



MATANUSKA-SUSITNA BOROUGH

Office of the Borough Manager

350 East Dahlia Avenue • Palmer, AK 99645

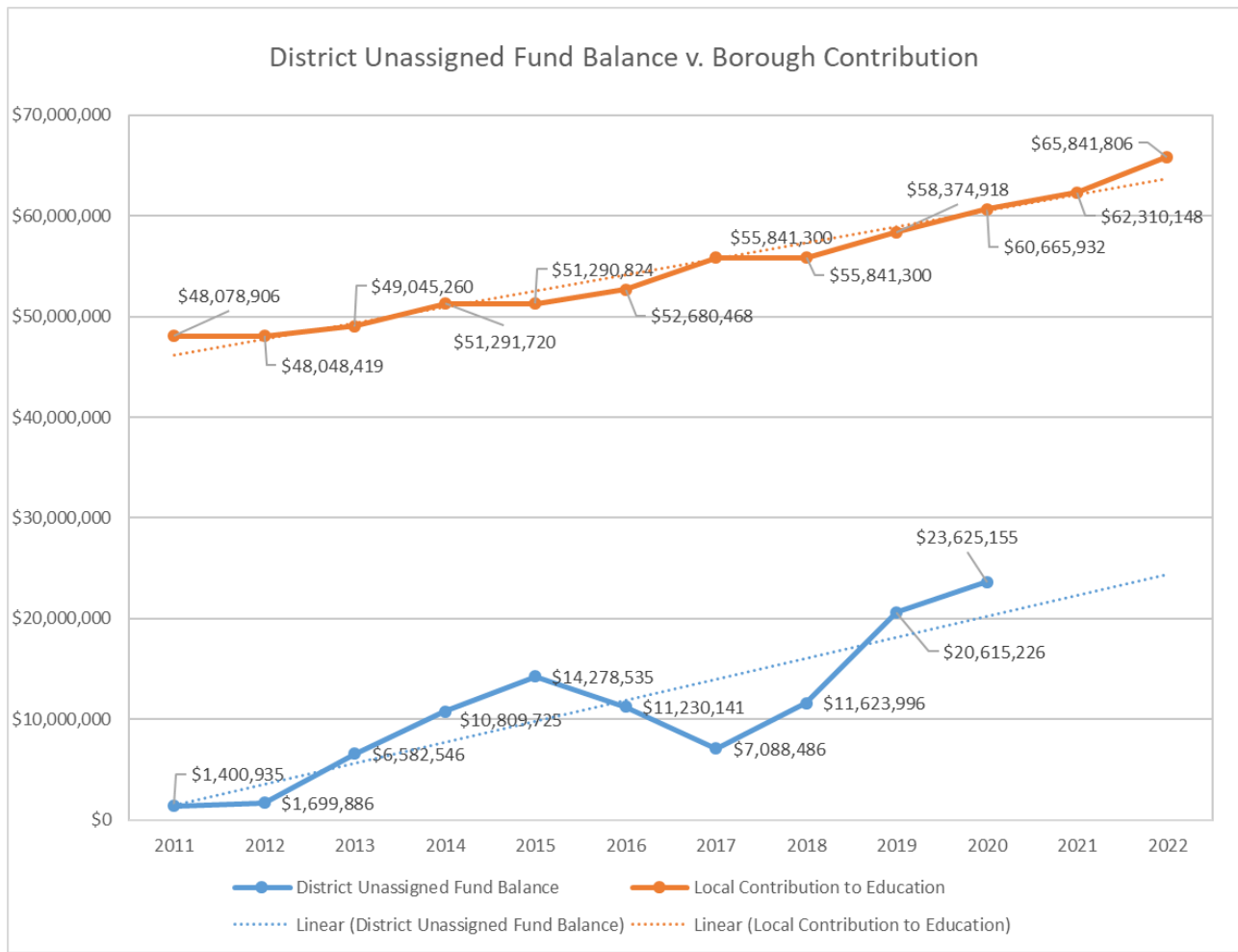
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Mike.Brown@matsugov.us

MEMORANDUM

DATE: August 11, 2021
 TO: Mayor and Assembly
 FROM: Michael Brown, Borough Manager
 RE: Manager's Weekly Post

Local Education Contribution: An Assembly Member requested a follow-up on the actual local funding contributions provided to the School District over the past several years in addition to the charts the District provided at the August 3 meeting.



Central Landfill Inspection Report: Please see the attached recent inspection report from the Alaska Department of Environmental Conservation dated August 5, 2021.

Proposed Road Bond Projects and Ability to Move Funds: It is a general rule that one legislative body cannot bind a future legislative body. However, like most things, there are exceptions to the rule. One of those exceptions is bonded indebtedness at the local level. A current Borough Assembly can bind a future Assembly's duty to levy taxes to pay bonds. Another issue at hand is that voters can bind future Assemblies in certain areas.

The Alaska Constitution Art. 9, Sec. 9 actually begins by prohibiting bonds but provides an exception as long as three criteria are met. To be constitutional, bonds must be authorized 1) for capital improvements; 2) by the governing body; and 3) ratified by the voters.

Ordinance Serial No. 21-076 is the Matanuska-Susitna Borough proposed road bonds package. The ordinance specifies the capital improvements to be constructed by the bonds, must be passed by the Borough Assembly, and put on the ballot for voter approval.

Section 3 of the ordinance lists the specific projects and provides that the Borough should try to complete all of them. Section 3 also provides that if they cannot all be completed, the Borough can allocate money among the projects to get as many of them done as possible. Finally, Section 3 provides if all projects are completed and there is money left over, "the Borough shall apply such remaining proceeds solely to payment of principal or interest on the Bonds." (emphasis added).

Section 5 of the ordinance contains the ballot question. The ballot question asks the voters whether bonds should be issued ". . . for the purpose of financing the cost, in whole or in part, of the following Projects in accordance with and ratifying and approving the provisions of Ordinance Serial No. 21-076" and then lists the specific projects. The ballot question does not contain voter authority to spend bond proceeds on other projects, rather it seeks voter approval for the listed projects only.

The ordinance and ballot language is intentionally written such that voters are ratifying the bonds for the specific projects and does not allow other projects to be funded with the bonds. Future Borough Assemblies would be bound by these voter-approved-constraints as to maximum amount of the bonds and allowable use of the projects along with the obligation to pay the bonds. Variation from these constraints would violate Art. 9, Sec. 9 of the Alaska Constitution.

Public Affairs Media Flyover:

CNN Highlights the Mat-Su

- <https://marketing.alaskavisit.com/acton/rif/42335/s-00b7-2108/-/l-0007:428/q-0008/showPreparedMessage?sid=TV2:A68aQyICJ>

Education

- [Mat-Su Borough school superintendent: No masks required for back-to-school](#)
- [Mat-Su College receives large donation from longtime supporter](#)

Providing Outstanding Borough Services to the Matanuska-Susitna Community

Assembly

- [Borough, Palmer negotiate avigation easement](#)
- [Road bond discussion continued](#)
- [Assembly amends write-in ballot acceptability](#)

Covid

- [COVID-19 rates continue to rise in the state and Mat-Su](#)

Emergency Services

- [Fish smoker believed to be responsible for small wildfire near Willow in Mat-SuValley](#)

Fisheries

- [Board of Fisheries denies setnetters' emergency petitions](#)
- [Closure of east-side set netter fishery on behalf of Chinook Salmon, spurs Sockeye "over-escapement" concerns on Kenai](#)

ATTACHMENT



THE STATE
of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Environmental Conservation

DIVISION OF ENVIRONMENTAL HEALTH
Solid Waste Program

555 Cordova Street
Anchorage, AK 99501
Phone: 907.269.7626
Fax: 907.269.7510
www.dec.alaska.gov

Certified Mail #7019 0140 0001 0058 6712
Return Receipt Requested

August 5, 2021

Jeff Smith
Solid Waste Manager
Matanuska-Susitna Borough
350 East Dahlia Avenue
Palmer, Alaska 9965

RE: 2021 Palmer Central Landfill Inspection Report

Dear Mr. Smith:

On July 26, 2021, representatives of the Alaska Department of Environmental Conservation (ADEC), Solid Waste Program inspected the Palmer Central Landfill (PCL). PCL is a Class I Municipal Solid Waste Landfill, Solid Waste Disposal Permit number SW1A007-20A, owned and operated by the Matanuska-Susitna Borough (MSB). The inspection was facilitated by Jeff Smith, Brett Olson and Terry Berger. I appreciate the time each of you took to answer questions and show us around the facility. The completed inspection form attached to this letter provides more detailed documentation from the inspection. The facility received 410 points out of 420 possible points for an overall score of **97.6%**.

PCL is a well operated landfill. The required paperwork was accessible and retrievable from the operating record. Landfill personnel demonstrated a good understanding of the operational requirements outlined in the ADEC permit. Waste loads are regularly monitored to ensure disposal in the correct landfill cell and removal of hazardous waste. Cardboard is segregated at the municipal solid waste and construction and demolition collection walls and transported offsite for recycling. Household hazardous waste is properly collected, stored, and transported off site for disposal. Landfill odor has been significantly reduced with the installation of the gas collection and flaring system. Traffic backup along 49th State Street has been greatly reduced by rerouting the traffic flow within the landfill boundaries.

I observed a few areas for improvement during our inspection. Current bird management practices have not prevented an excessive number of birds from gathering at the active face. Alternative bird management methods should be investigated to further address this issue. Litter on trees and other vegetation outside the landfill property boundaries has been greatly reduced but not eliminated. Regular litter collection should continue. The switch from waste handling in the final lift of Cell 3 to the new Cell 4 may further reduce the amount of litter escaping the landfill boundary during high wind events. Landfill access control will be improved by the completion of the fencing around the perimeter of the landfill.

Overall, PCL continues to be a well-run facility as demonstrated by the 97.6% inspection score for July 26, 2021. If you have any questions or comments please contact me at (907) 269-7626 or by email at Annemieke.powers@alaska.gov.

Sincerely,

A handwritten signature in black ink that reads "S. Annemieke Powers".

Annemieke Powers
Environmental Protection Specialist III