

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on November 1, 2016, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Deputy Mayor Matthew Beck.

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 6:09 p.m.*)
Mr. Steve Colligan, Assembly District No. 4
Mr. Dan Mayfield, Assembly District No. 5
Ms. Barbara Doty, Assembly District No. 6
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. Jessica Kilborn, Deputy Borough 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. Brad Pickett, Borough Assessor
Ms. Patty Sullivan, Public Affairs Director
Mr. Eric Phillips, Community Development Director
Mr. Eric Wyatt, Information Technology Director
Ms. Lisa Behrns, Emergency Medical Services Deputy Director
Mr. Ken Barkley, Fire Service Area Deputy Director
Mr. Alex Strawn, Development Services Manager
Mr. Fred Wagner, Platting Officer

III. APPROVAL OF AGENDA

Deputy Mayor Beck inquired if there were any changes to the agenda.

CONFLICT OF INTEREST: Assemblymember Colligan declared a conflict of interest on Ordinance Serial No. 16-128 due to his involvement

with the mapping, surveying, and other work for the industry.

RULING: Deputy Mayor Beck ruled there was a conflict of interest and Assemblymember Colligan would be recused from voting on Ordinance Serial No. 16-128.

Assemblymember Kowalke requested to take up Public Hearing items 1, 2, 5, 7, 8, and 9 together.

Deputy Mayor Beck 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. John Harris, State Lobbyist.

V. MINUTES OF PRECEDING MEETINGS

(There were no minutes presented.)

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Mayor Bert Cottle announced city events occurring during upcoming weeks.

2. Matanuska-Susitna Borough School District

(There was no report provided.)

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. Hatcher Alpine Xperience Incorporated Presentation

(Assemblymember Doty left the meeting at 6:20 p.m.)

Mr. Alex Strawn, Development Services Manager, and Mr. Fred Wagner, Platting Officer, provided reports on the general construction right-of-way permit issuance and the subdivision denial process for the Blue Grouse Hills subdivision.

(Assemblymember Doty joined the meeting at 6:30 p.m.)

Mr. Jude Bilafer, Capital Projects Director, presented information on road connectivity and traffic issues in the Bogard Road/Engstrom Road corridor.

Mr. Eric Wyatt, Information Technology Director, provided a status report on the Electronic Patients Care Records Reporting System.

Ms. Louisa Branchflower, President of Hatcher Alpine Xperience Inc., provided a presentation on the efforts to establish alpine ski opportunities in the Hatcher Pass recreational area.

D. ATTORNEY COMMENTS

(There was no report provided.)

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- advised the Manager requested that the special meeting regarding strategic planning scheduled on December 6, 2016, be rescheduled; and
- queried the Assembly about rescheduling the meeting.

Deputy Mayor Beck inquired if there was any objection to rescheduling the meeting to December 13, 2016, at 4 p.m.

There was no objection noted.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Big Lake RSA Board of Supervisors: 05/04/16, 08/17/16, Resolution Nos. 16-02 and 16-03
- b. Caswell Lakes RSA Board of Supervisors: 08/03/16
- c. Emergency Medical Services Board: 08/03/16
- d. Enhanced 911 Advisory Board: 08/09/16
- e. Ethics Board: 10/14/15
- f. Library Board: 09/17/16
- g. Platting Board: 09/01/16, 09/15/16
- h. Wastewater and Septage Advisory Board: 07/28/16
- i. West Lakes FSA Board of Supervisors: 09/12/16

2. Community Council Minutes:

- a. Butte Community Council: 08/10/16
- b. Talkeetna Community Council: 09/06/16

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

G. INFORMATIONAL MEMORANDUMS

- 1. **IM No. 16-176:** Reporting Of Conclusion Of Contract For Bid No. 16-050B To Wirtanen Commercial LLC, In The Final Contract Amount Of \$347,897.71, For The Sutton Fire Station Water Storage Tank, Pump, Well, And Access Driveway.

The informational memorandum was presented.

VII. SPECIAL ORDERS

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

(There were no persons to be heard.)

(The meeting recessed at 6:58 p.m. and reconvened at 7:10 p.m.)

B. PUBLIC HEARINGS (Three minutes per person.)

- 1. **Ordinance Serial No. 16-119:** An Ordinance Approving An Appropriation Of \$110,000 From Fairview Road Service Area No. 14 Fund Balance, Fund 271, To Fund 410, Project No. 30037, For Fairview Road Service Area No. 14 Capital Projects.
 - a. IM No. 16-169

2. **Ordinance Serial No. 16-120:** An Ordinance Approving An Appropriation Of \$60,000 From Trapper Creek Road Service Area No. 30 Fund Balance, Fund 284, To Fund 410, Project No. 30050, For Trapper Creek Road Service Area No. 30 Capital Projects.
 - a. IM No. 16-174

5. **Ordinance Serial No. 16-123:** An Ordinance Approving A Supplemental Appropriation Of \$100,000 From Big Lake Road Service Area No. 21 Fund Balance, Fund 277, To Big Lake Road Service Area No. 21 Fiscal Year Operating Budget, Fund 277.
 - a. IM No. 16-185

7. **Ordinance Serial No. 16-125:** An Ordinance Approving An Appropriation Of \$170,000 From Meadow Lakes Road Service Area No. 27 Fund Balance, Fund 281, To Fund 410, Project No. 30047, For Meadow Lakes Road Service Area No. 27 Capital Projects.
 - a. IM No. 16-188

8. **Ordinance Serial No. 16-126:** An Ordinance Approving An Appropriation Of \$100,000 From Greater Willow Road Service Area No. 20 Fund Balance, Fund 276, To Fund 410, Project No. 30042, For Greater Willow Road Service Area No. 20 Capital Projects.
 - a. IM No. 16-189

9. **Ordinance Serial No. 16-127:** An Ordinance Approving An Appropriation Of \$145,000 From Gold Trail Road Service Area No. 28 Fund Balance, Fund 282, To Fund 410, Project No. 30048, For Gold Trail Road Service Area No. 28 Capital Projects.
 - a. IM No. 16-190

Deputy Mayor Beck 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 Colligan moved to adopt Ordinance Serial Nos. 16-119, 16-120, 16-123, 16-125, 16-126 and 16-127.

VOTE: The motion passed without objection.

3. **Ordinance Serial No. 16-121:** An Ordinance Accepting And Appropriating \$14,960 From The Alaska State Division Of Homeland Security And Emergency Management Grant Program, To Fund 425, Project No. 45158, For Hazardous Materials Detection Equipment.
 - a. **Resolution Serial No. 16-082:** A Resolution Approving The Scope Of Work And Budget For The Alaska State Homeland Security And Emergency Management Grant, Project No. 45158, Fund 425, For Hazardous Materials Detection Equipment.
 - (1) IM No. 16-177

Deputy Mayor Beck 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 Colligan moved to adopt Ordinance Serial No. 16-121 and Resolution Serial No. 16-082.

VOTE: The motion passed without objection.

4. **Ordinance Serial No. 16-122:** An Ordinance Accepting And Appropriating \$96,492 From The Alaska State Department Of Military And Veteran's Affairs, Emergency Management Performance Grant Program And Requesting A Reappropriation Of \$96,492 From The Emergency Services Administration Fiscal Year 2017 Operating Budget To Fund 425, Project No. 45285.
 - a. **Resolution Serial No. 16-083:** A Resolution Approving The Scope Of Work And Budget For The Alaska State Department Of Military And Veteran's Affairs, Emergency Management Performance Grant, Project No. 45285, Fund 425, For Emergency Management Wages And Benefits.
 - (1) IM No. 16-184

Deputy Mayor Beck 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 Colligan moved to adopt Ordinance Serial No. 16-122 and Resolution Serial No. 16-083.

VOTE: The motion passed without objection.

5. **Ordinance Serial No. 16-124:** An Ordinance Accepting And Appropriating \$550,000 From The United States Environmental Protection Agency To Fund 480, Project No. 47051, For The Matanuska-Susitna Brownfields Assessment For Fiscal Year 2016.
 - a. **Resolution Serial No. 16-084:** A Resolution Establishing The Scope Of Work And Budget; And Authorization For The Manager To Enter Into Memorandums Of Agreement With The Cities Of Palmer And Wasilla And The Grant Agreement For The Matanuska-Susitna Brownfields Assessment Fiscal Year 2016.
 - (1) IM No. 16-186

Deputy Mayor Beck opened the public hearing.

The following persons spoke to concerns with the public process: Mr. Eugene Carl Haberman and Ms. Cathy Hummel.

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

MOTION: Assemblymember Colligan moved to adopt Ordinance Serial No. 16-124 and Resolution Serial No. 16-084.

VOTE: The motion passed without objection.

(Assemblymember Colligan was recused from voting and exited the meeting.)

6. **Ordinance Serial No. 16-128:** An Ordinance Establishing A Tax On Certain Natural Resources Whenever The Natural Resource Is Severed And Removed From Property Within The Boundaries Of Road Service Areas Within The Borough And Providing For Penalties For Failure To Pay Taxes Due By Adopting MSB 3.55, Road Service Area Natural Resource Severance Tax. *(Sponsored By Assemblymember Mayfield)*
 - a. IM No. 16-191

Deputy Mayor Beck opened the public hearing.

The following persons spoke in opposition of Ordinance Serial No. 16-128: Mr. Larry DeVilbiss, Mr. Joshua Thomas, Ms. Tiana Thomas, Mr. Brian Endle, Mr. Jade Laughlin, Mr. Kent Sandvik, Mr. Del Sandvik, Mr. Scottie Johnson, Mr. Wes Vander Martin, Mr. Robert Kennerson, Mr. Gregory Nilsson, Ms. Cathy Hummel, Mr. Roger Bliss, and Mr. Mark Cottini.

The following person spoke to concerns with 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 Mayfield moved to adopt Ordinance Serial No. 16-128.

MOTION: Assemblymember McKee moved to postpone Ordinance Serial No. 16-128 to a time certain of December 20, 2016.

VOTE: The motion failed with Assemblymembers McKee and Beck in support.

MOTION: Assemblymember Sykes moved to continue the public hearing on Ordinance Serial No. 16-128 to a time certain of February 21, 2017.

VOTE: The motion passed with Kowalke and Mayfield opposed.

(Assemblymember Colligan reentered the meeting.)

(The meeting recessed at 8:26 p.m. and reconvened at 8:35 p.m.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person reported on a test project for conserving monies for substandard roads located within the local road service areas: Mr. Ken Walch.

MOTION: Assemblymember Mayfield moved to suspend the rules to allow Mr. Walch an extra two minutes to finish his report.

VOTE: The motion passed without objection.

The following persons spoke to the Blue Grouse Ridge subdivision access road issues: Mr. Chris Kasper, Ms. Maija Fritts, Ms. Audrey Jacques, Mr. Kent Jacques, Ms. Erica Mucha, Mr. Wolfgang Wakaliak, Ms. Cynthia Farrens,

The following person spoke to concerns with the public process and spoke in opposition of AM 16-096: Mr. Eugene Carl Haberman.

The following person spoke to Borough budget issues and spoke to concerns with actions of Borough personnel: Mr. Brian Endle

The following person spoke to future zoning in the Borough: Ms. Sarah Williams.

D. CONSENT AGENDA

1. RESOLUTIONS

a. **Resolution Serial No. 16-085:** A Resolution Approving The Amended Scope Of Work, Budgets, And Transfer Of Funds From Clay Chapman/Knik Knack Mud Shack Road, Project No. 35436, Fund 430, Roads And Bridges Capital Projects, In The Amount Of \$8,092.76 And State Match For Borough Transportation School Access Bonds, Fund 430, Project No. 40201, In The Amount Of \$88,095.40 To Trunk Road Connectors, Fund 430, Project No. 35426, In The Total Amount Of \$96,188.16.

(1) IM No. 16-193

2. ACTION MEMORANDUMS

a. **AM No. 16-091:** Authorizing The Manager To Enter Into A Grant Agreement With Hatcher Alpine Xperience, Inc. In The Amount Of \$100,000 For Development Of A Community Downhill Ski Area.

b. **AM No. 16-093:** Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications.

- c. **AM No. 16-094:** Vacate A One-Foot By 45-Foot Portion Of South Lake View Loop To Alleviate A Structural Setback Violation On Lot A, Gothberg Addition 1, Within Section 28, Township 17 North, Range 3 West, Seward Meridian, Alaska.
- d. **AM No. 16-095:** Vacate The 50-Foot Wide Section Line Easements Within Lots 12, 14, And 15, United States Survey 4584 To Unencumber The Potential Building Sites And Allow For Better, More Efficient Use Of The Property.
- e. **AM No. 16-096:** Award Of Bid No. 17-030B To Alaska Abatement Corporation In The Contract Amount Of \$642,982 For The Iditarod Elementary School Demolition.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

VIII. UNFINISHED BUSINESS

(There was no unfinished business.)

IX. VETO

(There were no vetoes presented.)

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 11/01/16 Assembly Chambers)

- 1. ~~Ordinance Serial No. 16-129: An Ordinance Amending MSB 3.15.035(C) Optional Exemptions, Business Inventory Exemption Amount. (Sponsored by Assemblymember Kowalke)~~
- a. ~~IM No. 16-195~~

MOTION: Assemblymember Kowalke moved to suspend the rules and pull Ordinance Serial No. 16-129 from the agenda.

VOTE: The motion passed without objection.

MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Halter requested the following resignation up for confirmation:

Big Lake RSA No. 21
Ms. Jill Parson (resignation)

MOTION: Assemblymember Colligan moved to confirm the resignation up for confirmation.

VOTE: The motion passed without objection.

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

(There was no reconsideration presented.)

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Assemblymember McKee:

- spoke to legal assumptions being made in the memorandums from staff that were provided to the Assembly; and
- inquired about the status of the insurance claim on the ferry and the repairs to the Port.

Mr. Moosey reported on the status of the insurance claim for the ferry and the repair work to the Port.

Assemblymember Sykes:

- thanked everyone for attending the meeting and providing testimony on the issues;
- inquired about the monies being used to make the repairs to the Port;
- spoke to strategic planning in order to understand the budget and meet the needs of the Borough; and
- recognized a student at Glacier View school who successfully performed the Heimlich maneuver on another student at the school.

Assemblymember Kowalke

- thanked everyone for participating in the meeting;
- thanked Assemblymember Colligan for the clarification on Ordinance Serial No. 16-129; and
- spoke to his original purpose for drafting Ordinance Serial No. 16-129.

Assemblymember Mayfield:

- thanked the gravel producers for testifying on Ordinance Serial No. 16-128;

- thanked those representing the Grouse Ridge subdivision for their testimony;
- spoke to the traffic patterns and issues within Borough subdivisions;
- thanked Mr. Walch for his report on the test project for substandard roads;
- encouraged the Assembly to take advantage of Mr. Walch's recommendations regarding substandard roads;
- commented on the road service area budget struggles and noted concerns of the residents within the road service areas related to the financial reports provided by the RSAs;
- spoke to a proposed RSA task force for the purpose of reviewing RSA issues and to make recommendations to the Assembly; and
- spoke to concerns regarding the road superintendent for the Big Lake RSA No. 21.

MOTION: Assemblymember Mayfield moved to add an executive session to the November 17, 2016, regular meeting agenda for the purpose of conducting an interim evaluation of the Manager.

MOTION: Assemblymember Colligan moved to call the question.

VOTE: The motion passed without objection.

VOTE: The main motion failed with Assemblymember Mayfield in support.

Assemblymember Colligan addressed the administration issues brought up by Assemblymember Mayfield.

Assemblymember Doty:

- expressed pleasure for the discussions regarding the traffic issues within Assembly District 6;
- spoke to a fair tax structure and consolidation of the monies for the Borough;
- commented on her excitement for the alpine ski opportunities at Hatcher Pass;
- thanked the public for its testimony regarding the Grouse Ridge subdivision issues and encouraged Mr. Greenstreet (developer) to get involved with the discussions;
- commented on the update provided by Mr. Walch;
- spoke to ideas regarding recycling of tires and glass and the use of the resulting product; and
- noted her unique opportunity to attend a conference in Washington, DC on Election day.

Deputy Mayor Beck:

- spoke to public involvement at the meetings;
- encouraged input on MSB Title 43 amendments;
- spoke to the public process; and
- commented on the funeral procession in Anchorage for the Fairbanks Police Officer who gave his life for his community.

Mr. Spiropoulos:

- addressed Assemblymember McKee's concern regarding the memorandums from staff; and

- advised that the memorandums were reviewed by and coordinated through the Law Department.

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 9:53 p.m.


VERN HALTER, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 11/17/16