



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Minutes - Final

### Assembly

*Blaine Gilman, President*

*Brent Johnson, Vice President*

*Dale Bagley*

*Kelly Cooper*

*Willy Dunne*

*Brandii Holmdahl*

*Gary Knopp*

*Wayne Ogle*

*Stan Welles*

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Tuesday, November 10, 2015

6:00 PM

Assembly Chambers

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

The invocation was given by Pastor Steve Brown from New Life Assembly of God.

### ROLL CALL

**Present:** 9 - President Dale Bagley, Kelly Cooper, Willy Dunne, Blaine Gilman, Brandii Holmdahl, Brent Johnson, Gary Knopp, Wayne Ogle, and Stan Welles

[Clerk's Note: Assembly Member Dunne participated via teleconference.]

Also present were:

Colette Thompson, Borough Attorney

Johni Blankenship, Borough Clerk

Michele Turner, Deputy Borough Clerk

### COMMITTEE REPORTS

Assembly Member Welles stated the Lands Committee met and discussed its agenda items.

Assembly Member Knopp stated the Policies and Procedures Committee met and discussed its agenda items.

Assembly Member Ogle stated the Legislative Committee met and discussed its agenda items.

### APPROVAL OF AGENDA AND CONSENT AGENDA

**Johson moved to approve the agenda and consent agenda.**

Copies have been made available to the public, Borough Clerk Johni Blankenship noted by title only the resolutions and ordinances on the consent agenda.

[KPB-0521](#) October 27, 2015 Regular Assembly Meeting Minutes

Attachments: [102715 Regular Assembly Meeting Minutes](#)

**Approved.**

[2015-049](#) A Resolution Supporting the Central and Southern Kenai Peninsula Coordinated Public Transit-Human Services Transportation Plan to be Submitted to the State of Alaska Department of Transportation and Public Facilities (Mayor)

Attachments: [R2015-049](#)

[Memo](#)

[CARTS Request Letter](#)

[Transportation Plan](#)

**This Resolution was adopted.**

[2015-050](#) A Resolution Supporting the Efforts of the Tsalteshi Trails Association to Secure a Recreational Trails Grant from the State of Alaska (Johnson, Mayor)

Attachments: [R2015-050](#)

[Memo](#)

**This Resolution was adopted.**

[KPB-0513](#) Approval of the 2016 Assembly Meeting Schedule (Gilman)

Attachments: [2016 Proposed Meeting Schedule](#)

[2016 REVISED Meeting Schedule](#)

**The 2016 Assembly Meeting Schedule was approved as amended.**

[KPB-0514](#) Confirming Appointment to the Anchor Point Fire and Emergency Service Area Board (Mayor)

Justin Norton, Seat C, Term to Expire October, 2016

Dawson Slaughter, Seat D, Term to Expire October, 2016

Attachments: [Mayor's Memo of Appointment](#)

[JNorton - Application for Appointment](#)

[DSlaughter - Application for Appointment](#)

Confirmed.

[KPB-0516](#) Petition to Vacate the East 300 to 500-foot Section, More or Less, of the 66-foot Wide Settle Avenue Right-of-Way and All Associated Utility Easements as Dedicated on the Ninilchik Natives Association Right-of-Way Map HM84-115, Also Shown on Baikobros Subdivision Amended Plat HM 2001-48. The Right-of-Way Being Vacated is Located within the SE 1/4 of Section 25, Township 01 South, Range 12 West, Seward Meridian, Alaska and Within the Kenai Peninsula Borough; KPB File 2015-16

[Clerk's Note: The Planning Commission approved the referenced vacation by unanimous consent during its regularly scheduled meeting of October 26, 2015.]

**Attachments:** [Petition to Vacate Memo](#)  
[Planning Commission Decision](#)  
[Supporting Documents](#)  
[Maps](#)  
[Petition](#)

Approved.

Approval of the Consent Agenda

President Gilman called for public comment.

**Bill Holt**, Kasilof spoke in support of Resolution 2015-050.

There being no one else who wished to speak, the public comment period was closed.

**Approval of the Agenda and Consent Agenda as amended carried by the following vote:**

**Yes:** 9 - Bagley, Cooper, Dunne, Gilman, Holmdahl, Johnson, Knopp, Ogle, and Welles

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

## PRESENTATIONS WITH PRIOR NOTICE

[TMP-0149](#) Central Peninsula Hospital Quarterly Report (10 minutes)

**Attachments:** [CPH Quarterly Report](#)

*[Clerk's Note: Lance Spendler, CFO of Central Peninsula Hospital presented the quarterly report to the assembly.]*

[KPB-0523](#) Kenai Wildlife Refuge, John Morton, PhD, "Update on Elodea Eradication Efforts on the Peninsula" (10 minutes)

*Attachments:* [Elodea Presentation John Morton](#)

*[Clerk's Note: Dr. Morton gave a presentation to the assembly regarding elodea eradication.]*

## PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Gilman called for public comments.

**Jim Johnson**, UAA President addressed the assembly regarding his visit to the Kenai Peninsula Borough and Kenai Peninsula College.

**Lisa Parker**, University of Alaska Board of Regions thanked the borough and the borough residents for their continued support of Kenai Peninsula College.

**Pero Marinkovski**, Soldotna thanked Mayor Navarre and the Assembly for listening to his testimony at the October 27, 2105 assembly meeting and the quick reponse he received to his concerns.

**Gary Turner**, Kenai Peninsula College Director shared additional information regarding the UAA President's visit to their campus.

**Bill Sullivan**, Karluk Avenue thanked Mayor Navarre and the borough maintenance department for their assistance with the Karluk Avenue flooding. He stated good governance was happening at the boorugh.

There being no one else who wished to speak, the public comment period was closed.

## MAYOR'S REPORT

### 1. Assembly Requests/Responses

a. [KPB-0517](#) Sales and Property Tax Review Update

*Attachments:* [Sales and Property Tax Review Update](#)

### 2. Agreements and Contracts

a. [KPB-0518](#) Authorization to Award Contract for Forest Road Repair

*Attachments:* [Authorization to Award Contract for Forest Road Repair](#)

## ITEMS NOT COMPLETED FROM PRIOR AGENDA

None.

**PUBLIC HEARINGS ON ORDINANCES**

None.

**UNFINISHED BUSINESS**

1. Postponed Items

[2014-32](#)

An Ordinance Authorizing an Exchange with Paula and Timothy Keohane of a 4.3 Acre Drainage Easement at Karluk Avenue for a 1.84 Acre Parcel of Borough Land at Mile 12.1 K-Beach Road Which Shall be Subject to the Reservation of a 0.9 Acre Drainage Outlet Easement (Mayor)

(Johnson) Substitute: An Ordinance Authorizing the Sale of Borough Property to Dan and Teresa Sterchi Subject to a Drainage Easement and the Acquisition of a 4.3 Acre Drainage Easement on Property Along Kalifornsky Beach Road from Paula and Timothy Keohane (Johnson)

*Attachments:* [O2014-32](#)  
[Executive Summary of Keohane Exchange Proposal](#)  
[Quitclaim Deed](#)  
[Drainage Easement](#)  
[Maps](#)  
[Exchange Map](#)  
[O2014-32 \(Johnson\) Substitute](#)  
[\(Johnson\) Sub Planning Commission Recommendations](#)  
[\(Johnson\) Sub Memo](#)  
[\(Johnson\) Sub Easement Purchase Agreement](#)  
[\(Johnson\) Sub Quitclaim Deed with Reservation of Drainage Easement](#)  
[\(Johnson\) Sub Purchase Agreement](#)  
[Memo](#)  
[Exhibit A](#)  
[Exchange Proposal Response Letter](#)  
[Welles Comment](#)  
[Public Comment](#)  
[Additional Public Comment](#)  
[Planning Commission Recommendations \(approved 11/25/14\)](#)  
[Postponement Memo \(Dealt with on 11/25/14\)](#)  
[Request to Remove from Table \(dealt with on 07/07/15\)](#)  
[Information Provided by Wolf](#)  
[Additional Public Comment \(2\)](#)  
[01/20/15 Memo & Summary Evaluation](#)  
[Revised Amendment Memo & Drainage Easement Map \(dealt with on 08/18/15\)](#)  
[Additional Public Comment \(3\)](#)  
[Alaska Dept. of Transportation and Public Facilities Letter](#)  
[Additional Public Comment \(4\)](#)  
[Additional Public Comment \(5\)](#)  
[Additional Public Comment \(6\)](#)  
[Information Provided by Welles](#)  
[Additional Public Comment \(7\)](#)  
[Review and Consideration of Reeves Amodio LLC Opinion Memo](#)  
[Reponse to Regis Memo](#)  
[Amendment Memo \(2\)](#)

*[Clerk's Note: The motion to enact was on the floor from the November 25, 2014 meeting.]*

**Knopp moved to postpone Ordinance 2014-32 to December 8, 2015.**

The motion to postpone to December 8, 2015 carried by the following vote:

Yes: 9 - Bagley, Cooper, Dunne, Gilman, Holmdahl, Johnson, Knopp, Ogle, and Welles

**NEW BUSINESS**

Ordinances for Introduction

[2015-27](#) An Ordinance Amending KPB 7.10.020 to Reduce the Minimum Distance Between a Liquor Licensed Premise and an Established School, Church or Playground from 500 Feet to 300 Feet, and Changing the Method of Measuring the Distance to Match State Statute (Bagley)

- Attachments: [O2015-27](#)
- [Memo](#)
  - [Public Comment Debbie Cary](#)
  - [Additional Public Comment](#)
  - [Additional Public Comment \(2\)](#)
  - [KPBSD Letter of Opposition](#)
  - [Additional Public Comment \(3\)](#)
  - [Additional Public Comment \(4\)](#)
  - [Petition in Support of Ninilchik Liquor Store](#)

**Knopp moved to introduce Ordinance 2015-27 and set for public hearing.**

President Gilman called for public comment.

The following people spoke in opposition to Ordinance 2015-27.

- Debbie Cary**, Ninilchik
- Sabrina Ferguson**, Ninilchik

There being no one else who wished to speak, the public comment period was closed.

Assembly Member Johnson spoke in support of introduction.

**The motion to introduce Ordinance 2015-27 and set for public hearing carried by the following vote:**

Yes: 8 - Bagley, Cooper, Dunne, Gilman, Holmdahl, Johnson, Knopp, and Ogle

No: 1 - Welles

**PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. November 12, 2015 Health Care Task Force "Provider/Delivery" Subcommittee 12:00 PM  
Conference Room C, Borough Administration Building
2. November 18, 2015 Health Care Task Force Meeting 6:30 PM  
Assembly Chambers, Borough Administration Building
3. December 8, 2015 Regular Assembly Meeting 6:00 PM  
Assembly Chambers, Borough Administration Building
4. December 10, 2015 Marijuana Task Force Meeting 6:00 PM  
Assembly Chambers, Borough Administration Building

**ASSEMBLY COMMENTS**

Assembly Member Bagley reminded everyone of Veteran's Day on November 11 and appreciated that there was a day designated to thank our veterans for their service. He stated he was a former marine and that November 10 was the birthday of the Marine Corps.

Assembly Member Welles wished everyone a good evening.

Assembly Member Knopp reminded everyone to be careful driving on the icy roads.

Assembly Member Dunne apologized for not attending in person, but appreciated being able to attend via telephone and looked forward to seeing everyone at the next assembly meeting.

Assembly Member Ogle stated while the ongoing postponement of Ordinance 2014-32 had been frustraighting for all sides, he stated it was an example of the assembly not rushing into a decision and making sure there was a suitable outcome for all involved. He thanked Mayor Navarre for the providing a sales tax and property tax update, as well as for the health care task force update. Mr. Ogle stated there was several challenging things coming forward next year and looked forward to being involved. He reminded everyone of the LNG community meeting in Nikiski 6:30 p.m. on November 12, 2015 at the Nikiski Recreation Center. He stated November 11 was Veteran's Day, originally known as Armistice Day that marked the anniversary of the end of World War I, but was now meant to honor all men and women who had served in the U.S. Armed Forces.

Assembly Member Cooper reminded everyone that the Health Care Task Force meetings were open to the public and the meeting materials could be found on the borough's website. She encouraged people to get involved. Ms. Cooper stated November was pancreatic cancer awareness month and asked everyone to wear purple on November 13.

Assembly Member Johnson stated he appreciated the public testimony. He wished



everyone a happy thanksgiving and encouraged folks to think of something nice to say to a politician like Bill Sullivan did during his testimony.

President Gilman stated several assembly members would be in Anchorage for the Alaska Municipal League conference next week. He reminded everyone that Nikiski North Star Elementary was celebrating Veteran's Day at their school on November 11 and invited Assembly Member Ogle to attend.

**INFORMATIONAL MATERIALS AND REPORTS**

None.

**NOTICE OF NEXT MEETING AND ADJOURNMENT**

With no further business to come before the assembly, President Gilman adjourned the meeting at 7:43 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of November 11, 2015.

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Approved by the Assembly: \_\_\_\_\_