



# 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, February 2, 2021

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 offered by David Dial.]

### ROLL CALL

**Present:** 9 - Jesse Bjorkman, Kenn Carpenter, Tyson Cox, Willy Dunne, Brent Hibbert, Brent Johnson, Richard Derkevorkian, Bill Elam, and Lane Chesley

Also present were:

Charlie Pierce, Borough Mayor

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 Derkevorkian stated the Lands 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

**Johnson 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.

## **APPROVAL OF MINUTES**

- [KPB-2959](#) January 19, 2021 Regular Assembly Meeting Minutes  
approved.
- [2021-009](#) A Resolution Designating the Newspaper and Authorizing Award of a Contract for the Publication of the 2021 Foreclosure List, and the Delinquent Leasehold, Mobile Homes, Personal and Other Tax Lists for the Tax Year 2020 and Prior (Mayor)  
**This Resolution was adopted.**
- [2020-19-18](#) An Ordinance Appropriating Supplemental Funds to Support the Western Emergency Service Area for the Remainder of Fiscal Year 2021 (Mayor)  
**This Budget Ordinance was introduced and set for public hearing.**
- [2021-04](#) An Ordinance Approving the Transfer of Assets from Ninilchik Emergency Services, Inc. to the Kenai Peninsula Borough on Behalf of the Newly Expanded Fire & Emergency Medical Service Area (Mayor)  
**This Ordinance was introduced and set for public hearing.**
- [2021-05](#) An Ordinance Authorizing the Negotiated Lease of Office Space at the Western Emergency Service Area Fire Department, Ninilchik Station (Mayor)  
**This Ordinance was introduced and set for public hearing.**
- [2021-06](#) Amending KPB 16.04 - Establishment of Service Areas to Establish Residency Requirements for Appointed Service Area Board Members (Mayor) (Hearing on 03/02/21)  
**This Ordinance was introduced and set for public hearing.**
- [KPB-2956](#) Confirming the Appointment to the Nikiski Senior Service Area Board (Mayor) (Referred to Policies and Procedures Committee)
- Julie Ware, Seat A, Term Expires October, 2021  
approved.

## 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 carried by the following vote:**

**Yes:** 9 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Derkevorkian, Elam, and Chesley

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

### PRESENTATIONS WITH PRIOR NOTICE

1. [KPB-2960](#) Kenai Peninsula Borough School District Quarterly Report (10 Minutes)

*[Clerk's Note: John O'Brien, KPBSD Superintendent gave a quarterly report to the assembly.]*

2. [KPB-2955](#) Vitamin D and COVID-19, Paul Seaton (10 Minutes)

*[Clerk's Note: Paul Seaton gave a presentation regarding Vitamin D and COVID-19 to the assembly.]*

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

President Hibbert called for public comment.

**Debbie Cary**, Ninilchik spoke on effective leadership.

With 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

- [2021-01](#) An Ordinance Amending KPB 17.10, Borough Lands and Resources, to Change Agriculture and Grazing Lease Rates to a Standard Fee Schedule and Clarify Tax Responsibility (Mayor)

**Derkevorkian** moved to enact Ordinance 2021-01.

President Hibbert called for public comment.

**Robert Gibson**, Cooper Landing spoke in opposition to Ordinance 2021-01.

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

**Derkevorkian moved to amend Ordinance 2021-01 as follows:**

The final Whereas to read, "the Borough Planning Commission held a public hearing on January 11, 2021 and recommended approval by unanimous consent;"

**The motion to amend Ordinance 2021-01 carried by the following vote:**

**Yes:** 9 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Derkevorkian, Elam, and Chesley

**Derkevorkian moved to amend Ordinance 2021-01 as follows:**

Add a new Section 1 to read, "Amend KPB 17.10.090, as follows:

17.10.090 - Disposition of borough land.

Except as otherwise provided by this title no land or interest in land may be sold or leased or otherwise disposed of unless the land has been classified in accordance with the provisions of this chapter. Lands shall not be sold unless the borough has a clear title to the land. All lands shall be sold or leased at fair market value or fair market rental value as determined by a qualified appraiser except as provided in sections 17.10.100(I) [AND], and 17.10.120(D) and 17.10.140(C) and (D)."

All remaining sections renumbered accordingly.

**The motion to amend Ordinance 2021-01 carried by the following vote:**

**Yes:** 9 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Derkevorkian, Elam, and Chesley

**The motion to enact Ordinance 2021-01 as amended carried by the following vote:**

**Yes:** 9 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Derkevorkian, Elam, and Chesley

## UNFINISHED BUSINESS

### 1. Postponed Items

#### [2021-002](#)

A Resolution Updating the Kenai Peninsula Borough Schedule of Rates, Charges, and Fees, Pursuant to KPB 1.26, to include Rates for Agricultural and Grazing Leases (Mayor)

[Clerk's Note: The motion to adopt was on the floor from the 01/05/21 meeting.]

President Hibbert called for public comment.

The following people spoke in opposition to Resolution 2021-002:

**Robert Gibson**, Cooper Landing

**Jim Harpring**, Soldotna

**Frank Christiansen**, Sterling

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

**Johnson moved to amend Resolution 2021-002 as follows:**

Section 1 to read, "Category H: Barnyard Site \$[250]25/Each + \$[100]10/Acre/Year

Assembly Member Cox spoke in support of the amendment.

Assembly Member Dunne spoke in opposition to the amendment.

**The motion to amend Resolution 2021-002 carried as follows:**

**Yes:** 7 - Carpenter, Cox, Hibbert, Johnson, Derkevorkian, Elam, and Chesley

**No:** 2 - Bjorkman, and Dunne

**Derkevorkian moved to amend Resolution 2021-002 as follows:**

The final Whereas to read, "the Borough Planning Commission held a public hearing on January 11, 2021 and recommended approval by unanimous consent."

**The motion to amend Resolution 2021-002 carried by the following vote:**

**Yes:** 9 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Derkevorkian, Elam, and Chesley

**The motion to adopt Resolution 2021-002 as amended carried by the following vote:**

**Yes:** 9 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Derkevorkian, Elam, and Chesley

## NEW BUSINESS

### 3. Other

[KPB-2958](#) Petition to Vacate 30-foot-wide Oliver Street Right-of-way, Including the Associated Utility Easement, North of Half Moon Avenue as Dedicated on Arrowhead Estates Phase 1 Plat KN 2000-7. The right-of-way being Vacated is Unconstructed and Located within the NW1/4 NW ¼ of Section 19, Township 5 North, Range 9 West, Seward Meridian, Alaska, Within the Kenai Peninsula Borough. KPB File 2020-147V. (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its January 11, 2021 meeting, by majority consent.]

**Derkevorkian moved to veto the action of the Planning Commission.**

President Hibbert called for public comment with none being offered.

Assembly Members Johnson and Cox spoke in support to veto the Planning

Commission's action.

**The motion to veto the action of the Planning Commission carried by the following vote:**

**Yes:** 9 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Derkevorkian, Elam, and Chesley

Other items referred to Policies and Procedures Committee

## MAYOR'S REPORT

[KPB-2961](#) Mayor's Report Cover Memo

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
  - a. [KPB-2962](#) Authorization to Award a Contract for ITB21-015 Calcium Chloride Purchase FY2021 to NorthStar Supply, LLC., Palmer, Alaska.
3. Other
  - a. [KPB-2963](#) Revenue-Expenditure Report - December 2020
  - b. [KPB-2969](#) Budget Revisions - December 2020
  - c. [KPB-2964](#) Investment Report - Quarter Ended 12/31/20
  - d. [KPB-2965](#) FY21-2Q Senior Center Grant Reports
  - e. [KPB-2966](#) FY21-2Q Economic Development Grant Reports

## PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

### ASSEMBLY COMMENTS

Assembly Member Dunne stated his appreciation for the discussion regarding agriculture. He spoke on cattle ranches on the southern peninsula. He thanked South Peninsula Hospital for their second COVID-19 vaccination clinic.

Assembly Member Chesley stated how nice it was to see everyone in person as it was his first meeting in the new chambers. He stated he was looking forward to working with the school district on their budget for FY2022.

Assembly Member Carpenter encouraged everyone to drive safely on slick roads. He thanked the parents for their hard work with their students while schools were shut down due to COVID-19.

Vice President Johnson thanked Debbie Cary for her continued involvement with the assembly. He stated his appreciation for the Mayor's comments regarding the budget. He informed the public that Rock Auto would no longer work with the Borough due to online sales tax procedures. He offered his condolences to the family of George Pollard.

Assembly Member Derkevorkian stated he was excited to see KPBSD schools open to all students K-12. Encouraged the public to stay involved with the school district to keep the schools open.

Assembly Member Cox offered his congratulations to Tim Dillon, Executive Director of the Kenai Peninsula Economic Development District for being featured in Forbes magazine. He congratulated Soldotna High School athletes and encouraged residents to watch games and events via Facebook Live.

Assembly Member Elam stated his appreciation to fellow assembly members and members of the school board for their participation in difficult budgetary conversations. He stated on the importance of moving forward in a positive manner to best serve the communities of the borough. He thanked everyone for their efforts throughout the evening and wished everyone a good night.

Assembly President Hibbert thanked the assembly for their hard work. He thanked Debbie Cary for her continued involvement with the borough. He stated his appreciation for Joy Merriner for her presentation during the finance committee and commended the KPB Finance Department for their hard work. He stated he believed effective decisions could be made through respectful dialogue regarding the FY22 budget. He wished everyone a good evening.

## **PENDING LEGISLATION**

1. [2020-19-17](#) An Ordinance Authorizing the Acquisition of Real Property Located at 4135 Hohe Street, Homer, Alaska on Behalf of South Peninsula Hospital, Appropriating \$315,000 from the South Peninsula Hospital Plant Replacement and Expansion Fund for the Purchase, and Authorizing an Amendment to the SPH, Inc. Operating Agreement (Mayor)
2. [2021-03](#) An Ordinance Amending KPB 21.06.040, Administration, and KPB 21.06.070, "Development" Definition, for Floodplain Management Purposes (Mayor)
3. [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

- 4. [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
- 5. [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

**INFORMATIONAL MATERIALS AND REPORTS**

**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

February 16, 2021 Regular Assembly Meeting  
 6:00 PM This meeting will be held through Zoom  
 Meeting ID: 938 6524 5999  
 Passcode: 886199

And in person from the  
 Betty J. Glick Assembly Chambers  
 Borough Administration Building

**ADJOURNMENT**

With no further business to come before the assembly, President Ogle adjourned the meeting at 9:27 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of February 2, 2021.

\_\_\_\_\_  
 Johni Blankenship, MMC, Borough Clerk

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