



# 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*

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Tuesday, March 19, 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

The invocation was given by Central Emergency Services Chaplain Tim Weekly.

### ROLL CALL

*[Clerk's Note: Assembly Members Ribbens and Tunseth attended via Zoom.]*

Also present were:

Brandi Harbaugh, Finance Director

Sean Kelley, Borough Attorney

Michele Turner, Borough Clerk

Madeleine Quanton, Borough Clerk Assistant

### COMMITTEE REPORTS

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

Assembly Member Ecklund stated the Lands Committee met and discussed its agenda items.

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

Assembly President Johnson stated the Committee of the Whole met in executive session and performed the Borough Clerk's annual review.

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

**Cox moved to approve the agenda and consent agenda.**

Copies have been made available to the public, Acting Borough Clerk Michele Turner noted by title only the resolutions, ordinances and other new business items that were on the consent agenda.

February 27, 2024 Regular Assembly Meeting Minutes

**approved.**

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

An Ordinance Appropriating \$42,562 to the Special Assessment Fund for the Jubilee Street Utility Special Assessment District (Mayor)

**This Budget Ordinance was enacted.**

An Ordinance Accepting and Appropriating \$1,365,000 for the Deep Creek Fish Passage Project, a Partnership between the Kenai Peninsula Borough and the U.S. Fish & Wildlife Service (Mayor)

**This Budget Ordinance was enacted.**

### New Business

A Resolution Form the Jubilee Street Utility Special Assessment District and Proceed with the Improvement of a Natural Gas Main Line Extension (Mayor)

**This Resolution was adopted.**

A Resolution Authorizing the Mayor to Enter into a Memorandum of Agreement with Chugach Electric Association to Provide for 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 Deobligating Bond Proceeds in the Central Kenai Peninsula Hospital Service Area Capital Project Fund and Transferring

the Remaining Bond Proceeds to Fund the Annual Debt Service for Central Kenai Peninsula Hospital Service Area Revenue Bonds (Mayor)

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

An Ordinance Deobligating and Appropriating Solid Waste Capital Project Funds Previously Appropriated for Purchase of a Toolcat at Central Peninsula Landfill to the Central Peninsula Landfill Baler Building Boiler Replacement (Mayor)

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

An Ordinance Amending KPB Chapter 2.54 Relating to Access to Public Records and Response to Record Requests (Mayor, Johnson) (Hearing on 04/16/24)

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

An Ordinance Amending KPB Code Relating to Civil Trespass and Issuing a Trespass Order (Mayor, Johnson) (Hearing on 04/16/24)

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

Authorizing the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Store Application for The Green Anchor, License No. 35466, Anchor Point (Mayor)

**approved.**

Confirming the Appointment to Service Area Board (Mayor)

Bear Creek Fire Service Area

Adam Sayler, Seat E, Term Expires October 2026

**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:**

## **COMMENDING RESOLUTIONS AND PROCLAMATIONS**

### **PRESENTATIONS WITH PRIOR NOTICE**

1. South Peninsula Hospital Quarterly Report, Ryan Smith, CEO (10 Minutes)

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

- 2. Central Area Rural Transit System (CARTS) Update, Jodi Stuart, President (10 Minutes)

[Clerk's Note: Jodi Stuart, President and Jessica Shultz, Executive Director gave a presentation to the assembly.]

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

President Johnson called for public comment.

**Tammy Goggia-Cockrill** addressed the assembly regarding challenging interactions with a public member at the Soldotna Public Safety Communication Center.

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 ITB24-025 Seward Bear Creek Flood Service Area Construction Surveys
- 3. Other
  - a. Budget Revisions – February 2024
  - b. Certification of the 2023 Real Property Supplementary Assessment Roll
  - c. Revenue-Expenditure Report – February 2024

**ITEMS NOT COMPLETED FROM PRIOR AGENDA**

None.

**PUBLIC HEARINGS ON ORDINANCES**

An Ordinance Appropriating \$289,178.64 to the Rollins Way Road

Improvement Assessment District (Mayor)

Hibbert moved to enact Ordinance 2023-19-36.

President Johnson called for public comment with none being offered.

Hibbert moved to table Ordinance 2023-19-36.

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

An Ordinance Authorizing a Negotiated Lease with Davis Block and Concrete Company for Concrete Batch Plant Operations in Support of the Sterling Highway MP 45-60 Construction Project Near Cooper Landing (Mayor)

Ecklund moved to enact Ordinance 2024-04.

President Johnson called for public comment.

The following people spoke in opposition to Ordinance 2024-04:

- Ed Holsten**
- David Nees**
- Rhonda Lynn**
- John Almanrode**
- Karen Button**
- David Lisi**
- Lonnie Wood**
- Sharon Saunders**
- Ann Hanson**
- Katie Feichtinger**
- Nick Vaderhoff**
- Sandra Key Holsten**
- Linda Gephardt**

Cory Davis spoke in support of Ordinance 2024-04.

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

Assembly Members Elam, Hibbert, Cox and Tunseth spoke in support of Ordinance 2024-04.

Assembly Member Ecklund spoke in opposition to Ordinance 2024-04.

The motion to enact Ordinance 2024-04 carried by the following vote:

## **UNFINISHED BUSINESS**

None.

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

President Johnson called for public comment with none being offered.

## **ASSEMBLY COMMENTS**

Assembly Member Elam thanked everyone for attending and also thanked those who testified. He stated he attended the Eastern Peninsula Highway Emergency Service Area board meeting and provided a brief report regarding the need for better radio communications in the area. Mr. Elam wished everyone a good evening.

Assembly Member Ribbens stated he was in Texas. He thanked everyone for their work and wished everyone a good evening.

Assembly Member Hibbert stated he just returned from Oklahoma and noticed the leaves were popping out on the trees there. He stated we still had two more months of winter here. Mr. Hibbert wished everyone a good night.

Assembly Member Tunseth stated he was in Arizona on spring break and thankful to attend via Zoom. He thanked everyone who testified regarding Ordinance 2024-04 and the assembly members comments as well. Mr. Tunseth stated he looked forward to the upcoming discussions with the school district.

Assembly Member Cooper stated she was disappointed with the outcome of SB140. She thanked staff in Planning, Lands Management and the Legal Department for their work regarding Ordinance 2024-04. Ms. Cooper reminded everyone of the annual Winter King Salmon Derby in Homer on March 23, 2024. She wished everyone a good evening.

Assembly Member Tupper thanked the Assessing Department for the work they do, as well as the Planning Department and Land Management.

Assembly Member Ecklund stated the Seward High School boys' and girls' teams were playing in the State Basketball Tournament on March 29, 2024. She stated the Seward High School cheerleaders also won the regional state championship. Ms. Ecklund stated the April 16, 2024 meeting was scheduled in Seward and provided a road construction update. She encouraged everyone to drive Snug Harbor Road and check out the construction site.

Vice President Cox stated he was very disappointed with the outcome of SB140 and stated he was inviting legislators to the joint work session with the school district.

President Johnson stated he agreed with Vice President Cox regarding SB140. He

thanked everyone for their comments regarding the batch plant on Snug Harbor Road. Mr. Johnson stated he wanted to please everyone all of the time, but in the end he votes for what he thinks was the right thing.

## INFORMATIONAL MATERIALS AND REPORTS

### 1. Voter Turnout Working Group Final Report

## ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. April 2, 2024 6:00 PM  
Regular Assembly Meeting  
Betty J. Glick Assembly Chambers  
Remote participation available through Zoom  
Meeting ID: 895 1103 3332 Passcode: 193069
2. April 16, 2024 6:00 PM  
Regular Assembly Meeting  
Seward Community Library and Museum  
239 6th Avenue, Seward, AK 99664  
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 9:11 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of March 19, 2024.



Michele Turner, CMC, Borough Clerk

Approved by the Assembly: 04/02/2024