



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Minutes - Final

Assembly

Kelly Cooper, President
Hal Smalley, Vice President
Norm Blakeley
Jesse Bjorkman
Kenn Carpenter
Tyson Cox
Willy Dunne
Brent Hibbert
Brent Johnson

Tuesday, September 15, 2020

6:00 PM

The meeting will be held through Zoom - Meeting ID:
128 871 931, from the Betty J. Glick Assembly
Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

[Clerk's Note: The invocation was offered by Barrett Fletcher.]

ROLL CALL

Present: 8 - Jesse Bjorkman, Kenn Carpenter, Tyson Cox, Willy Dunne, Brent Hibbert, Brent Johnson, Hal Smalley, and Kelly Cooper
Excused: 1 - Norm Blakeley

Also present were:

Charlie Pierce, Borough Mayor
James Baisden, Chief of Staff
Colette Thompson, Borough Attorney
Johni Blankenship, Borough Clerk
Michele Turner, Deputy Borough Clerk

COMMITTEE REPORTS

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

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

Assembly Member Smalley stated the Legislative Committee met and discussed its

agenda items.

APPROVAL OF AGENDA AND CONSENT AGENDA

Smalley 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-2799](#) September 1, 2020 Regular Assembly Meeting Minutes
approved.

[2020-19-05](#) An Ordinance Appropriating Funding from the Central Peninsula Hospital Plant Replacement and Expansion Fund for the Handicap Parking and ADA Access Project (Mayor)

[Clerk's Note: The final Whereas clause of Budget Ordinance 2020-19-05 was amended to read, "at its meeting held on August 27, 2020, the CPGH, Inc. Board of Directors recommended approval by the passage of CPGH Resolution 2020-49."

This Budget Ordinance was enacted as amended.

[2020-19-06](#) An Ordinance Appropriating \$111,869.20 to Fund a Former State Dispatch Position at the Soldotna Public Safety Communications Center (Mayor)

This Budget Ordinance was enacted.

[2020-37](#) An Ordinance Approving and Accepting Grant Funds from the State of Alaska Division of Homeland Security & Emergency Management to Reimburse Repairs at the North Peninsula Recreation Center Resulting from the November 30, 2018 Cook Inlet 7.0 Earthquake (Mayor)

This Ordinance enacted.

[2020-064](#) A Resolution Authorizing the Mayor to Enter into Cooperative Agreements Between the Kenai Peninsula Borough and the Cities of Homer, Kenai, Seldovia, Seward, Soldotna and Kachemak City for the Cooperative and/or Joint Administration of Powers Relating to the Use of Cares Act Coronavirus Relief Funds Received from the State of Alaska (Mayor)

[Clerk's Note: the final whereas clause in Resolution 2020-064 was amended to read, "the cooperative agreements, which [MAY] shall be included as attachments in the subgrant agreements with the cities, shall include a provision for the cooperative or joint administration of powers between the borough and

each city as necessary to subgrant some of the CRF funds granted to the borough to assist in the response to and recovery from the COVID-19 pandemic emergency;"]

This Resolution was adopted as amended.

[2020-065](#)

A Resolution Authorizing One New Dispatcher I Position in the Soldotna Public Safety Communications Center (Mayor)

This Resolution was adopted.

[2020-069](#)

A Resolution Amending the Spending Plan Approved in Resolutions 2020-047, 2020-056, 2020-057 for Cares Act Coronavirus Relief Funds Received from the State of Alaska (Mayor)

[Clerk's Note: Assembly Members Cox and Hibbert declared possible conflicts of interest due to receiving CARES Act Coronavirus Relief Funds for their businesses. President Cooper ruled a conflict did exist. Assembly Members Cox and Hibbert abstained from the discussion and vote on Resolution 2020-069.]

This Resolution was adopted.

[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)

This Budget Ordinance was introduced and set for public hearing.

[2020-19-08](#)

An Ordinance Appropriating Refinanced 2013 School General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor)

This Budget Ordinance was introduced and set for public hearing.

[2020-19-09](#)

An Ordinance Appropriating Refinanced 2011 Hospital General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor)

This Budget Ordinance was introduced and set for public hearing.

[2020-39](#)

An Ordinance Providing for Extension of an Exception to the Operating Agreement Between the Kenai Peninsula Borough and Central Peninsula General Hospital, Inc. to Allow Cash in Excess of 90 Days to be Retained by Central Peninsula General Hospital, Inc. as of September 30, 2020 Due to the COVID-19 Pandemic (Mayor)

This Ordinance was introduced and set for public hearing.

[2020-40](#)

An Ordinance Exempting the Kenai Peninsula Borough Cares Act

Coronavirus Relief Fund Grant Programs from KPB 19.30.020 – 19.30.070, Relating to Economic Development (Mayor)

This Ordinance was introduced and set for public hearing.

[2020-41](#) An Ordinance Authorizing Five Communications Site Lease Agreements at Certain Locations with SpitWSpots, Inc. (Mayor)

This Ordinance was introduced and set for public hearing.

[KPB-2788](#) Approving a Letter of Non-Objection for a Restaurant Designation Permit filed by The Salmon Bake, License Number 4153

approved.

[KPB-2789](#) Approving a Letter of Non-Objection to the Issuance of the New Liquor License as Requested by Stoney Creek Brew House, License No. 5921

approved.

[KPB-2796](#) Confirming Appointments to Advisory Planning Commissions (Mayor)

Cooper Landing APC

Yvette Galbraith, Seat C, Term Expires 09/30/2023

Heather Harrison, Seat D, Term Expires 09/30/2023

Hope/Sunrise APC

James Skogstad, Seat G, Term Expires 09/30/2023

Kachemak Bay APC

Andrea Kosto, Seat A, Term Expires 09/30/2023

Kalifornsky APC

Stephen Ford, Seat B, Term Expires 09/30/2023

Funny River APC

Claudette Knickerbocker, Seat A Expires 09/30/2023

approved.

[KPB-2797](#) Approval of the Precinct Boards, Canvass Board and Absentee Voting Officials for the October 6, 2020 Regular Municipal Election and Possible Mayoral Run-Off on October 27, 2020.

approved.

Approval of the Consent Agenda

President Cooper 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, Smalley, and Cooper

Excused: 1 - Blakeley

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE

- 1. [KPB-2798](#) South Peninsula Hospital Quarterly Report (10 Minutes)

[Clerk's Note: Ryan Smith, South Peninsula Hospital CEO gave a 10-minute quarterly report to the assembly.]

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Cooper called for public comment with none being offered.

ITEMS NOT COMPLETED FROM PRIOR AGENDA

UNFINISHED BUSINESS

- 1. Postponed Items

[2020-061](#) A Resolution in Support of the State’s Use of Estimated Student Count Data to Fund K-12 Public Education for Fiscal Year 2021 (Cooper, Cox, Smalley, Dunne, Johnson, Bjorkman)

[Clerk's Note: The motion to adopt Resolution 2020-061 was on the floor from the 09/15/20 assembly meeting.]

Assembly Member Cox declared a possible conflict of interest due to his wife being employed part-time for the school district.

Assembly Member Bjorkman declared a possible conflict of interest as he is employed by the school district.

President Cooper ruled that a conflict did not exist.

President Cooper called for public comment.

The following people spoke in support of Resolution 2020-061:

Dave Jones, Assistant superintendent, Kenai Peninsula Borough School District
Debbie Cary, Ninilchik

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

The motion to adopt Resolution 2020-061 carried by the following vote:

Yes: 8 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, and Cooper

Excused: 1 - Blakeley

[KPB-2776](#) Confirming Appointment to the Kenai Peninsula Borough Planning Commission (Mayor)

Lou Oliva, Seat Northwest Borough, Term Expires 07/31/2023

[Clerk's Note: A motion was on the floor from the August 4, 2020 assembly meeting.]

Assembly Members Carpenter and Hibbert spoke in support of the appointment.

Assembly Members Dunne, Johnson, Smalley and Cox spoke in opposition to the appointment.

The motion to approve the confirmation to the Planning Commission failed by the following vote:

Yes: 4 - Bjorkman, Carpenter, Hibbert, and Cooper

No: 4 - Cox, Dunne, Johnson, and Smalley

Excused: 1 - Blakeley

NEW BUSINESS

1. Resolutions

[2020-066](#) A Resolution Extending the Deadline for Submission of the Anadromous Waters Habitat Protection Work Group's Final Report (Mayor)

Dunne moved to adopt Resolution 2020-066.

President Cooper called for public comment with none being offered.

President Cooper passed the gavel to Vice President Smalley and made a motion to postpone Resolution 2020-066 to the October 13, 2020 assembly meeting.

Assembly Members Carpenter, Hibbert and Bjorkman spoke in opposition to the postponement Resolution 2020-066.

The motion to postpone Resolution 2020-066 failed by the following vote:

Yes: 4 - Cox, Dunne, Smalley, and Cooper

No: 4 - Bjorkman, Carpenter, Hibbert, and Johnson

Excused: 1 - Blakeley

Assembly Member Dunne spoke in support of Resolution 2020-066.

Vice President Smalley returned the gavel to President Cooper.

The motion to adopt Resolution 2020-066 carried by the following vote:

Yes: 7 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, and Smalley

No: 1 - Cooper

Excused: 1 - Blakeley

[2020-067](#)

A Resolution Authorizing the Assembly President to Sign Kenai Peninsula Borough, City of Kenai and City of Soldotna Joint Resolution No. 2020-001, Encouraging all Residents to Take the Necessary Precautions and Follow the Recommended Preventative Measures of the Center for Disease Control to Reduce the Spread of COVID-19 in Our Community During the Public Health Emergency (Mayor)

Smalley moved to adopt Resolution 2020-067.

President Cooper called for public comment with none being offered.

Assembly Members Johnson, Smalley and Cox spoke in support of Resolution 2020-067.

Assembly Member Bjorkmman spoke in opposition to Resolution 2020-067.

President Cooper passed the gavel to Vice President Smalley and spoke in support of Resolution 2020-067. Vice President Smalley returned the gavel to President Cooper.

Smalley moved to amend Resolution 2020-067 as follows:

The title to read, "A Resolution Authorizing the Assembly President to Sign Kenai Peninsula Borough, City of Homer, City of Kenai and City of Soldotna Joint Resolution No. 2020-001, Encouraging all Residents to Take the Necessary Precautions and Follow the Recommended Preventative Measures of the Center for Disease Control to Reduce the Spread of COVID-19 in our Community During the Public Health Emergency" and the Third Whereas Clause to read, "WHEREAS, the borough believes the best interest of the public would be served by entering into a Joint Resolution No. 2020-001 with the cities of Homer, Soldotna and Kenai for the

promotion of the community awareness to take all necessary precautions and to follow the recommended preventative measures of the Center for Disease Control ("CDC") to reduce the spread of COVID-19 in our communities;"

The motion to amend Resolution 2020-067 carried by the following vote:

Yes: 8 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, and Cooper

Excused: 1 - Blakeley

The motion to adopt Resolution 2020-067 as amended carried by the following vote:

Yes: 7 - Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, and Cooper

No: 1 - Bjorkman

Excused: 1 - Blakeley

2020-068

A Resolution to Resume In-Person Assembly Meetings in Accordance with the Recommended COVID-19 Safety Guidelines Established by the Center for Disease Control and the Alaska Department of Health and Social Services

Dunne moved to adopt Resolution 2020-068.

President Cooper called for public comment with none being offered.

Cox moved to amend Resolution 2020-068 as follows:

Section 2 to read, "The clerk's office will coordinate with the borough's IT department to provide the most inclusive solution for a hybrid in person and remote accessible assembly meeting by integrating a live meeting digital platform such as zoom. [FOR THE PUBLIC]"

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

Assembly Member Bjorkman spoke in opposition to the amendment.

The motion to amend Resolution 2020-068 failed by the following vote:

Yes: 4 - Cox, Dunne, Johnson, and Smalley

No: 4 - Bjorkman, Carpenter, Hibbert, and Cooper

Excused: 1 - Blakeley

Smalley moved to amend Resolution 2020-068 as follows:

Section 1 to read, "The assembly requests that meetings of the Kenai Peninsula Borough Assembly be open to in-person access in accordance with the CDC and DHSS COVID-19 safety guidelines, beginning [OCTOBER 13, 2020] November 10, 2020."

The motion to amend carried by the following vote:

Yes: 7 - Bjorkman, Carpenter, Cox, Dunne, Johnson, Smalley, and Cooper

No: 1 - Hibbert

Excused: 1 - Blakeley

[Clerk's Note: Assembly Member Carpenter lost the Zoom meeting connection and did not cast his vote on Resolution 2020-028.]

The motion to adopt Resolution 2020-068 as amended failed by the following vote:

Yes: 3 - Bjorkman, Smalley, and Cooper

No: 4 - Cox, Dunne, Hibbert, and Johnson

Excused: 1 - Blakeley

Absent: 1 - Carpenter

MAYOR'S REPORT

[KPB-2791](#) Mayor's Report Cover Memo

1. Assembly Requests/Responses
2. Agreements and Contracts
 - a. [KPB-2792](#) Authorization to Award a Contract for RFP21-001 North Peninsula Recreation Service Area Pool Roof Professional Designs Services to Architects Alaska, Inc., Anchorage, Alaska.
 - b. [KPB-2793](#) Authorization to Award a Contract for ITB21-003 River Center Communications Tower to Peak Signals, LLC., Palmer, Alaska.
 - c. [KPB-2794](#) Authorization to Award a Contract for RFP21-002 Communications Engineering Analysis (CAR18) to Tusa Consulting Services II, LLC., Covington, Louisiana.
3. Other
 - a. [KPB-2795](#) Certification of the 2020 Personal Property Supplemental Assessment Roll

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

President Cooper called for public comment.

Debbie Cary, Ninilchik spoke on the stress from the Coronavirus Pandemic and encouraged everyone to rejoice in the accomplishments made during the past eight

months.

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

ASSEMBLY COMMENTS

Vice President Smalley congratulated KPB employee of the month Lauri Lingafelt and Joanne Rogers on her retirement from the Borough.

Assembly Member Bjorkman thanked everyone for their participation and hard work. He wished everyone a good evening.

Assembly Member Carpenter thanked everyone for their participation. He spoke on the importance of respecting campaign signs during the elections season. He encouraged everyone to slow down and drive safely.

Assembly Member Cox congratulated SoHi athletics on their hard work during fall sports. He encouraged everyone to go out and support local athletics. He wished everyone a good night.

Assembly Member Dunne thanked everyone for their participation. He encouraged everyone to educate themselves on the upcoming election and vote.

Assembly Member Johnson reminded everyone to tune into the KBBI roundtable on September 16, 2020 as the fire chiefs from Anchor Point and Ninilchik as well as the borough clerk were guests on the show.

Assembly Member Hibbert thanked Assembly Member Bjorkman for Resolution 2020-068 and for his passion for getting back to in-person meetings. He thanked Brenda Ahlberg and her staff for their hard work on the CARES Act grants for local business owners. He thanked the borough employees and administration for their hard work.

President Cooper expressed her gratefulness for the passion on the assembly and the hard work of all the borough employees.

PENDING LEGISLATION

1. [2020-38](#) An Ordinance Approving the Revised Kenai Peninsula Borough Emergency Operations Plan (Mayor)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

October 13, 2020 Regular Assembly Meeting

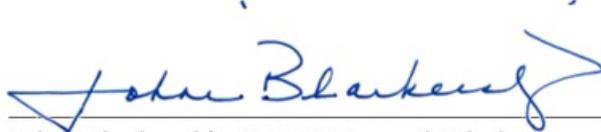
2:00 PM This meeting will be held through Zoom Meeting ID: 128 871 931 From the Betty J.

Glick Assembly Chambers

ADJOURNMENT

With no further business to come before the assembly, President Ogle adjourned the meeting at 10:00 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of September 15 2020



John Blankenship, MMC, Borough Clerk

Approved by the Assembly: 10/13/2020