



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Minutes - Final

### Assembly

*Brent Hibbert, President*

*Brent Johnson, Vice President*

*Jesse Bjorkman*

*Kenn Carpenter*

*Lane Chesley*

*Tyson Cox*

*Richard Derkevorkian*

*Willy Dunne*

*Bill Elam*

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Tuesday, June 1, 2021

6:00 PM

Betty J. Glick Assembly Chambers

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**Zoom ID: 938 6524 5999 Passcode: 886199**

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

[Clerk's Note: The invocation was offered by Paul Hartley.]

### ROLL CALL

**Present:** 8 - Jesse Bjorkman, Kenn Carpenter, Tyson Cox, Willy Dunne, Brent Hibbert, Brent Johnson, Richard Derkevorkian, and Bill Elam

**Excused:** 1 - Lane Chesley

Also present were:

Charlie Pierce, Borough Mayor

Brandi Harbaugh, Borough Finance Director

Colette Thompson, Borough Attorney

Johni Blankenship, Borough Clerk

Michele Turner, Deputy Borough Clerk

Randi Broyles, Borough Clerk Assistant

### COMMITTEE REPORTS

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

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

**APPROVAL OF AGENDA AND CONSENT AGENDA**

- [KPB-3220](#) May 18, 2021 Regular Assembly Meeting Minutes  
approved.
- [2020-19-32](#) An Ordinance Accepting and Appropriating an Additional \$9,010 from the State of Alaska Department of Military and Veteran Affairs, Division of Homeland Security and Emergency Management for the Cybersecurity Vulnerability Assessment (Mayor)  
**This Budget Ordinance was enacted.**
- [2020-19-33](#) An Ordinance Appropriating Funding from the Central Peninsula Hospital Plant Replacement and Expansion Fund to Replenish Central Peninsula General Hospital, Inc.'s 90 Days Cash on Hand (Mayor)  
**This Budget Ordinance was enacted.**
- [2021-039](#) A Resolution Authorizing a Sole Source Contract for the Port Graham Landfill Operations and Maintenance with Windy Bay Services, LLC (Mayor)  
**This Resolution was adopted.**
- [2021-040](#) A Resolution Modifying the Scope of the Existing Emergency Operations Center Capital Improvement Project (Mayor)  
**This Resolution was adopted.**
- [2020-19-34](#) An Ordinance Appropriating Insurance Proceeds to Fund the Repair of Central Emergency Service Area's Medic #935 (Mayor)  
**This Budget Ordinance was introduced and set for public hearing.**
- [2020-19-35](#) An Ordinance Approving and Accepting Grant Funds from the State of Alaska Department of Labor and Workforce Development to Credit Unemployment Benefits for the Kenai Peninsula Borough through the US Treasury Coronavirus Aid Relief, and Economic Security Act of 2020 Funds (Mayor)  
**This Budget Ordinance was introduced and set for public hearing.**
- [2020-19-36](#) An Ordinance Appropriating \$71,988.62 in Supplemental Funding for Repairs to the Leachate Tank at the Central Peninsula Landfill Resulting from the November 30, 2018 Cook Inlet 7.0 Earthquake and Approving the Award to CCI Industrial Services, LLC (Mayor)

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

### Approval of the Agenda and Consent Agenda

President Hibbert 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 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Derkevorkian, and Elam

**Absent:** 1 - Chesley

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

### PRESENTATIONS WITH PRIOR NOTICE

1. [KPB-3218](#) Kenai Peninsula Borough School District Quarterly Report (10 Minutes)  
*[Clerk's Note: Clayton Holland, Incoming Superintendent provided a quarterly report to the assembly.]*
2. [KPB-3219](#) \*CANCELED\* Kenai Peninsula Tourism and Marketing Council Presentation, Carol Fraser, Board Treasurer (10 Minutes)

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

### ITEMS NOT COMPLETED FROM PRIOR AGENDA

### PUBLIC HEARINGS ON ORDINANCES

- [2021-19](#) An Ordinance Appropriating Funds for Fiscal Year 2022 (Mayor)  
The motion to enact Budget Ordinance 2021-19 was on the floor from the May 18, 2021 meeting.  
President Hibbert called for public comment.  
The following people spoke in support of funding for Kenai Peninsula College:
- Gary Turner**, Soldotna  
**Reid Brewer**, Homer  
**Quincy Fuller**  
**Paul Perry**, Soldotna  
**Christina Stuve**, Kenai  
**Robin Dahlman**, Kenai
- Jeffrey Serio**, Homer spoke in support of raising the mill rate for Kachemak Emergency Service Area

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

**Cox moved to amend Budget Ordinance 2021-19 as follows:**

Page 442, Schedule of Rates, Charges and Fees - Road Sections

[ENFORCEMENT FEES ADDED VIA ORDINANCE 2020-32 ON 06/16/20:  
PARKING IN DESIGNATED NO PARKING AREA  
PARKING IN MANNER THAT IMPEDES TRAFFIC OR MAINTENANCE  
ABANDONED VEHICLE ON PROPERTY NOT DESIGNATED FOR  
VEHICLE DISPOSAL | \$150.00  
ABANDONED VEHICLE ON PRIVATE PROPERTY | \$150.00  
JUNK VEHICLE PLACED OR REMAINING ON BOROUGH PROPERTY OR  
RIGHT-OF-WAY | \$150.00  
ENCROACHMENT WITHOUT A PERMIT | \$150.00]

Enforcement Fees added via Resolution 2020-02 on 01/07/2020:

Vehicle towing

Impound Fee (per day up to a maximum of 30 days) | \$25.00/day

Administrative Fee (DMV search, certified mail, advertising) \*per vehicle  
owner/lienholder | \$35.00\*

Disposal Fee | \$300.00

**The motion to amend Budget Ordinance 2021-19 carried by the following vote:**

**Yes:** 8 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Derkevorkian, and Elam

**Absent:** 1 - Chesley

**Johnson moved to amend Budget Ordinance 2021-19 as follows:**

Page 143, River Center increase line 100.21135.00000.43011 "Contractual Services" by \$25,000.

Assembly Members Dunne, Cox and Johnson spoke in support of the amendment.

Assembly Member Carpenter spoke in opposition to the amendment.

**The motion to amend Budget Ordinance 2021-19 failed by the following vote:**

**Yes:** 3 - Cox, Dunne, and Johnson

**No:** 5 - Bjorkman, Carpenter, Hibbert, Derkevorkian, and Elam

**Absent:** 1 - Chesley

**The motion to enact Budget Ordinance 2021-19 as amended carried by the following vote:**

**Yes:** 8 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Derkevorkian, and Elam

**Absent:** 1 - Chesley

[2021-21](#) An Ordinance Amending KPB 22.40.050 to Authorize the Borough Clerk to Insert Advisory Board Recommendations in Pending Legislation (Hibbert)

[Clerk's Note: Above referenced ordinance was introduced on May 4, 2021 and set for public hearing on May 18, 2021 as indicated on the ordinance. The public hearing date was incorrect and should have been June 1, 2021 per KPB 1.12.010 which states, ordinances that amend any provision in the KPB Code must have at least 25 days pass before the public hearing and assembly vote occurs. Therefore, public hearing on this ordinance has been rescheduled to the June 1, 2021 assembly meeting.]

**Bjorkman moved to enact Ordinance 2021-21.**

President Hibbert called for public comment with none being offered.

**The motion to enact Ordinance 2021-21 carried by the following vote:**

**Yes:** 8 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Derkevorkian, and Elam

**Absent:** 1 - Chesley

## UNFINISHED BUSINESS

## NEW BUSINESS

### 1. Resolutions

[2021-038](#) A Resolution Setting the Rate of Levy for Fiscal Year 2022, Tax Year 2021 (Mayor)

**Cox moved to adopt Resolution 2021-038**

President Hibbert called for public comment.

**Milli Martin**, Homer spoke in support of increasing the Kachemak Emergency Service Area mill rate.

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

**Johnson moved to amend Resolution 2021-038 as follows:**

Section 14 to read, "That in addition to any other rate or rates of levy applicable for other purposes, the rate of levy of taxes on all real and personal property within the South Kenai Peninsula Hospital Service Area boundaries about 15 miles south

[OF]to Barbara Drive in Ninilchik, including the islands and land in the south of Kachemak Bay and west of Gore Point and excluding the City of Seldovia for said area for the Fiscal Year 2022 is hereby set at 1.12 mills on each one dollar of assessed value as determined by the assessment roll and any supplemental rolls hereafter certified by the Borough Assessor."

**The motion to amend Resolution 2021-038 carried by the following vote:**

**Yes:** 8 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Derkevorkian, and Elam

**Absent:** 1 - Chesley

**Dunne moved to amend Resolution 2021-038 as follows:**

Section 6 to read, "That in addition to any other rate or rates of levy applicable for other purposes, the rate of levy of taxes on all real and personal property within the Kachemak Emergency Service Area for said area for the Fiscal Year 2022 is hereby set at [2.95]3.1 mills on each one dollar of assessed value as determined by the assessment roll and any supplemental rolls hereafter certified by the Borough Assessor."

**The motion to amend Resolution 2021-038 carried by the following vote:**

**Yes:** 8 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Derkevorkian, and Elam

**Absent:** 1 - Chesley

**The motion to adopt Resolution 2021-038 as amended carried by the following vote:**

**Yes:** 8 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Derkevorkian, and Elam

**Absent:** 1 - Chesley

## MAYOR'S REPORT

[KPB-3212](#) Mayor's Report Cover Memo

1. Assembly Requests/Responses
2. Agreements and Contracts
  - a. [KPB-3213](#) Authorization to Award a Contract for RFP21-009 Operational and Organizational Assessment for Asset Management to Facility Engineering Associates P.C. of Santa Rosa, CA.
  - b. [KPB-3214](#) Authorization to Award a Contract for ITB21-026 Creary Circle (W2CRE) to CIC Inc., Soldotna, Alaska.
  - c. [KPB-3215](#) Authorization to Award a Contract for ITB21-027 Gym Floor Refinishing 2021-Chapman Elementary School to AK. Finishing and

Supply, LLC., Anchorage, Alaska.

- d. [KPB-3216](#) Authorization to Award a Contract for ITB21-031 Susan B. Generator and Transfer Switch to Cummins Sales and Service, Anchorage, Alaska.

3. Other

- a. [KPB-3217](#) Mini Grant Award Notice

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

President Hibbert called for public comment.

**Milli Martin**, Homer thanked the assembly for their support amending Resolution 2021-038.

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

### **ASSEMBLY COMMENTS**

Assembly Member Elam thanked the assembly, Mayor and finance team for their hard work on the budget. He thanked the school district administration, borough staff and the public for their input.

Assembly Member Cox stated he was pleased to see the direction of the borough with the FY22 budget. He stated the Soldotna High School soccer teams placed 2nd at the state tournament, the track and field team took 3rd place at State and the Soldotna High School baseball team had their first state appearance. He wished everyone a good evening.

Assembly Member Dunne thanked everyone who testified throughout the budget process. He stated he was happy that Kenai Peninsula College received their funding for FY22 and he was excited to see the future of FY22 and the economic recovery of the Borough. He encouraged residents to get outside and enjoy summer. He wished everyone a good evening.

Assembly Member Bjorkman thanked the public for their participation in the budgetary process. He stated he was looking forward to FY22. He encouraged residents to continue to fire wise their property and stated he was continuing to work on the fire fuel break project and spruce bark beetle mitigation. He encouraged residents to provide input on the North Road Extension Project. He congratulated athletes from Nikiski High School that participated at the State Track and Field competition. He recognized war heroes that were celebrated on Memorial day and thanked veteran and active military personnel for their service. He wished everyone a

good evening.

Assembly Member Carpenter thanked the Mayor and Finance Director Harbaugh for their hard work on the budget. He thanked the school district for working cooperatively with the borough for the FY22 budget. He congratulated the new Seward High School Principal and all of the 2021 graduates.

Vice President Johnson thanked Gary Turner for his testimony and congratulated him on his retirement. He stated he was pleased that the Kenai Peninsula College received funding for FY22. He provided a synopsis of his trip to the Western Interstate Region Board meeting he attended as the NACo. He wished his daughter, Violet, a happy birthday.

President Hibbert thanked Chief Browning for his participation in the evening. He thanked incoming Kenai Peninsula Borough School District Superintendent, Clayton Holland for his participation. He stated he has been working to fire wise his property. He thanked the Mayor and borough employees for their hard work on the budget and wished everyone a good evening.

## PENDING LEGISLATION

1. [2020-19-07](#) An Ordinance Appropriating Refinanced 2013 Bear Creek Fire Service Area General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) Tabled as amended on 12/01/20
2. [2020-19-08](#) An Ordinance Appropriating Refinanced 2013 School General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) Tabled as amended on 12/01/20
3. [2020-19-09](#) An Ordinance Appropriating Refinanced 2011 Hospital General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) Tabled as amended on 12/01/20
4. [2021-18](#) An Ordinance Amending Title 4 Regarding Borough Elections and Enacting a New Chapter of Code, KPB 4.60, Election Security and Integrity, to Ensure Borough Elections are Accessible, Reliable and Secure (Bjorkman, Elam)

## INFORMATIONAL MATERIALS AND REPORTS

1. [KPB-3224](#) Trip Report: National Association of Counties, Western Interstate



Region Board of Directors Meeting, May 26-28, 2021, Brent Johnson,  
NACo Representative

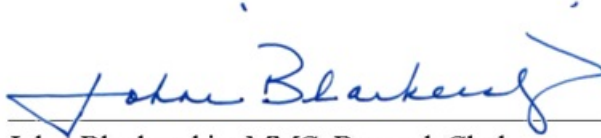
**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

- 1. June 15, 2021 Regular Assembly Meeting  
6:00 PM Betty J. Glick Assembly Chambers Borough Administration Building. Remote participation available through Zoom Meeting ID: 938 6524 5999 Passcode: 886199

**ADJOURNMENT**

With no further business to come before the assembly, President Hibbert adjourned the meeting at 8:33 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of June 1, 2021.



John Blankenship, MMC, Borough Clerk

Approved by the Assembly: 06/15/2021