No. 16-100, as follows:

- MSB 23.05.020(B), on page 453 of the packet, inserting after the word “precedence” the following language “with the exception of real property, personal property, and natural resources acquired as part of an active construction project or right of way reserved for future road expansion which were funded with state or federal monies under the management of the borough Capital Projects Department” to read: “Where any conflicting Chapters of borough code may occur, provisions of this title shall take precedence with the exception of real property, personal property, and natural resources acquired as part of an active construction project or right of way reserved for future road expansion which were funded with state or federal monies and under the management of the borough Capital Projects Department;” and
- MSB 23.05.020(C), on page 454 of the packet, inserting after the word “property” the words “personal property,” and after the word “resources” the following language “not part of an active construction project or acquired right of way reserved for future road expansion which are funded with state or federal monies and which are under the management of the borough Capital Projects Department” to read: “In accordance with this title a Land and Resource Management Division Policy and Procedures Manual is adopted providing policies and procedures for borough-owned real property, personal property, and resources not part of an active construction project or acquired right of way reserved for future road expansion which are funded with state or federal monies and which are under the management of the borough Capital Projects Department;” and
- MSB 23.05.100 (A), on page 460 of the packet, inserting after the word “be” the following language “classified in accordance with this title and such classifications shall be” to read: “Boroughowned land shall be classified in accordance with this title and such classifications shall be used as a tool to identify types of land use for those lands included in competitive land sales or retained for public purpose or facilities” and

- Resolution Serial No. 16-068, page 482 of the packet, by inserting two new whereas clauses after the 4th whereas clause to read: “WHEREAS, this resolution does not apply to real property, personal property, and natural resources acquired for right of way and/or construction projects funded by state or federal funds and managed by the Capital Projects Department as these projects must adhere to either the Code of Federal Regulations or the Alaska Department of Transportation and Public Facilities Right of Way Acquisition Manual; and WHEREAS, the Land and Resource Management Division Policy and Procedures Manual does not apply to real property, personal property, and natural resources acquired for right of way and/or construction projects funded by state or federal funds and managed by the Capital Projects Department as these projects must adhere to either the Code of Federal Regulations or the Alaska Department of Transportation and Public Facilities Right of Way Acquisition Manual; and”
- the Land Management Division’s Policies and Procedures Manual on page 260 of the packet, inserting after the “TABLE OF CONTENTS” title the following language: “Capital Projects Department Exemption: The policies and procedures contained herein do not apply to real property, personal property, and natural resources acquired for right of way and/or construction projects which have been funded by state or federal funds and which are managed by the Capital Projects Department. These acquisitions and projects must adhere to either the Code of Federal Regulations or the Alaska Department of Transportation and Public Facilities Right of Way Acquisition Manual.”

Mayor Halter queried if there was any objection to dividing the question to take up each amendment individually.

There was no objection noted.

MOTION: First Segment. Assemblymember Beck moved a primary amendment to Ordinance Serial No. 16-100, as follows:

- MSB 23.05.020(B), on page 453 of the packet, inserting after the word “precedence” the following language “with the exception of real property, personal property, and natural resources acquired as part of an active construction project or right of way reserved for future road expansion which were funded with state or federal monies under the management of the borough Capital Projects Department” to read: “Where any conflicting Chapters of borough code may occur, provisions of this title shall take precedence with the exception of real property, personal property, and natural resources acquired as part of an active construction project or right of way reserved for future road expansion which were funded with state or federal monies and under the management of the borough Capital Projects Department.”

MOTION: Second Segment. Assemblymember Beck moved a primary amendment to Ordinance Serial No. 16-100, as follows:

- MSB 23.05.020(C), on page 454 of the packet, inserting after the word “property” the words “personal property,” and after the word “resources” the following language “not part of an active construction project or acquired right of way reserved for future road expansion which are funded with state or federal monies and which are under the management of the borough Capital Projects Department” to read: “In accordance with this title a Land and Resource Management Division Policy and Procedures Manual is adopted providing policies and procedures for borough-owned real property, personal property, and resources not part of an active construction project or acquired right of way reserved for future road expansion which are funded with state or federal monies and which are under the management of the borough Capital Projects Department.”

MOTION: Third Segment. Assemblymember Beck moved a primary amendment to Ordinance Serial No. 16-100, as follows:

- MSB 23.05.100 (A), on page 460 of the packet, inserting after the word “be” the following language “classified in accordance with this title and such classifications shall be” to read: “Boroughowned land shall be classified in accordance with this title and such classifications shall be used as a tool to identify types of land use for those lands included in competitive land sales or retained for public purpose or facilities.”

MOTION: Fourth Segment. Assemblymember Beck moved a primary amendment to Resolution Serial No. 16-068, page 482 of the packet, as follows:

- by inserting two new whereas clauses after the 4th whereas clause to read: “WHEREAS, this resolution does not apply to real property, personal property, and natural resources acquired for right of way and/or construction projects funded by state or federal funds and managed by the Capital Projects Department as these projects must adhere to either the Code of Federal Regulations or the Alaska Department of Transportation and Public Facilities Right of Way Acquisition Manual; and WHEREAS, the Land and Resource Management Division Policy and Procedures Manual does not apply to real property, personal property, and natural resources acquired for right of way and/or construction projects funded by state or federal funds and managed by the Capital Projects Department as these projects must adhere to either the Code of Federal Regulations or the Alaska Department of Transportation and Public Facilities Right of Way Acquisition Manual.”

MOTION: Fifth Segment. Assemblymember Beck moved a primary amendment to the Land Management Division’s Policies and Procedures Manual on page 260 of the packet, as follows:

- inserting after the “TABLE OF CONTENTS” title the following language: “Capital Projects Department Exemption: The policies and procedures contained herein do not apply to real property, personal property, and natural

resources acquired for right of way and/or construction projects which have been funded by state or federal funds and which are managed by the Capital Projects Department. These acquisitions and projects must adhere to either the Code of Federal Regulations or the Alaska Department of Transportation and Public Facilities Right of Way Acquisition Manual.”

MOTION: Assemblymember Beck moved a secondary amendment to strike all references to “personal property” throughout the ordinance, the resolution, and the policies and procedures manual.

MOTION: Assemblymember Colligan moved to postpone Ordinance Serial No. 16-100 and Resolution Serial No. 16-068 to a time certain of September 20, 2016.

VOTE: The motion to postpone passed without objection.

IX. VETO

(There were no vetoes presented.)

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 09/20/16 Assembly Chambers)

1. **Ordinance Serial No. 16-110:** An Ordinance Requesting A Reappropriation Of \$56,883 From Project Nos. 45265 And 45267, Fund 425, To Project No. 45257, Fund 425, To Allow For The Purchase Of A Vehicle And Related Equipment For Emergency Services Administration.
 - a. **Resolution Serial No. 16-077:** A Resolution Amending The Budgets For Project Nos. 45265 And 45267, And Approving The Scope Of Work And Budget For Project No. 45257, Fund 425, To Purchase A Replacement Vehicle For Emergency Services Administration.
 - (1) IM No. 16-161
2. **Ordinance Serial No. 16-111:** An Ordinance Repealing MSB 4.10, Aviation Advisory Board; Adopting MSB 4.27.005, Purpose; Adopting MSB 4.27.015, Duties; Amending MSB 4.27.020, Membership; Amending MSB 4.27.040, Meetings, Organization; Repealing MSB 19.08.020(D); Amending MSB 19.08.020(E); Repealing MSB 4.43, Transportation Advisory Board; Adopting MSB 4.46.005, Purpose; Amending MSB 4.46.020, Functions; Amending MSB 4.46.030, Composition; Adopting MSB 4.46.035, Meetings; Repealing MSB 4.46.040, Term of Members; Amending MSB 4.58.030, Composition; Amending MSB 4.58.040, Meeting, Officers; and Adopting MSB 4.85, Transportation Technical Advisory Committee, To Assist In Meeting Budget Reduction Requirements.
 - a. IM No. 16-164

3. **Ordinance Serial No. 16-112:** An Ordinance Reappropriating \$350,000 From The Valley Pathways School Capital Project No. 40188, Fund 400, To The Emergency Power Generator And Switch Gear At 9 Schools, Capital Project No. 40194, Fund 400.
 - a. IM No. 16-165
4. **Ordinance Serial No. 16-113:** An Ordinance Amending MSB 17.28.090(A), Adding An Interim Materials District Known As Denali Highway Mile 99, Located Within Township 19 South, Range 2 West, Sections 10 And 15, Fairbanks Meridian.
 - a. IM No. 16-166
5. **Ordinance Serial No. 16-114:** An Ordinance Appropriating Up To \$800,000 From The Land Management Permanent Fund, Fund 203, To School Capital Projects, Fund 400; And To Appropriate Proceeds From The Eventual Sale Of The Parcel Described As Tract B, Iditarod Elementary-Wasilla High School Replat 2016, To The Land Management Permanent Fund, Fund 203, And The Areawide School Site Acquisition Reserve, Fund 100 (MSB007140).
 - a. **Resolution Serial No. 16-078:** A Resolution Approving The Scope Of Work And Budget To Demolish The Old Iditarod Elementary School, Project No. 40023.
 - (1) IM No. 16-168
6. **Ordinance Serial No. 16-115:** An Ordinance Adopting MSB 3.08.517 To Establish That Road Maintenance Contracts Solicited After January 1, 2017, Will Not Contain Performance Criteria. *(Sponsored by Assemblymember Kowalke)*
 - a. IM No. 16-171

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 hearing for September 20, 2016.

VOTE: The motion passed without objection.

MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Halter requested the following removal and appointments for confirmation:

Emergency Medical Services Board

Nathan Durbin

Health and Social Services Board

Joseph Watts

Alpine RSA No. 31

John Vessey

Bogard RSA No. 25

Craig Kinnowr, removal

Caswell Lakes RSA No. 15
Dave Korpi

MOTION: Assemblymember Beck moved confirm the Mayor's removal and appointments.

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

1. MOTION TO AMEND SOMETHING PREVIOUSLY ADOPTED

a. **Ordinance Serial No. 16-090:** An Ordinance Amending MSB 17.28.090(A), Adding An Interim Materials District Known As Central Landfill., Located Within Township 17 North, Range 1 East, Section 1, Parcel D5, Tax ID No. 17N01E01D005, Seward Meridian. (*Motion To Amend Something Previously Adopted Filed By Assemblymember Mayfield 08/16/16*)

(1) IM No. 16-128

CONFLICT OF INTEREST: Assemblymember Colligan declared a conflict of interest as one of the contracts for the project have been awarded to a client of his.

RULING: Mayor Halter ruled that Assemblymember Colligan has a conflict of interest and would be recused from voting.

(Assemblymember Colligan exited the meeting.)

MOTION: Assemblymember Mayfield moved to amend Ordinance Serial No. 16-090, which was previously adopted on August 2, 2016, Section 3, Special Conditions, No. 12, by striking "8 a.m. to 6 p.m., Monday through Friday" and inserting in its place "7 a.m. to 6 p.m., Monday through Friday, and 9:30 a.m. to 4:30 p.m. on Saturday" to read: "All extraction activities, including all activities that cause noise, dust, or traffic, shall be limited to 7 a.m. to 6 p.m., Monday through Friday, and 9:30 a.m. to 4:30 p.m. on Saturday."

VOTE: The motion passed without objection.

(Assemblymember Colligan re-entered the meeting.)

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

(There was no reconsideration presented.)

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Moosey spoke to the Emergency Services Department working in conjunction with Mat-Su Regional Hospital providing education and training during the fair.

MOTION: Assemblymember Mayfield moved to strike the 90 day timeframe regarding the riparian buffer legislation and to have staff determine the best time to bring that legislation back before the Assembly.

VOTE: The motion passed without objection.

Assemblymember Sykes:

- thanked Governor Walker for taking quick action on the emergency declaration regarding the Matanuska River erosion issue;
- noted that a longer term solution needs to be determined;
- stated that he is looking forward to the planning session update;
- spoke to the closing of the Palmer Correctional Center and its impact on the Sutton community; and
- spoke to his support of the new Opioid Addiction Coalition.

Assemblymember Colligan spoke to concerns with speed limits on roads within the Borough.

Assemblymember Kowalke thanked Ms. Helen Munoz for all her hard work regarding the new septage facility.

Assemblymember Doty stated that she would like to see a review of the composition and vacancies of Borough boards, commissions, and committees.

Assemblymember Beck:

- spoke to his anticipation of the Potato Bowl football game;
- welcomed Mr. Ken Barkley back to work;
- thanked Assemblymember Sykes for his hard work regarding the Matanuska River erosion;
- spoke to concerns with unorganized parking at Palmer High School;
- advised that he will not be present at the meetings on September 13; and
- spoke to all the hard work of kids that raise animals for 4-H.

Mayor Halter thanked Assemblymember Sykes for all his hard work on the Matanuska River erosion.

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 Matters Involving Consideration Of Government Records That By Law Are Not Subject To Public Disclosure.)*

- A. Discussion Of Potential Litigation Regarding A Setback/Variance On Big Lake In Clester Extension Subdivision.
- B. Willow Cabin Issues

MOTION: Assemblymember Beck 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 matters involving consideration of government records that by law are not subject to public disclosure. In particular, to discuss potential litigation regarding a setback/variance on Big Lake in Clester Extension Subdivision. Those present during the executive session will be the Mayor, the members of the Assembly, the Manager, the Attorney, and the Clerk.

VOTE: The motion passed without objection and the Assembly entered into executive session at 8:12 p.m.

MOTION: Assemblymember Beck moved to exit executive session.

VOTE: The motion passed without objection and the Assembly exited executive session at 8:45 p.m.

XIV. ADJOURNMENT

The regular meeting adjourned at 8:45 p.m.


VERN HALTER, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 09/20/16