



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Minutes - Final

### Assembly

*Brent Johnson, President*

*Tyson Cox, Vice President*

*Kelly Cooper*

*Cindy Ecklund*

*Bill Elam*

*Brent Hibbert*

*Peter Ribbens*

*Ryan Tunseth*

*Mike Tupper*

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Tuesday, October 24, 2023

6:00 PM

Betty J. Glick Assembly Chambers

Meeting ID: 884 7373 9641 Passcode: 671108

[https://us06web.zoom.us/j/88473739641?](https://us06web.zoom.us/j/88473739641?pwd=dW1sY2RYV0F4dURjV25yVW9WUGw3QT09)

[pwd=dW1sY2RYV0F4dURjV25yVW9WUGw3QT09](https://us06web.zoom.us/j/88473739641?pwd=dW1sY2RYV0F4dURjV25yVW9WUGw3QT09)

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

[Clerk's Note: The invocation was given by Lyndsey Bertoldo.]

### ROLL CALL

*[Clerk's Note: Assembly Member Ribbens attended the meeting via Zoom.]*

**Present:** 9 - Brent Hibbert, Cindy Ecklund, Mike Tupper, Brent Johnson, Tyson Cox, Ryan Tunseth, Kelly Cooper, Bill Elam, and Peter Ribbens

Also Present were:

Peter A. Micciche, Borough Mayor

Brandi Harbaugh, Finance Director

Sean Kelley, Borough Attorney

Michele Turner, Borough Clerk

Tamera Ward, Deputy Borough Clerk

### COMMITTEE REPORTS

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

*[8 Present: Cooper, Cox, Ecklund, Elam, Hibbert, Ribbens (Via Zoom), Tupper, Johnson / 1 Absent: Tunseth]*

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

*[9 Present: Cooper, Cox, Ecklund, Elam, Hibbert, Ribbens (Via Zoom), Tunseth, Tupper, Johnson]*

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

*[9 Present: Cooper, Cox, Ecklund, Elam, Hibbert, Ribbens (Via Zoom), Tunseth, Tupper, Johnson]*

## **APPROVAL OF AGENDA AND CONSENT AGENDA**

**Cox moved to approve the Agenda and Consent Agenda.**

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

[KPB-5574](#)      October 10, 2023 Regular Assembly Meeting Minutes  
approved.

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

[2023-19-21](#)      An Ordinance Accepting and Appropriating Pass-Through Grant Funds from the State of Alaska Office of Emergency Medical Services in the Amount of \$250,000 through the Healthy and Equitable Communities Program Grant for the Nikiski Fire Mobile Integrated Healthcare Program (Mayor)

**This Budget Ordinance was enacted.**

[2023-19-22](#)      An Ordinance Appropriating Supplemental Funding of \$50,000 to Complete the Uninterrupted Power Supply Replacement Project Located in the Emergency Response Center (Mayor)

**This Budget Ordinance was enacted.**

[2023-24](#)      An Ordinance Approving the Capital Lease Purchase of the Stryker Mako SmartRobotics System for South Peninsula Hospital (Mayor)

*[Clerk's Note: President Johnson ruled Assembly Member Cooper had a conflict regarding Ordinance 2023-24 as she was previously seated as the South Peninsula Hospital Board President. Ms. Cooper abstained from the discussion and vote regarding Ordinance 2023-24.]*

**This Ordinance was enacted.**

**Yes:** 8 - Hibbert, Ecklund, Tupper, Johnson, Cox, Tunseth, Elam, and Ribbens

**Abstain:** 1 - Cooper

## NEW BUSINESS

[2023-066](#) A Resolution Authorizing a Sole Source Contract Award for the Acquisition of Epic Electronic Medical Software for South Peninsula Hospital (Mayor)

*[Clerk's Note: President Johnson ruled Assembly Member Cooper had a conflict regarding Resolution 2023-24 as she was previously seated as the South Peninsula Hospital Board President. Ms. Cooper abstained from the discussion and vote regarding Resolution 2023-24.]*

**This Resolution was adopted.**

**Yes:** 8 - Hibbert, Ecklund, Tupper, Johnson, Cox, Tunseth, Elam, and Ribbens

**Abstain:** 1 - Cooper

[2023-067](#) A Resolution Adding an Additional Landfill Laborer Position at Central Peninsula Landfill (Mayor)

**This Resolution was adopted.**

[2023-068](#) A Resolution Supporting the Cooper Landing Community Club Recreational Trails Program Grant Application (Ecklund)

**This Resolution was adopted.**

[2023-069](#) A Resolution Requesting the Governor of the State of Alaska Designate By Proclamation The Area of the Upper Cook Inlet East Side Set Net Fishery as an Area Impacted by an Economic Disaster in 2023 and Supporting a Recovery Plan (Johnson, Mayor, Cox)

*[Clerk's Note: President Johnson passed the gavel to Vice President Cox and declared he was a set-netter and had a potential conflict regarding Resolution 2023-069. Vice President Cox declared a conflict did exist. President Johnson abstained from discussion and the vote regarding Resolution 2023-069.]*

**This Resolution was adopted.**

**Yes:** 8 - Hibbert, Ecklund, Tupper, Cox, Tunseth, Cooper, Elam, and Ribbens

**Abstain:** 1 - Johnson

[2023-19-24](#) An Ordinance Appropriating \$80,516 to the Disaster Response Fund for Expenditures Responding to the Recent Local Disaster Emergency

**Declaration (Mayor)**

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

[KPB-5562](#)

**Confirming Ben Hanson as Information Technology Director (Mayor) approved.**

**Approval of the Agenda and Consent Agenda**

President Johnson called for public comment.

**Chris Van Slyke**, spoke regarding Ordinance 2023-24.

**Ken Coleman**, spoke regarding Resolution 2023-069.

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

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

**Yes:** 9 - Hibbert, Ecklund, Tupper, Johnson, Cox, Tunseth, Cooper, Elam, and Ribbens

**ASSEMBLY REORGANIZATION****1. Election of President and Vice President**

President ProTem Hibbert called for nominations for the office of Assembly President.

Mr. Cox nominated Mr. Johnson.

Mr. Ribbens nominated Mr. Hibbert.

Mr. Johnson was elected as Assembly President.

President ProTem Hibbert passed the gavel to President Johnson.

President Johnson called for nominations for the office of Assembly Vice President.

Mr. Tupper nominated Mr. Cox.

Mr. Ribbens nominated Mr. Elam.

Mr. Cox was elected as Assembly Vice President.

*[Clerk's Note: Mr. Ribbens cast his secret ballot via text to the Borough Clerk.]*

**COMMENDING RESOLUTIONS AND PROCLAMATIONS****PRESENTATIONS WITH PRIOR NOTICE****1. [KPB-5575](#) South Kenai Peninsula Community Health Needs Assessment, Lorne**

Carroll and Claudia Haines (10 minutes)

*[Clerk's Note: Lorne Carroll and Claudia Haines of South Peninsula Community Health Services gave a presentation to the assembly.]*

2. [KPB-5576](#) Youth Mental Health First Aid USA, Ingrid Harrald (10 minutes)

*[Clerk's Note: Ingrid Harrald of Youth Mental Health First Aid USA gave a presentation to the assembly.]*

## **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

President Johnson called for public comment with none being offered.

## **MAYOR'S REPORT**

Mayor's Report Cover Memo

[KPB-5568](#) Mayor's Report to the Assembly

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
  - a. [KPB-5569](#) Authorization to Award a Contract for ITB24-015 Homer Middle School Kitchen
4. Other
  - a. [KPB-5570](#) Tax Adjustment Request Approval
  - b. [KPB-5571](#) Budget Revisions - September 2023
  - c. [KPB-5572](#) Revenue-Expenditure Report - September 2023
  - d. [KPB-5573](#) Litigation Status Report - Quarter Ending 09/30/23

## **ITEMS NOT COMPLETED FROM PRIOR AGENDA**

## **PUBLIC HEARINGS ON ORDINANCES**

[2023-23](#) An Ordinance Amending KPB 20.30.280 and KPB 21.06 Regarding Floodplain Management to Adopt Required Changes to Remain

Compliant with the National Flood Insurance Program (Mayor)

**Tupper moved to enact Ordinance 2023-23.**

President Johnson called for public comment with none being offered.

**The motion to enact Ordinance 2023-23 carried by the following vote:**

**Yes:** 9 - Hibbert, Ecklund, Tupper, Johnson, Cox, Tunseth, Cooper, Elam, and Ribbens

[2023-19-23](#) An Ordinance Appropriating Additional Funds from the Nikiski Fire Service Area Capital Project Fund for a Fire Engine at Station #3 (Mayor) (Hearing on Shortened Time on 10/24/23)

**Hibbert moved to enact Ordinance 2023-19-23.**

President Johnson called for public comment with none being offered.

**The motion to enact Ordinance 2023-19-23 carried by the following vote:**

**Yes:** 9 - Hibbert, Ecklund, Tupper, Johnson, Cox, Tunseth, Cooper, Elam, and Ribbens

## UNFINISHED BUSINESS

### 1. Postponed Items

[2023-005](#) A Resolution of Intent by The Kenai Peninsula Borough Assembly Establishing that Financing of Energy and Resilience Improvement Projects through Assessments Serves a Valid Public Purpose and Related Matters (Ecklund) (Postponed from 09/19/23)

*[Clerk's Note: The motion to adopt Resolution 2023-005 was on the floor from the 01/03/23 meeting.]*

President Johnson called for public comment.

The following people addressed the assembly regarding Resolution 2023-005:

**Brentwood Higman**

**Scott Waterman**

**Melanie Lucas-Conwell**, Director of the C-PACER program for the Municipality of Anchorage

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

**Cooper moved to table Resolution 2023-005.**

**The motion to table Resolution 2023-005 carried by the following vote:**

**Yes:** 9 - Hibbert, Ecklund, Tupper, Johnson, Cox, Tunseth, Cooper, Elam, and Ribbens

**PUBLIC COMMENTS AND PUBLIC PRESENTATIONS****ASSEMBLY COMMENTS**

Assembly Member Elam thanked the public for attending the meeting.

Assembly Member Ecklund congratulated President Johnson and Vice President Cox on their re-election.

Assembly Member Hibbert congratulated President Johnson and Vice President Cox on their re-election and welcomed Assembly Members Tunseth and Cooper to the Assembly.

Assembly Member Tupper stated that the Kachemak Bay Campus had an upcoming presentation and congratulated President Johnson and Vice President Cox on their re-election.

Assembly Member Tunseth congratulated President Johnson and Vice President Cox on their re-election. He thanked the Assembly for welcoming him and thanked Cindy for her work on Resolution 2023-005. Mr. Tunseth also stated that Kenai Central High School won the state football championship in their division.

Assembly Member Ribbens congratulated President Johnson and Vice President Cox on their re-election and stated he looked forward to attending the next meeting in person.

Assembly Member Cooper congratulated President Johnson and Vice President Cox on their re-election. Ms. Cooper stated she was happy to be back on the assembly and stated she supports Resolution 2023-005.

Vice President Cox congratulated the Soldotna High School Stars on winning the state football championship in their division. Mr. Cox stated that the Alaska Business magazine has valuable information for the assembly and they should check it out.

President Johnson congratulated Ben Hanson on his confirmation as Information Technology Director. Mr. Johnson stated he will be working on committee assignments and appreciated the participation of Assembly Members Tunseth and Cooper. He stated he looks forward to working with both members. President Johnson provided an update regarding highway safety in Kasilof and the Kasilof bridge. Mr. Johnson stated he looked forward to the New Year, thanked the assembly for his re-election as president, and congratulated Vice President Cox on his re-election.

**PENDING LEGISLATION**

**INFORMATIONAL MATERIALS AND REPORTS**

**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

- 1. November 7, 2023 6:00 PM  
Regular Assembly Meeting  
Betty J. Glick Assembly Chambers  
Remote Participation Available Through Zoom  
Meeting ID: 884 7373 9641 Passcode: 671108

**ADJOURNMENT**

With no further business to come before the assembly, President Johnson adjourned the meeting at 8:50 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of October 24, 2023.

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Michele Turner, CMC, Borough Clerk

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