



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

Tuesday, May 21, 2024

6:00 PM

Betty J. Glick Assembly Chambers

Meeting ID: 895 1103 3332 Passcode: 193069

[https://yourkpb.zoom.us/j/89511033332?](https://yourkpb.zoom.us/j/89511033332?pwd=GThg6CA4QuaaPihm3rpMKljbZoy5ZG.1)

[pwd=GThg6CA4QuaaPihm3rpMKljbZoy5ZG.1](https://yourkpb.zoom.us/j/89511033332?pwd=GThg6CA4QuaaPihm3rpMKljbZoy5ZG.1)

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CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

[Clerk's Note: The invocation was given by Frank Alioto, Central Emergency Services Chaplain.]

ROLL CALL

[Clerk's Note: Assembly Member Elam attended via Zoom.]

Also present were:

Peter A. Micciche, Borough Mayor

Sean Kelley, Borough Attorney

Brandi Harbaugh, Finance Director

Michele Turner, Borough Clerk

Jason Kasper, Deputy Borough Clerk

COMMITTEE REPORTS

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

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

Assembly Member Eckland stated the lands Committee met and discussed its agenda items.

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

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

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

Assembly President Johnson stated the Committee of the Whole met and discussed its agenda items.

[9 Present: Cox, Cooper, Ecklund, Elam (via Zoom), Hibbert, Ribbens, 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, ordinances and other new business items that were on the consent agenda.

May 7, 2024 Regular Assembly Meeting Minutes

approved

A Resolution Commending Coach Ward Romans for His Exemplary Contributions to Athletics and His Induction into the Alaska High School Hall of Fame (Tunseth, Ribbens)

This Commending Resolution was adopted.

A Resolution Commending Kenai Central High School Cheer Team for Their Exemplary Performance and Victory in the State Championship (Tunseth)

This Commending Resolution was adopted.

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

An Ordinance Accepting and Appropriating Grant Funds from Southern Region Emergency Medical Services, Inc. on Behalf of Central Emergency Services and Appropriating Central Emergency Service Area Operating Fund Balance to Provide Local Match Funds for FY2022 and FY2024 Alaska Code Blue Grants (Mayor)

This Budget Ordinance was enacted.

An Ordinance Deobligating and Appropriating Solid Waste Capital Project Funds Previously Appropriated for the Gas to Energy Project and Dumpster Replacement Projects at Central Peninsula Landfill to the CPL Baler Building Boiler Replacement (Mayor)

This Budget Ordinance was enacted.

New Business

A Resolution Authorizing the Assessor to Accept Two Late-Filed Disabled Veteran Exemption Applications, One Late-Filed Proof of Disability, and One Late-Filed Senior Citizen Exemption Application (Mayor)

This Resolution was adopted.

A Resolution Authorizing the Mayor to Enter into a Memorandum of Agreement with Homer Electric Association, Inc. to Provide Efficient Danger Tree Removal Adjacent to Above-Ground Utility Infrastructure within KPB Lands and KPB Rights-Of-Way (Mayor)

This Resolution was adopted.

An Ordinance Accepting and Appropriating Opioid Settlement Funds and Amending Ordinance 2021-19-50 Relating to the Opioid Settlement Fund Grant Program (Mayor)

This Budget Ordinance was introduced and set for public hearing.

An Ordinance Redirecting Previously Appropriated State and Federal Fiscal Recovery Funds to the Borough Administration Building Roof Replacement Project (Mayor) (Hearing on Shortened Time on 05/21/24)

This Budget Ordinance was introduced and set for public hearing.

An Ordinance Appropriating an Additional \$4,031 to the Special Assessment Fund for the Jubilee Street Utility Special Assessment District (Mayor)

This Budget Ordinance was introduced and set for public hearing.

An Ordinance Amending KPB Chapter 21.29 Relating to Consolidated Material Extraction Within Material Site Permits (Mayor, Johnson, Ribbens, Ecklund) (Hearing on 06/18/24)

This Ordinance was introduced and set for public hearing.

Approval of the Agenda and Consent Agenda

President Johnson called for public comment with none being offered.

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

COMMENDING RESOLUTIONS AND PROCLAMATIONS

A Resolution Commending Kenai Central High School Cheer Team for Their Exemplary Performance and Victory in the State Championship (Tunseth)

[Clerk's Note: Assembly Member Tunseth presented the commending resolution to the Kenai Central High School Cheer Team and their coach.]

A Resolution Commending Coach Ward Romans for His Exemplary Contributions to Athletics and His Induction into the Alaska High School Hall of Fame (Tunseth, Ribbens)

[Clerk's Note: Assembly Member Tunseth read the commending resolution for the record.]

PRESENTATIONS WITH PRIOR NOTICE

1. Alaska Christian College Update, Dr. Keith Hamilton, President (10 minutes)

[Clerk's Note: Dr. Keith Hamilton gave a presentation to the Assembly.]

2. Voter Integrity Hand Counting Ballots, Waynette Coleman (10 minutes)

[Clerk's Note: Waynette Coleman gave a presentation to the Assembly.]

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Johnson called for public comment.

The following people addressed the Assembly regarding voter integrity and cancellation of the Dominion contract:

Jack Hinds, Soldotna
Duane Edelman, Kenai
Doug McAuliffe, Soldotna
Joan Corr, Kalifornsky
Don Johnson, Soldotna

Waynette Coleman, Ninilchik addressed the Assembly regarding the people of the republic.

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

MAYOR'S REPORT

Mayor's Report Cover Memo

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
 - a. Authorization to Award a Contract for ITB24-048 Kenai Central High School Site Improvements
 - b. Authorization to Award a Contract for ITB24-050 Asbestos Flooring Abatement
 - c. Replacement of Tanker 125, Under the National Purchasing Partners (NPPGov) Contract
3. Other
 - a. Capital Project Reports – March 31, 2024
 - b. Investment Report Quarter Ended March 31, 2024

ITEMS NOT COMPLETED FROM PRIOR AGENDA

None.

NEW BUSINESS

1. Resolutions

[Clerk's Note: When setting the agenda, Resolution 2024-006 was moved up on the agenda to be heard before Ordinance 2023-19-36.]

A Resolution to Form the Rollins Way Road Improvement Assessment District and Proceed with the Improvement (Mayor)

Ribbens moved to adopt Resolution 2024-006.

[Clerk's Note: Resolution 2024-006 and Ordinance 2023-19-36 both pertained

to the Rollins Way Road Improvement Assessment District project. These items were not eligible for the consent agenda as objections were received by the Assembly. KPB 22.40.110 (11)(a).]

President Johnson called for public comment with none being offered.

The motion to adopt Resolution 2024-006 carried by the following vote:

PUBLIC HEARINGS ON ORDINANCES

An Ordinance Appropriating \$289,178.64 to the Rollins Way Road Improvement Assessment District (Mayor)

Ribbens moved to enact Budget Ordinance 2023-19-36.

[Clerk's Note: Resolution 2024-006 and Ordinance 2023-19-36 both pertained to the Rollins Way Road Improvement Assessment District project. These items were not eligible for the consent agenda as objections were received by the Assembly. KPB 22.40.110 (11)(a).]

President Johnson called for public comment with none being offered.

The motion to enact Ordinance 2023-19-36 carried by the following vote:

An Ordinance Authorizing a Lease Agreement for Medical Office Space Located at 4251 Hohe Street, Appropriating Funds for Acquisition Due Diligence and Earnest Money, and Authorizing Conditional Acquisition for Three Commercial Properties in Homer, Alaska, on Behalf of the South Kenai Peninsula Hospital Service Area (Mayor)

Ribbens moved to enact Budget Ordinance 2023-19-48.

[Clerk's Note: Ordinance 2023-19-48 was not eligible for the consent agenda as an objection was received by the Assembly. KPB 22.40.110 (11)(a).]

[Clerk's Note: Pursuant to KPB 22.40.050(F), Ordinance 2023-19-48 was updated to include the advisory board recommendations.]

President Johnson called for public comment with none being offered.

The motion to enact Ordinance 2023-19-48 carried by the following vote:

An Ordinance Appropriating Funds for Fiscal Year 2025 (Mayor)

Ribbens moved to enact Budget Ordinance 2023-19.

President Johnson called for public comment with none being offered.

Ribbens moved to postpone Budget Ordinance 2024-19 to June 4, 2024.

The motion to postpone Budget Ordinance 2024-19 to June 4, 2024 carried by the following vote:

UNFINISHED BUSINESS

None.

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

President Johnson called for public comment.

Matt Morse, Kenai addressed the Assembly regarding protecting democracy and election integrity.

Pamela Gillham, addressed the Assembly regarding inflated voter rolls and hand counting ballots.

Joan Corr, Kalifornsky addressed the Assembly regarding hand counting ballots.

Ron Carmen, addressed the Assembly regarding breaking the contract with Dominion.

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

ASSEMBLY COMMENTS

Assembly Member Elam stated he appreciated everyone that attended and their concerns regarding elections. He stated he understood the concerns regarding the voter rolls and state elections. He stated as a person who works in IT, he had knowledge of the borough's election system and stated it was run properly. Mr. Elam appreciated all the hard work the administration and the borough staff had done to prepare the FY25 budget. He wished everyone a good night.

Assembly Member Ribbens shared the two abandoned buildings in Nikiski had been demolished and thanked Mayor Micciche and borough staff for their help in these efforts. Mr. Ribbens stated since the Nikiski precinct was one of the hand counted precincts in last year's election, he felt confident with his vote.

Assembly Member Hibbert thanked the staff and directors for their budget presentations. He congratulated Mr. Ribbens on a job well done chairing the budget work sessions. He wished everyone a good evening.

Assembly Member Tunesth echoed previous assembly members' comments and thanked those for raising the election questions. He thanked Mr. Morse for his contributions on the school board. Mr. Tunesth provided an update on current

legislation before the legislature regarding schools; \$680 base student allocation increase on a one-time bases and the other was \$5 Million owed to the school district and an attempt to fix the issues regarding charter school funding. He reminded everyone to be mindful that school was out and more children would be out and about and to be safe on the roads. Mr. Tunseth wished everyone a good evening.

Assembly Member Cooper thanked borough staff and the Mayor for their hard work on the budget process. She shared she was an election worker which was very educational and beneficial. Ms. Cooper stated she was a check and balance person, and was grateful our election process had both tabulator and hand count processes. She stated she was comfortable to state the borough elections were secure. Ms. Cooper appreciated those who attended and wished everyone a good evening.

Assembly Member Ecklund thanked the men and women who died for our freedoms. She thanked borough staff for the budget presentations and going through the budget with the assembly and thanked the Mayor for helping them get there.

Vice President Cox encouraged those who may think our schools were not performing at the level they should, to attend some of the graduating events. He stated there were graduates who were attending prestigious colleges, several going into the military, some who were entering into officer programs, attending International Brotherhood of Electrical Workers (IBEW) programs and some who chose to begin our workforce locally. Mr. Cox wished Soldotna and Kenai boys and girls soccer teams good luck as they were both competing in the state competition. He also invited everyone to Board of Equalization hearings May 22 & 23, 2024 and May 28, 2024.

Assembly President Johnson congratulated Finance Director Harbaugh and the Finance Department staff for making the Mayor look good. He stated he also appreciated the work the Mayor has done with the departments and the budget. He stated was he was a skeptic, but stated has great confidence with the borough, state and federal election processes.

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. June 4, 2024
6:00 PM
Regular Assembly Meeting
Betty J. Glick Assembly Chambers
Borough Administration Building
Remote participation available through Zoom
Meeting ID: 895 1103 3332 Passcode: 193069

ADJOURNMENT

With no further business to come before the assembly, President Johnson adjourned the meeting at 8:26 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of May 21, 2024.

Michele Turner, CMC, Borough Clerk

Approved by the Assembly: _____