



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Minutes - Final

### Assembly

*Wayne Ogle, President*  
*Dale Bagley, Vice President*  
*Norm Blakeley*  
*Kenn Carpenter*  
*Kelly Cooper*  
*Willy Dunne*  
*Paul Fischer*  
*Brent Hibbert*  
*Hal Smalley*

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Tuesday, August 20, 2019

6:00 PM

Betty J. Glick Assembly Chambers

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

[Clerk's Note: The invocation was given by President Ogle.]

### ROLL CALL

[Clerk's Note: Assembly Members Cooper and Fischer participated by phone.]

**Present:** 9 - Paul Fischer, Dale Bagley, Brent Hibbert, Kenn Carpenter, Norm Blakeley, Kelly Cooper, Hal Smalley, Wayne Ogle, and Willy Dunne

### COMMITTEE REPORTS

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

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

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

Assembly Member Dunne stated the Legislative Committee met and discussed its agenda item.

### APPROVAL OF AGENDA AND CONSENT AGENDA

[KPB-2262](#)

August 6, 2019 Regular Assembly Meeting Minutes

approved.

[KPB-2249](#) A Resolution Commending Marathon Petroleum Corporation for 50 Years of Service to Alaska (Mayor)

**This Commending Resolution was adopted.**

[2019-19-05](#) An Ordinance Approving the Purchase and Installation of a Steris/Amsco Orthovision Table from the South Peninsula Hospital Service Area Capital Project Fund (Mayor)

*[Clerk's Note: The last two Whereas clauses of Ordinance 2019-19-05 were amended to read, "WHEREAS, at its regular meeting of June 26, 2019, the SPH, Inc. board recommended approval by adoption of SPH Resolution 2019-10; and WHEREAS, at its meeting on [JULY 11]August 8, 2019, the South Kenai Peninsula Hospital Service Area Board recommended approval:". Section 2 was also amended to read, "That \$25,800.00 is appropriated from South Peninsula Hospital Service Area Capital Project Fund, to account 491.81210.20STB.49999 for the purchase and installation of a Steris/Amsco Orthovision table."]*

**This Budget Ordinance was enacted as amended.**

[2018-19-39](#) An Ordinance to Record FY2019 Expenditures of Paid by the State of Alaska Department of Administration, Division of Retirement & Benefits on Behalf of the Kenai Peninsula Borough Toward the Borough's Unfunded PERS Liability (Mayor)

*[Clerk's Note: Section 1 of Ordinance 2018-19-39 was amended to read, "General fund \$ 441,605.58 / Nikiski Fire Service Area 116,066.00 / Bear Creek Fire Service Area 7,841.00 / Anchor Point Fire Service Area 17,060.00 / Central Emergency Services 214,661.00 / Kachemak Emergency Service Area 19,367.00 / North Peninsula Recreation Service Area 35,447.00 / [EASTERN PENINSULA HIGHWAY EMERGENCY SERVICE AREA] / Road Service Area 35,874.00 / School Maintenance 195,768.00 / Land Trust 19,114.00 / Seward Bear Creek Flood Service Area 5,723.00 / 911 Emergency Communications 52,217.00 / Solid Waste 64,648.00 / Risk Management 12,521.00 / \$1,237,912.58" and Section 2 to read, "That \$1,237,912.58 is appropriated to the following accounts:*

*100 11100 00000 40221 \$676.58 / 100 11120 00000 40221 14,858.00 / 100 11130 00000 40221 10.00 / 100 11140 00000 40221 6,250.00 / 100 11210 00000 40221 23,085.00 / 100 11227 00000 40221 32,295.00 / 100 11230 00000 40221 18,825.00 / 100 11231 00000 40221 56,038.00 / 100 11232 00000 40221 11,902.00 / 100 11233 00000 40221 3,496.00 / 100 11235 00000 40221*

3,873.00 / 100 11250 00000 40221 16,592.00 / 100 11310 00000 40221  
28,425.00 / 100 11410 00000 40221 14,902.00 / 100 11430 00000 40221  
28,081.00 / 100 11440 00000 40221 27,636.00 / 100 11441 00000 40221  
10,142.00 / 100 11510 00000 40221 36,239.00 / 100 11520 00000 40221  
57,649.00 / 100 21110 00000 40221 32,761.00 / 100 21135 00000 40221  
17,870.00 / 206 51110 00000 40221 116,066.00 / 207 51210 00000 40221  
7,841.00 / 209 51410 00000 40221 17,060.00 / 211 51610 00000 40221  
214,661.00 / 212 51810 00000 40221 19,367.00 / 225 61110 00000 40221  
35,447.00 / [235 51710 00000 40221] / 236 33950 00000 40221 35,874.00 /  
241 11235 00000 40221 3,872.00 / 241 41010 00000 40221 191,896.00 / 250  
21210 00000 40221 19,114.00 / 259 21212 00000 40221 5,723.00 / 264 11255  
00000 40221 52,217.00 / 290 32010 00000 40221 23,524.00 / 290 32122 00000  
40221 41,082.00 / 290 32150 00000 40221 6.00 / 290 32310 00000 40221 25.00  
/ 290 32570 00000 40221 11.00 / 700 11234 00000 40221 12,521.00 /  
\$1,237,912.58"]

**This Budget Ordinance was enacted as amended.**

#### 2019-19-06

An Ordinance Approving the Purchase and Installation of a Deaerator Tank from the South Peninsula Hospital Service Area Capital Project Fund (Mayor)

*[Clerk's Note: The last two Whereas clauses of Ordinance 2019-19-06 were amended to read, "WHEREAS, at its regular meeting of June 26, 2019, the SPH, Inc. board recommended approval by adoption of SPH Resolution 2019-09; and WHEREAS, at its meeting on [JULY 11] August 8, 2019, the South Kenai Peninsula Hospital Service Area Board recommended approval;" ]*

**This Budget Ordinance was enacted as amended.**

#### 2019-22

An Ordinance Authorizing a Negotiated Sale with Alex and Courtney Matiaco at Fair Market Value for Lot 5A, Block 3, Ravenwood Subdivision, Addition No. 3, Plat No. 81-42, Kenai Recording District, which was Previously Retained for a Public Purpose (Mayor)

*[Clerk's Note: The last Whereas clause of Ordinance 2019-22 was amended to read, "WHEREAS, the Kenai Peninsula Borough Planning Commission, at its regular meeting of August 12, 2019, recommended approval by unanimous consent." ]*

**This Ordinance was enacted as amended.**

#### 2019-20

An Ordinance Authorizing the Assessor to Accept One Late-Filed Disabled Veteran Exemption Application for 2019 Filed After March 31 and Providing an Exception to KPB 5.12.040(B) (Mayor)

**This Ordinance was enacted.**

[2019-19-07](#) An Ordinance Appropriating \$1,500 for the Costs of Printing and Distributing Information about the Ballot Proposition Seeking Voter Approval to Increase the Maximum Amount of a Sale Subject to the Borough Sales Tax to \$1,000, Except for Residential Rentals, to Ensure Compliance with Legal Restrictions on the Use of Borough Funds and Assets Related to Ballot Propositions (Carpenter, Mayor)

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

[KPB-2246](#) Confirming the Appointment to the Anchor Point Fire & Emergency Medical Service Area Board (Mayor) (Referred to Policies and Procedures Committee)

Cherie Richter; Seat A; Term Expires October, 2020

**approved.**

[KPB-2261](#) Approval of the Proposition Summary to be Included in the Voter Pamphlet for Proposition No. 2 – Amending KPB 5.18.430 to Increase the Maximum Amount of a Sale Subject to the Borough Sales Tax to \$1,000, Except for Residential Rentals, Subject to Voter Approval

**approved.**

Approval of the Agenda and Consent Agenda

President Ogle 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 - Fischer, Bagley, Hibbert, Carpenter, Blakeley, Cooper, Smalley, Ogle, and Dunne

## **PRESENTATIONS WITH PRIOR NOTICE**

1. [KPB-2258](#) Election Stakeholders Group Final Report and Presentation, Paul Ostrander, Chair (10 Minutes)

[Clerk's Note: Paul Ostrander, Chair of the Election Stakeholders Group presented the final report and recommendations to the Assembly.]

2. [KPB-2259](#) Hilcorp Alaska Lower Cook Inlet Seismic Survey Update, Mike Dunn, Project Manager and Beth Sharpe, Wildlife Specialist (10 Minutes)

[Clerk's Note: Mike Dunn and Beth Sharpe gave an update on the Cook Inlet seismic survey project.]

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

President Ogle called for public comment.

**Carrie Henson**, Soldotna addressed the assembly regarding funding the Permanent Fund Dividend and the Fair Share Act.

**Tyson Cox**, Soldotna addressed the assembly regarding the final report and recommendations of the Election Stakeholders Group.

**Fred Sturman**, Soldotna addressed the assembly regarding the set net fishing industry on the Kenai and the possibilities of a fish box tax.

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

**ITEMS NOT COMPLETED FROM PRIOR AGENDA**

None.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

## Resolutions

[2019-045](#)

A Resolution Supporting the Kenai Peninsula Coordinated Public Transit-Human Services Transportation Plan to be Submitted to the State of Alaska Department of Transportation and Public Facilities (Mayor)

**Dunne moved to adopt Resolution 2019-045.**

President Ogle called for public comment with none being offered.

**Dunne moved to amend Resolution 2019-045 as follows:**

Amend the final Whereas clause to read, "at its meeting of August 12, 2019, the Kenai Peninsula Borough Planning Commission recommended approval by unanimous consent."

**The motion to amend Resolution 2019-045 carried by the following vote:**

**Yes:** 9 - Fischer, Bagley, Hibbert, Carpenter, Blakeley, Cooper, Smalley, Ogle, and Dunne

**Dunne moved to postpone Resolution 2019-045 to September 3, 2019.**

Assembly Member Hibbert spoke in support of the postponement of Resolution

2019-045.

**The motion to postpone Resolution 2019-045 to September 3, 2019 carried by the following vote:**

**Yes:** 9 - Fischer, Bagley, Hibbert, Carpenter, Blakeley, Cooper, Smalley, Ogle, and Dunne

### 3. Other

[KPB-2260](#) Approval of the Proposition Summary to be Included in the Voter Pamphlet for Proposition No. 1 – Adopting a Manager Plan of Government to be Effective after the 2020 Election

**Bagley moved to approve the proposition summary for Proposition No. 1.**

**Fischer moved to amend the proposition summary as follows:**

Delete the third paragraph of the proposition summary, "[ACCORDING TO THE DIVISION OF COMMUNITY AND REGIONAL AFFAIRS RECORDS, 12 OF THE 19 BOROUGHES IN ALASKA HAVE A MANAGER FORM OF GOVERNMENT.]"

President Ogle called for public comment.

**Tyson Cox**, Soldotna spoke in support of the proposition summary for Proposition No. 1 as written.

**Fred Sturman**, Soldotna spoke in opposition to the proposition summary for Proposition No. 1.

**Carrie Henson**, Soldotna spoke in opposition to the Fischer amendment.

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

Assembly Member Smalley spoke in opposition to the Fischer amendment.

**The motion to amend the proposition summary for Proposition No. 1 failed by the following vote:**

**Yes:** 1 - Blakeley

**No:** 8 - Fischer, Bagley, Hibbert, Carpenter, Cooper, Smalley, Ogle, and Dunne

**The motion to approve the proposition summary for Proposition No. 1 carried by the following vote:**

**Yes:** 7 - Bagley, Hibbert, Carpenter, Cooper, Smalley, Ogle, and Dunne

**No:** 2 - Fischer, and Blakeley

## MAYOR'S REPORT

1. Assembly Requests/Responses
2. Agreements and Contracts
  - a. [KPB-2251](#) Authorization to Award a Contract for ITB20-005 CPL Well & Probe Replacement Project 2019 to Discovery Drilling, Inc., Anchorage, AK.
  - b. [KPB-2252](#) Authorization to Award a Contract for ITB20-002 Flintlock Lane, Bidarki Drive, Bridger Road, Project No. 55BDR to J.C. Johnson & Sons of Anchor Point, AK.
  - c. [KPB-2253](#) Authorization to Award a Contract for ITB20-003 Tim Ave., Muir St., Creek View Road Project No. W4TIM to Paul's Services of Anchor Point, AK.
  - d. [KPB-2254](#) Authorization to Award a Contract for ITB20-001 Glenn Road & Kipling Circle Project No. S7GLE to J.C. Johnson & Sons of Anchor Point, AK.
3. Other
  - a. [KPB-2255](#) Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2018
  - b. [KPB-2256](#) Presentation: Sovala Kisen, Claims Manager, "Kenai Peninsula Borough Safety"
  - c. [KPB-2257](#) Investment Report - Quarter Ended 06/30/19

#### **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

President Ogle called for public comment.

**Carrie Henson**, Soldotna addressed the assembly regarding carbon pricing and climate change.

**Fred Sturman**, Soldotna continued his comments regarding the fishing industry on the Kenai.

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

#### **ASSEMBLY COMMENTS**

Assembly Member Dunne stated it was an honor to participate in the Alaska Municipal League's conference in Soldotna and said he always got a lot out of their conferences. Mr. Dunne discussed the wildfires on the south peninsula and thanked all the fire fighting agencies for all their hard work. He stated it was sad that the "Fire Wise" program had been cut over the years. He thanked Ms. Henson for her comments regarding carbon pricing and climate change.

Assembly Member Blakeley wished everyone a good evening.

Assembly Member Cooper thanked Dan Nelson and Brenda Ahlberg from the borough and all the other agencies for their hard work on the wildfires.

Assembly Member Smalley congratulated Teri Carter and Rhonda Krohn on their retirement. Mr. Smalley gave a brief overview of the Alaska Municipal League conference he attended in Soldotna. He stated the City of Soldotna did a great job sponsoring the event. Mr. Smalley congratulated Brandi Harbaugh and the entire the Finance Department on receiving their award.

Assembly Member Hibbert thanked Office of Emergency Management for all their hard work. He stated he stepped down from the Kenai Peninsula Tourism and Marketing Council's board. He stated he attended a Homeless Connect meeting and said they were going to have another one this winter. Mr. Hibbert thanked the residents of the Kenai for lending a hand to those in need during the wildfires, stating he loved living here.

Assembly Member Carpenter stated he was sending out prayers to the firefighters and their families. He hoped everyone was staying safe.

Assembly Member Bagley thanked the firefighters and utility personnel for responding to the fire in Big Eddy. Mr. Bagley shared Soldotna High School Football's standings for 2019, stating it was amazing what that football program has accomplished over the years.

President Ogle stated he enjoyed the Risk Management presentation regarding safety and thanked Mayor Pierce for his attention to the safety of borough employees. Mr. Ogle congratulated Brandi Harbaugh and her team for their recent award. He also congratulated the Election Stakeholders Group, stating the final report was an excellent result. Mr. Ogle thanked John Blankenship, Borough Clerk and Paul Ostrander, Kenai City Manager for all their hardwork. He wished Teri Carter a happy retirement and thanked her for her many years of service. Mr. Ogle echoed the assembly members' previous comments, thanking the firefighters and emergency personnel for all their hard work on the wildfires.

## **INFORMATIONAL MATERIALS AND REPORTS**



**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

- 1. September 3, 2019 Regular Assembly Meeting  
6:00 PM Betty J. Glick Assembly Chambers, Soldotna, Alaska

**ADJOURNMENT**

With no further business to come before the assembly, President Ogle adjourned the meeting at 7:52 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of August 20, 2019.

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Johni Blankenship, MMC, Borough Clerk

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