



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Minutes - Draft

### Assembly

*Kelly Cooper, President*  
*Wayne Ogle, Vice President*  
*Dale Bagley*  
*Kenn Carpenter*  
*Willy Dunne*  
*Paul Fischer*  
*Brent Hibbert*  
*Jill Schaefer*  
*Stan Welles*

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Tuesday, June 20, 2017

6:00 PM

Assembly Chambers

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

[Clerk's Note: The invocation was given by Justin Franchino, Peninsula Grace Bretheren Church.]

### ROLL CALL

**Present:** 8 - Kelly Cooper, Willy Dunne, Wayne Ogle, Paul Fischer, Dale Bagley, Brent Hibbert, Jill Schaefer, and Kenn Carpenter  
**Excused:** 1 - Stan Welles

### COMMITTEE REPORTS

Assembly Member Hibbert stated the Finance Committee met and discussed its agenda items.

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

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

*[Clerk's Note: The assembly convened into executive session to candidly discuss litigation strategy and facts with the borough attorney, and possible settlement of the Dunne v. KPB lawsuit. In attendance were assembly members, borough mayor, and borough clerk. Assembly Member Dunne did not attend.]*

### APPROVAL OF AGENDA AND CONSENT AGENDA

[KPB-1283](#) June 6, 2017 Regular Assembly Meeting Minutes  
approved.

The following public hearing item met the required conditions of KPB 22.40.110 and was added to the consent agenda:

[2016-19-44](#) An Ordinance Redirecting \$13,762.13 from a Previously Appropriated Capital Project to be Used for Repairing and Completing the Bear Creek Fire Station (Mayor)

*[Clerk's Note: The final Whereas clause of Ordinance 2016-19-44 was amended to read, "Whereas, at its meeting of June 13, 2017, the BCFSA board recommended approval by unanimous consent;" ]*

**This Budget Ordinance was enacted as amended**

Postponed Item

[2017-12](#) An Ordinance Authorizing a Cooperative Sale and Exchange of Interests in Lands with the State of Alaska Department of Transportation and Public Facilities in the Areas of Crown Pointe and Miller Loop Road (Mayor)

[Clerk's Note: Ordinance 2017-12 was postponed from the June 6, 2017 Assembly meeting, in order to give the Moose Pass Advisory Planning Commission an opportunity to review the Ordinance and make a recommendation to the Planning Commission.]

*[Clerk's Note: The final two Whereas clauses of Ordinance 2017-12 were amended to read;*

*"Whereas, the Moose Pass Advisory Planning Commission at its regularly scheduled meeting of [MAY 10] June 6, 2017, reviewed this ordinance and recommended approval;*

*Whereas, the Planning Commission at its regularly scheduled meeting of [MAY 22] June 12, 2017, reviewed this ordinance and recommended approval;" ]*

**This Ordinance was enacted as amended.**

New Business

[2017-044](#) A Resolution Confirming the Appointment of Assembly Member Ogle to the Kenai Peninsula College Council (Cooper)

**This Resolution was adopted.**

[2017-045](#) LAYDOWN A Resolution Approving an Intergovernmental Cooperative Fire Protection Agreement between the State of Alaska, Department of Natural Resources, Division of Forestry, and the Kenai Peninsula Borough on behalf of itself and Central Emergency Service Area, Nikiski Fire Service Area, Bear Creek Fire Service Area, Anchor Point Fire and Emergency Service Area, and Kachemak Emergency Service Area (Mayor)

**This Resolution was adopted.**

[2017-19-01](#) An Ordinance An Ordinance Approving and Appropriating a Grant Totaling \$34,559.67 from the Alaska Department of Natural Resource for the Volunteer Fire Assistance Program on Behalf of Anchor Point Fire & Emergency Service Area, Bear Creek Fire Service Area, Central Emergency Service Area, Kachemak Emergency Service Area and Nikiski Fire Service Area (Mayor)

**This Budget Ordinance was introduced and set for public hearing.**

[2017-14](#) Approving an Operating Agreement with Central Peninsula General Hospital, Inc. for Central Peninsula Hospital and Other Medical Facilities (Mayor) (First of Two Public Hearings)

**This Ordinance was introduced and set for public hearing.**

[KPB-1248](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Standard Cultivation Marijuana Facility License Application Filed by Coastal Outfitters, Anchor Point, AK, subject to the following conditions:

1. The marijuana establishment shall conduct their operation consistent with the site plan submitted to the Kenai Peninsula Borough.
2. There shall be no parking in borough rights-of-way generated by the marijuana establishment.
3. The marijuana establishment shall remain current in all Kenai Peninsula Borough tax obligations consistent with KPB 7.30.020(A).

**The motion to approve the issuance of a non-objection letter carried by the following vote:**

[KPB-1291](#) LAYDOWN Confirming Appointments to the Eastern Peninsula Highway Emergency Service Area Board (Mayor)

Michelle Stewart, Seat A, Term to Expire October 2018

Russel Stewart, Jr., Seat B, Term to Expire October 2019

Sean Carrington, Seat C, Term to Expire October 2019  
James Hunt, Seat D, Term to Expire October 2020  
Curt Jacobson, Seat E, Term to Expire October 2020

**The motion to confirm the appointments carried by the following vote:**

Agenda Item Withdrawn:

[KPB-1280](#) Request for Formal Assembly Objection to the Liquor License Transfer of Ownership Due to Unpaid Taxes; Aqua Pesca, LLC dba Chinooks Water Front

*[Clerk's Note: Administration recommended this item be withdrawn from the agenda due to Chapter 7 bankruptcy.]*

**The motion to withdraw this item from the agenda carried by the following vote:**

**Yes:** 8 - Cooper, Dunne, Ogle, Fischer, Bagley, Hibbert, Schaefer, and Carpenter

**Excused:** 1 - Welles

Approval of the Agenda and Consent Agenda

President Cooper called for public comment with none being offered.

**The motion to approve the agenda and consent agenda as amended carried by the following vote:**

**Yes:** 8 - Cooper, Dunne, Ogle, Fischer, Bagley, Hibbert, Schaefer, and Carpenter

**Absent:** 1 - Welles

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

None.

## PRESENTATIONS WITH PRIOR NOTICE

[KPB-1277](#) South Kenai Peninsula Hospital Quarterly Report (10 minutes)

*[Clerk's Note: Bob Letson, CEO and Holly Torres, CFO presented South Peninsula Hospital's quarterly report to the assembly.]*

## PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Cooper called for public comments.

**Carrie Henson**, Last Frontier Freethinkers of Soldotna Alaska addressed the assembly regarding the need to keep religion and government separate.

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

**MAYOR'S REPORT**

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
  - a. [KPB-1285](#) Authorization to Award Contract for RFP17-011 CPH Parking and Site Improvements to Trihydro Corporation Soldotna, AK
  - b. [KPB-1286](#) Authorization to Award Contract for ITB17-039 Security Camera Purchase to SimplexGrinnell, LP of Anchorage, AK
  - c. [KPB-1287](#) Authorization to Award Contract for ITB17-042 Flooring Replacement to Aurora Flooring, LLC of Anchorage, AK
  - d. [KPB-1288](#) Authorization to Award Contract for ITB17-041 Igloo Avenue, Dana Bayes St. #2, Miracle Avenue & Sun Dew Circle Project No. W7IGL, to CIC, Inc., Soldotna, AK
3. Other
  - a. [KPB-1289](#) Certification of the Main Roll Assessment
  - b. [KPB-1290](#) Kenai Peninsula College FY17 Program Narrative Report

**ITEMS NOT COMPLETED FROM PRIOR AGENDA**

None.

**NEW BUSINESS**

## Resolutions

[2017-043](#) A Resolution Supporting an Application to the US Board on Geographic Names to Officially Name a Ridge and Three Unnamed Peaks North of Moose Pass and Upper Trail Lake as Locomotive Ridge, The Engine, The Tender and The Caboose (Mayor)

**Dunne moved to adopt Resolution 2017-043.**

President Cooper called for public comment with none being offered.

**Dunne moved to amend Resolution 2017-043 as follows:**

"WHEREAS, on June [7]6, 2017 the Moose Pass Advisory Planning Commission held a public hearing and voted against the motion to recommend approval of

Resolution 2017-043; and

WHEREAS, on June 12, 2017 the Kenai Peninsula Borough Planning Commission conducted public hearing and voted against the motion to recommend approval of Resolution 2017-043;”

**The motion to amend carried by the following vote:**

**Yes:** 8 - Cooper, Dunne, Ogle, Fischer, Bagley, Hibbert, Schaefer, and Carpenter

**Excused:** 1 - Welles

**The motion to adopt Resolution 2017-043 as amended failed by the following vote:**

**Yes:** 1 - Fischer

**No:** 7 - Cooper, Dunne, Ogle, Bagley, Hibbert, Schaefer, and Carpenter

**Absent:** 1 - Welles

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

President Cooper called for public comment.

**Carrie Henson**, Last Frontier Freethinkers of Soldotna Alaska continued her remarks regarding the need to keep religion and government separate.

**Fred Sturman**, Soldotna addressed the assembly regarding the appointment process of the Central Peninsula Hospital Board of Directors.

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

## **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

July 18, 2017 Regular Assembly Meeting 6:00 PM  
Borough Assembly Chambers, Soldotna, Alaska

## **ASSEMBLY COMMENTS**

Assembly Member Fischer wished everyone a good evening.

Assembly Member Bagley expressed his condolences to the Koch family for their loss of Rick Koch. Mr. Bagley stated he was the City Manager of Kenai for 10-years and that the community was in shock.

Assembly Member Schaefer expressed her thoughts and prayers for Rick Koch's family. She wished everyone a safe couple weeks until the assembly met again.

Assembly Member Dunne shared that the South Kenai Peninsula Resilience Coalition had launched a new website, promoting healthy and substance-free lifestyles. He

noted the Change for the Kenai was another resource for folks in central peninsula area.

Assembly Member Hibbert wished everyone a good week.

Assembly Member Carpenter wished a speedy recovery to Assembly Member Wells. He thanked everyone for their testimony and wished everyone a good evening.

Assembly Member Ogle also expressed his sadness for the loss of former Kenai City Manager, Rick Koch. He stated he was a man of vision and did good things for the City of Kenai. Mr. Ogle shared that Assembly Member Welles was recovering well and expressed his thoughts and prayers.

President Cooper stated, more information regarding the North Fork Fire was on the Alaska Statewide Fire Information website: [www.akfireinfo.com](http://www.akfireinfo.com) Ms. Cooper thanked the Clerk's Office and Board of Equalization for all their hard work with the hearings in Homer.

#### **INFORMATIONAL MATERIALS AND REPORTS**

None.

#### **NOTICE OF NEXT MEETING AND ADJOURNMENT**

With no further business to come before the assembly, President Cooper adjourned the meeting at 7:10 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of June 20, 2017.

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Johni Blankenship, MMC, Borough Clerk

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