



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Minutes - Draft

Assembly

Dale Bagley, President

Sue McClure, Vice President

Kelly Cooper

Blaine Gilman

Mako Haggerty

Brent Johnson

Wayne Ogle

Stan Welles

Kelly Wolf

Tuesday, October 13, 2015

6:00 PM

Assembly Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

The invocation was given by Pastor Frank Alioto from the River Covenant Church.

ROLL CALL

Present: 9 - Kelly Wolf, Wayne Ogle, President Dale Bagley, Brent Johnson, Mako Haggerty, Vice President Sue McClure, Blaine Gilman, Stan Welles, and Kelly Cooper

COMMITTEE REPORTS

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

Assembly Member Haggerty stated the Lands Committee met and discussed its agenda item.

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

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

APPROVAL OF AGENDA AND CONSENT AGENDA

McClure 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-0493](#) September 15, 2015 Regular Assembly Meeting Minutes

Attachments: [091515 Regular Assembly Meeting Minutes](#)

Approved.

[KPB-0476](#) A Resolution Commending the U13 Boys Kenai Peninsula Soccer Club Team “Thunder” as the Alaska State Cup Champions for the Year 2015 (Mayor)

Attachments: [Team Thunder 101315](#)

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

[2015-19-13](#) An Ordinance Appropriating \$654,807 from the CPGH, Inc. Plant Replacement and Expansion Fund to Replace and Upgrade Equipment in Three Operating Rooms at Central Peninsula Hospital (Mayor)

Attachments: [2015-19-13](#)

[Service Area Board Recommendations](#)

[Memo](#)

[CPH Reso 2015-38 and Proposal](#)

[Clerk's Note: The final Whereas clause of Ordinance 2015-19-13 was amended to read, "the Central Kenai Peninsula Hospital Service Area Board, at its meeting of September 14, 2015 recommended approval by unanimous consent;"]

This Budget Ordinance was enacted as amended.

[2015-19-14](#) An Ordinance Accepting and Appropriating \$51,114 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management for Portable Radios and Travel Reimbursement (Mayor)

Attachments: [O2015-19-14](#)

[Service Area Board Recommendations](#)

[Memo](#)

[Grant Award Letter](#)

[Clerk's Note: The final Whereas clause of Ordinance 2015-19-14 was amended to

read, "at its meeting of September 9, 2015, the APFEMSA Board recommended approval;"

This Budget Ordinance was enacted as amended.

New Business

[2015-041](#) A Resolution Recognizing Projects Completed Under the U.S. Fish & Wildlife Service, Coastal Impact Assistance Program and Redirecting Funds to the Recreation Area Sanitation Project (Mayor)

Attachments: [R2015-041](#)

[Memo](#)

[Grant Award Letter](#)

This Resolution was adopted.

[2015-042](#) A Resolution Authorizing Participation in the Community Development Block Grant Program Provided by the State of Alaska Department of Commerce, Community and Economic Development, Division of Community and Regional Affairs for the Aspen Avenue Paving Project in Ninilchik (Mayor, Johnson)

Attachments: [R2015-042](#)

[Memo](#)

This Resolution was adopted.

[2015-043](#) Certifying the Results of the October 6, 2015 Regular Borough Election (Bagley at the Request of the Borough Clerk)

Attachments: [LAYDOWN R2015-043](#)

[LAYDOWN Canvass Board Report](#)

[Jurisdiction Wide Final Results](#)

This Resolution was adopted.

[2015-19-15](#) An Ordinance Expanding the Scope of a Project Previously Appropriated by Ordinance 2011-19-78 for Improvements to School Facilities (Mayor)

Attachments: [O2015-19-15](#)

[Memo](#)

[KPBSD Request Letter](#)

This Budget Ordinance was introduced and set for public hearing.

[2015-19-16](#) An Ordinance Authorizing the Purchase and Implementation of the Epic Electronic Health Record System and Appropriating \$6,340,044 from the CPGH, Inc. Plant Replacement and Expansion Fund for this Project (Mayor)

Attachments: [O2015-19-16](#)

[Memo](#)

This Budget Ordinance was introduced and set for public hearing.

[2015-19-17](#) An Ordinance Accepting and Appropriating A Donation of \$5,000 From the Lowell Point Community Council to the Seward Bear Creek Flood Service Area for Spruce Creek Sediment Management (Mayor)

Attachments: [O2015-19-17](#)

[Memo](#)

This Budget Ordinance was introduced and set for public hearing.

[2015-25](#) An Ordinance of Assessment Confirming the Assessment Roll for the Birch Park Utility Special Assessment District and Establishing the Method for Terminating Assessments and Making Refunds to Property Owners (Mayor)

Attachments: [O2015-25](#)

[Memo](#)

[Exhibit A](#)

This Ordinance was introduced and set for public hearing.

[KPB-0492](#) Confirming Appointments to KPB Advisory Planning Commissions (Mayor)

Cooper Landing Advisory Planning Commission

David Story, Seat E, Term Expires September 30, 2018

Kathryn Recken, Seat F, Term Expires September 30, 2018

Anchor Point Advisory Planning Commission

Joanne Collins, Seat G, Term Expires September 30, 2018

Moose Pass Advisory Planning Commission

David E. Pearson, Seat E, Term Expires September 30, 2018

Attachments: [Appointments to Advisory Planning Commissions](#)

Approved.

Approval of the Consent Agenda

President Bagley 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: 9 - Wolf, Ogle, Bagley, Johnson, Haggerty, McClure, Gilman, Welles, and Cooper

VACANCY, DESIGNATION OR SEATING MEMBERS

Swear-In Newly Elected Assembly Members

Gary Knopp and Willy Dunne were present and sworn in to take office effective 10/19/15.

COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-0478](#) Mayor's Proclamation Declaring September 27, 2015 - October 3, 2015 as "Childhood Cancer Awareness Week"

Attachments: [KPB Mayor's Proclamation - Childhood Cancer Awareness Week](#)

[KPB-0476](#) A Resolution Commending the U13 Boys Kenai Peninsula Soccer Club Team "Thunder" as the Alaska State Cup Champions for the Year 2015 (Mayor)

Attachments: [Team Thunder 101315](#)

[Clerk's Note: The Mayor presented the Commending Resolution to the members of Team Thunder, coached by John Conley and Erik Dolphin.]

This Commending Resolution was adopted.

PRESENTATIONS WITH PRIOR NOTICE

None.

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Bagley called for public comments with none being offered.

MAYOR'S REPORT

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
 - a. [KPB-0480](#) Authorization to Award Contract for North Region Project: Horner Road to Alaska Scrap and Recycling, LLC, Soldotna, Alaska

Attachments: [Authorization to Award Contract - Alaska Scrap and Recycling, LLC - Horner Rd.](#)
 - b. [KPB-0481](#) Authorization to Award Contract for South Region Gravel Project: Lifeboat Loop to Paul's Services, Anchor Point, Alaska

Attachments: [Authorization to Award Contract - Paul's Services](#)

- c. [KPB-0482](#) Authorization to Award Contract for Central Region Gravel Project: Adkins Road to Alaska Scrap & Recycling, Soldotna, Alaska

Attachments: [Authorization to Award Contract - Alaska Scrap and Recycling, LLC - Adkins Rd.](#)

- d. [KPB-0483](#) Authorization to Award Contract for North Region Gravel Project: Chirikof Drive to Alaska Scrap and Recycling, LLC, Soldotna, Alaska

Attachments: [Authorization to Award Contract - Alaska Scrap and Recycling, LLC - Chirikof Drive](#)

- e. [KPB-0484](#) Authorization to Award Contract for South Region Gravel Project: Upland Street South to East Road Services, Homer, Alaska

Attachments: [Authorization to Award Contract - East Road Services, Inc. - Upland St.](#)

- f. [KPB-0485](#) Authorization to Award Contract for Seldovia School Container Welding Shop to SBR Services, LLC, Palmer, Alaska

Attachments: [Authorization to Award Contract - SBR Services, LLC](#)

- g. [KPB-0486](#) Authorization to Award Contract – ITB16-010 Flooring Replacement 2015:
Redoubt Elementary – Westside Flooring, LLC, Anchorage, Alaska
Nikiski North Star – Westside Flooring, LLC, Anchorage, Alaska
Tustumena Elementary – Floor-Ever, Inc., Soldotna, Alaska

Attachments: [Authorization to Award Contract - ITB16-010 Floor Replacement](#)

3. Other

- a. [KPB-0487](#) Recap of 2015 Surplus Property Auction

Attachments: [Recap of 2015 Surplus Property Auction](#)

- b. [KPB-0488](#) Certification of the 2015 Personal Property Supplemental Assessment Roll

Attachments: [Certification of the 2015 Personal Property Supplemental Assessment Roll](#)

- c. [KPB-0489](#) Kenai Peninsula Borough Efficiencies – 2015

Attachments: [Kenai Peninsula Borough Efficiencies - 2015](#)

- d. [KPB-0490](#) Litigation Status Report

Attachments: [Litigation Status Report](#)

- e. [KPB-0491](#) Marijuana Task Force Update – Leif Abel, Chair

M. ITEMS NOT COMPLETED FROM PRIOR AGENDA

None.

UNFINISHED BUSINESS

1. Postponed Items

- a. [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)

Attachments: [O2014-32 Substitute](#)
[Substitute Memo](#)
[O2014-32](#)
[Executive Summary of Keohane Exchange Proposal](#)
[Quitclaim Deed](#)
[Drainage Easement](#)
[Maps](#)
[Exchange Map](#)
[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 \(4\)](#)
[Public Comment \(5\)](#)

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

President Bagley called for public comments.

Dan Sterchi, Soldotna spoke in opposition to Ordinance 2014-32.

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

Johnson moved to postpone Ordinance 2014-32 to October 27, 2015.

Assembly Members Haggerty and Ogle spoke in support of postponement.

Assembly Member Wolf spoke in opposition to postponement.

The motion to postpone Ordinance 2014-32 carried by the following vote:

Yes: 7 - Ogle, Johnson, Haggerty, McClure, Gilman, Welles, and Cooper

No: 2 - Wolf, and Bagley

- b.** [2015-040](#) Supporting the Pratt Museum's Grant Request for its New Facility and Site Redesign Project (Cooper, Haggerty)

Attachments: [R2015-040](#)

[Memo](#)

[Wolf Amendment](#)

[Pratt Museum Presentation](#)

[Clerk's Note: The motion to adopt was on the floor from the September 15, 2015 meeting.]

President Bagley called for public comments.

Michele Miller, Homer spoke in support of Resolution 2015-040.

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

Wolf moved to amend Resolution 2015-040 as follows:

Amend the sixth Whereas clause to read, "[A CAPITAL GRANT] additional funding of \$1,650,000 [FROM THE STATE OF ALASKA] will provide needed funding for the Pratt Museum's \$9.5 million new facility and site redesign project, enabling the Museum to maintain project momentum at this crucial stage; and"

Amend Section 1 to read, "That the Kenai Peninsula Borough Assembly hereby supports the Pratt Museum's [ALASKA STATE LEGISLATIVE] resolution for grant request in the amount of \$1,650,000 for the Museum's New Facility and Site Redesign Project."

Assembly Members Cooper, Johnson and Ogle spoke in support of the amendment.

The motion to amend carried by the following vote:

Yes: 9 - Wolf, Ogle, Bagley, Johnson, Haggerty, McClure, Gilman, Welles, and Cooper

The motion to adopt as amended carried by the following vote:

Yes: 8 - Wolf, Ogle, Bagley, Johnson, Haggerty, McClure, Gilman, and Cooper

No: 1 - Welles

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

President Bagley called for public comments.

Milli Martin, Homer thanked the assembly for adopting Resolution 2015-040. She also expressed her thanks to the outgoing assembly members and their service to the community

Willy Dunne, Homer thanked the outgoing assembly members for their hard work, especially Mako Haggerty for his six years of service.

Tim Dillon, Seldovia thanked the outgoing assembly members for their service and especially thanked Mako Haggerty who, although they did not agree on every issue, he appreciated their conversations and stated that he served his district well.

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

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. October 14, 2015 Health Care Task Force, “Provider/ Delivery Subcommittee” Meeting
Conference Room “C”, Borough Administration Building 5:30 PM
2. October 21, 2015 Health Care Task Force Meeting
Assembly Chambers, Borough Administration Building 6:30 PM
3. October 27, 2015 Regular Assembly Meeting
Assembly Chambers, Borough Administration Building 6:00 PM
4. October 29, 2015 Marijuana Task Force Meeting
Assembly Chambers, Borough Administration Building 6:00 PM

ASSEMBLY COMMENTS

Assembly Member Wolf thanked the mayor and his administration, fellow assembly members and his constituents; stating it had been an honor to serve with and for all of you. He expressed his condolences to the Krogseng family for their loss of Ann Krogseng. Mr. Wolf read a letter written by Ms. Krogseng's cousin that was shared at her memorial.

Assembly Member Johnson invited everyone to attend Homer Electric Association's barbeque on Wednesday, October 14, 2015, 5:30 p.m. at Tustemena Elementary School. Mr. Johnson congratulated Allie Ostrander, who won a national race which put her in with the elite athletes that the State of Alaska had ever produced. He thanked Kelly Wolf for serving with him as well as having their family connection through their children. He also thanked Mako Haggerty for not only his shared connection with fishing but also with their interest in sports and stated he was simply a good guy. Mr. Johnson thanked Sue McClure and stated it was a sad parting but looked forward to seeing her move on to Seward Council and perhaps on to governor.

Assembly Member Cooper thanked the Clerk and Deputy Clerk for their hard work on our

borough elections. She stated that since she volunteered as an election worker this year, she had a whole new perspective and appreciated them at a much higher level. She thanked the outgoing assembly members. Ms. Cooper shared that Homer recently held their Senior Summit, where the Governor and Mrs. Walker both spoke. She stated the State Parks and Recreation Commission conference was also held in Homer, who did not disappoint, as the whales breached against the beautiful alpenglow on the mountains. Ms. Cooper welcomed Willy Dunne and Gary Knopp and stated she looked forward to working with them both.

Assembly Member Haggerty thanked Willy Dunne for stepping up and running for District 9, he stated he was leaving it to Willy with full confidence. He welcomed back Gary Knopp for District 1, as well as welcomed Brandii Holmdahl to the assembly representing District 6. Mr. Haggerty stated that his time on the assembly had been a great learning experience and sincerely appreciated and thanked his constituents for their trust. He stated he wanted to emphasize that the borough was in good hands and he was going to miss the family that keeps the borough going. He stated that this was a nonpartisan body and the assembly members were citizens of the borough, which was a great way to participate in the local governing process. Mr. Haggerty stated he had concerns of global warming in our future and it was unfortunate that no one knows what that was going to look like. He stated he hoped that the assembly and administration would keep that in consideration. Mr. Haggerty also stated that fishing and tourism was extremely important to the borough and we needed to take care of that sector of our economy, as well as the small businesses in our community.

Assembly Member Welles stated he envied the outgoing assembly members' upcoming vacation. He welcomed Gary Knopp, Brandii Holmdahl and Willy Dunne to the assembly. Mr. Welles wished everyone a good evening.

Assembly Member Gilman stated he also attended Ann Krogseng's funeral and stated that it really hit hard and put things into perspective that in a blink of an eye it could be gone. He encouraged everyone to hug their spouse, children and family. He stated that it had been a pleasure to serve with Kelly Wolf, Mako Haggerty and Sue McClure. Mr. Gilman stated that he and Kelly Wolf used to be on the high school swim team together and that even though they didn't see eye to eye politically, their friendship still remained. He stated he has always respected Mako Haggerty's comments, particularly regarding global warming. Mr. Gilman stated Sue McClure was not only a very astute person as she was a Seward girl, but was also the calming influence on the assembly. He announced that the School District was starting their budgetary process later this week and was going to hold meetings at each school digitally. Mr. Gilman stated that if the marijuana industry does not have some sort of banking system available to them, it would never be moved out of the black market. He welcomed the new assembly members.

Assembly Member Ogle stated he wanted to add to the previous comments regarding Ann

Krogseng by stating she was an extraordinary woman, wife, mother and grandmother who was active in community issues. He stated Ann was an inspiration in his life and was a great example of a life well lived. Mr. Ogle congratulated the departing assembly members on their service. He stated that he didn't agree with Sue McClure and Mako Haggerty on several issues, but certainly respected their integrity, intelligence and approach to each issue. He stated all three had been good citizens and members of this assembly and wished them the very best going forward. Mr. Ogle congratulated the newly elected assembly members; Gary Knopp, Brandii Holmdahl and Willy Dunne. He stated that it gave him good pause that our local political process works. Mr. Ogle stated that the clerks had done a magnificent job with our elections and congratulated them on how hard they work to get it done right. He stated Nikiski continued to feel the excitement of the \$65 billion LNG project, but also felt fear of the unknown. Mr. Ogle stated the LNG folks continued to conduct meetings throughout the community to keep everyone informed. He invited everyone to North Peninsula Recreation Center on October 19, 2015, 5 p.m to 8 p.m. regarding the reroute of the Kenai Spur Highway. He also announced the meeting with the Federal Energy Regulatory Commission (FERC) on October 27, 2015, 6 p.m. at the recreation center to discuss community concerns regarding the LNG project.

Assembly Member McClure appreciated everyone's comments and thanks. She stated it was amazing how fast six years passed by, but was looking forward to walking to city council meetings as opposed to the drive to the assembly meetings. Ms. McClure appreciated everyone that ran for the assembly seats and congratulated Brandii Holmdahl as the new representative for District 6. She stated that her time on the assembly had been an interesting evolution but it was like a family and believed the borough was well represented. Ms. McClure stated that Seward was the source of the White House Christmas tree this year and invited everyone to the celebration on October 27, 2015 in downtown Seward. She stated she previously had given a brief summary of her trips to/from assembly, council reports, etc. but thought she had the record for most broken bones during an assembly member's tenure and was pretty sure she was the only one who had been locked in a hotel room.

President Bagley thanked the clerks and the election workers for all their hard work. He stated he knows its hard work and this clerk's office does a great job, especially also juggling the task force meetings; its made a busy time for them and appreciate their efforts. Mr. Bagley thanked Kelly Wolf, Mako Haggerty and Sue McClure for all their hard work. He stated it was a thankless job but appreciated having the opportunity to share it with all of them. He welcomed the new assembly members. He stated that he has been around the assembly since 1995 and it was amazing how the dynamics changed, but felt we had a great group, which made time spent as an elected official more enjoyable. Mr. Bagley welcomed the new assembly members and stated they would fit right in with the group. He congratulated the Soldotna High Football team for their recent win over Thunder Mountain by a score of 49 - 13.

INFORMATIONAL MATERIALS AND REPORTS

None.

NOTICE OF NEXT MEETING AND ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on October 27, 2015, at 6:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

With no further business to come before the assembly, President Bagley adjourned the meeting at 8:15 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of October 13, 2015.

Johni Blankenship, MMC, Borough Clerk

Approved by the Assembly: _____