



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Minutes - Final

### Assembly

*Brent Johnson, President*

*Brent Hibbert, Vice President*

*Jesse Bjorkman*

*Lane Chesley*

*Tyson Cox*

*Richard Derkevorkian*

*Cindy Ecklund*

*Bill Elam*

*Mike Tupper*

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Tuesday, March 1, 2022

6:00 PM

Betty J. Glick Assembly Chambers

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Meeting ID: 884 7373 9641 Passcode: 671108

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

[Clerk's Note: The invocation was given by Debbie Hamilton.]

### ROLL CALL

**Present:** 8 - Jesse Bjorkman, Tyson Cox, Brent Hibbert, Brent Johnson, Richard Derkevorkian, Bill Elam, Cindy Ecklund, and Mike Tupper

**Excused:** 1 - Lane Chesley

Also present were:

Charlie Pierce, Mayor

Aaron Rhoades, Chief of Staff

Brandi Harbaugh, Finance Director

Sean Kelley, Borough Attorney

Johni Blankenship, Borough Clerk

Michele Turner, Deputy Borough Clerk

### COMMITTEE REPORTS

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

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

President Johnson state the Committee of the Whole met and went into executive session to discuss the Borough Clerk's evaluation.

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

- [KPB-3964](#) February 15, 2022 Regular Assembly Meeting Minutes approved.
- [2021-19-37](#) An Ordinance Appropriating Funding from the Nikiski Fire Service Area Capital Project Fund for the Installation of a Water Treatment System at Nikiski Fire Station #3 (Mayor)  
**This Budget Ordinance was enacted.**
- [2021-19-38](#) An Ordinance Appropriating Funds from the South Peninsula Hospital Service Area Plant Replacement and Expansion Fund for Capital Repairs for the Property Located at 203 West Pioneer Avenue, Homer, Alaska (Mayor)  
**This Budget Ordinance was enacted.**
- [2022-015](#) A Resolution Recognizing and Approving the Transfer of Fire and Emergency Related Equipment from Ninilchik Emergency Services, Inc. to the Kenai Peninsula Borough on Behalf of the Western Emergency Service Area (Mayor)  
**This Resolution was adopted.**
- [2022-016](#) A Resolution Approving a Quarterly Update to the Borough Retention Schedule (Johnson at the Request of the Borough Clerk)  
**This Resolution was adopted.**
- [2021-19-39](#) An Ordinance Appropriating \$200,000 in the School Maintenance Fund for Snow Removal and Sanding (Mayor)  
**This Budget Ordinance was introduced and set for public hearing.**
- [2022-04](#) An Ordinance Adopting the Updated 2022 Kenai Peninsula Borough Community Wildfire Protection Plan (Mayor)  
  
[Clerk's Note: Brenda Ahlberg, Emergency Manager will give a 15-minute presentation during the Policies and Procedures Committee]  
**This Ordinance was introduced and set for public hearing.**
- [2022-05](#) An Ordinance Amending KPB 2.34, Risk Management Office, to

Change the Title of the Claims Manager to Risk Manager and Clarify the Current Operations of the Office of Risk Management (Mayor)

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

[KPB-3962](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility, License No. 29493 filed by L & H Enterprises, LLC., Subject to the Standard Conditions.

[Clerk's Note: Standard Conditions for Commercial Marijuana Facilities are as follows: 1. The marijuana establishment shall conduct their operation consistent with the site plan submitted to the Kenai Peninsula Borough. 2. There shall be no parking in the borough rights-of-way generated by the marijuana establishment. 3. The marijuana establishment shall remain current in all Kenai Peninsula Borough tax obligations consistent with KPB 7.30.020 (A).]

**approved.**

[KPB-3970](#) Confirming an Appointment to the North Road Extension Advisory Task Force (Mayor)

Jonathan Becker, Seat G, Term Expires 10/12/2022

**approved.**

[KPB-3971](#) Confirming the Appointment of Assembly Member Lane Chesley to the Emergency Management Code Update Work Group (Johnson)

**approved.**

#### 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 carried by the following vote:**

**Yes:** 8 - Bjorkman, Cox, Hibbert, Johnson, Derkevorkian, Elam, Ecklund, and Tupper

**Absent:** 1 - Chesley

#### COMMENDING RESOLUTIONS AND PROCLAMATIONS

#### PRESENTATIONS WITH PRIOR NOTICE

1. [KPB-3965](#) Kenai Peninsula Borough School District Quarterly Report, Clayton Holland, Superintendent (10 minutes)

*[Clerk's Note: Clayton Holland, KPBSD Superintendent gave a quarterly report to the assembly.]*

2. [KPB-3966](#) Project Homeless Connect Annual Update, Jodi Stuart, Publicity Chair (10 Minutes)

*[Clerk's Note: Jodi Stuart gave a presentation to the assembly.]*

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

President Johnson called for public comment.

**Jennifer Kindred**, Soldotna celebrated the life of Don McGhee. She also spoke on Central Peninsula Hospitals COVID-19 treatments.

**Brother Tom Patmore**, Clam Gulch spoke on public access to the Clam Gulch beach.

**Tim Navarre**, Kenai spoke in support of a Homeless Coordinator.

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

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

## **PUBLIC HEARINGS ON ORDINANCES**

[2022-02](#) An Ordinance Enacting KPB 2.40.110 and 2.40.120 Authorizing the Planning Commission to Adopt Bylaws and Defining Quorum (Chesley)

*[Postponed from the 03/01/22 meeting.]*

**Assembly Member Tupper** moved to enact Ordinance 2022-02.

President Johnson called for public comment with none being offered.

**Cox** moved to postpone Ordinance 2022-02 to the April 5, 2022 meeting.

**The motion to postpone Ordinance 2022-02 to the April 5, 2022 meeting** carried by the following vote:

**Yes:** 8 - Bjorkman, Cox, Hibbert, Johnson, Derkevorkian, Elam, Ecklund, and Tupper

**Absent:** 1 - Chesley

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

## **MAYOR'S REPORT**

[KPB-3967](#) Mayor's Report Cover Memo

1. Assembly Requests/Responses
2. Agreements and Contracts
3. Other
  - a. [KPB-3968](#) Revenue-Expenditure Report - January 2022
  - b. [KPB-3969](#) Budget Revisions - January 2022
  - c. [KPB-3992](#) Investment Report Quarter Ended 12/31/21

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

President Johnson called for public comment.

**David Haeg**, spoke in support of grand jury investigations.

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

### **ASSEMBLY COMMENTS**

Assembly Member Elam thanked everyone for their participation throughout the evening. He provided a brief travel report on his attendance at the Alaska Municipal League (AML) Winter Legislative Conference in Juneau. He wished everyone a good night.

Assembly Member Cox thanked the assembly members who participated at the AML Winter Legislative Conference. He encouraged people to go out and support the high school cross country ski teams. He stated he was pleased to see the school district lifting some COVID-19 protocols. He wished everyone a good spring break.

Assembly Member Tupper thanked everyone for a great meeting.

Assembly Member Derkevorkian spoke on Central Peninsula Hospital and their Board of Directors.

Assembly Member Bjorkman thanked everyone for their participation throughout the evening. He encouraged the public to participate in the upcoming budget process. He stated he and Assembly Member Derkevorkian attended the school district budget work session. He congratulated high school basketball athletes on a successful season. He congratulated the Compass Youth Center in Nikiski for a successful fundraiser. He thanked his fellow assembly members for their hard work in Juneau at the AML Winter Legislative Conference. He wished everyone a good evening.

Assembly Member Ecklund thanked the borough staff for taking time to meet with her. She thanked her fellow assembly members for their hard work in Juneau at the AML Winter Legislative Conference. She stated she had been working with the City of Seward and the KPB Planning Department to work on housing issues in the Seward area. She thanked Chief of Staff Rhoades for speaking about Ukraine and encouraged everyone to keep them in their thoughts. She wished everyone a good night.

Vice President Hibbert thanked President Johnson for great meeting. He congratulated Assembly Member Tupper on running a great Policies and Procedures Committee. He wished everyone a safe evening.

President Johnson thanked his fellow assembly members for their hard work in Juneau at the AML Winter Legislative Conference. He thanked the Mayor for his creativity with snow removal throughout the borough. He stated his optimism for Central Emergency Services new fire station to be built. He stated his fear for the residents of Ukraine.

## **PENDING LEGISLATION**

1. [2021-41](#) An Ordinance Amending KPB 21.29, KPB 21.25, and KPB 21.50.055 Regarding Material Site Permits, Applications, Conditions, and Procedures (Mayor, Johnson) [Tabled on 02/01/22]  
  
(Elam, Derkevorkian) Substitute: An Ordinance Amending KPB 21.29, KPB 21.25, and KPB 21.50.055 Regarding Material Site Permits, Applications, Conditions, and Procedures (Elam, Derkevorkian) [Tabled on 02/01/22]

## **INFORMATIONAL MATERIALS AND REPORTS**

### **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. March 2, 2022 Reapportionment Committee  
1:00 PM Betty J. Glick Assembly Chambers Borough Administration Building Remote participation available through Zoom Meeting ID: 830 1392 2779 Passcode: 247558
2. April 5, 2022 Regular Assembly Meeting  
6:00 PM Betty J. Glick Assembly Chambers Borough Administration Building Remote participation available through Zoom Meeting ID: 884 7373 9641 Passcode: 671108

3. April 5, 2022 Assembly Subcommittee  
Time: TBD Ordinance 2021-41 Work Session  
Betty J. Glick Assembly Chambers Borough Administration Building Remote participation  
available through Zoom Meeting ID: 830 1392 2779 Passcode: 247558

**ADJOURNMENT**

With no further business to come before the assembly, President Johnson adjourned the meeting at 8:19 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of March 1, 2022.

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Johni Blankenship, MMC, Borough Clerk

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