



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Minutes - Final

Assembly

Wayne Ogle, President
Dale Bagley, Vice President
Norm Blakeley
Kenn Carpenter
Kelly Cooper
Willy Dunne
Paul Fischer
Brent Hibbert
Hal Smalley

Tuesday, January 8, 2019

6:00 PM

Betty J. Glick Assembly Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

[Clerk's Note: The invocation was given by Kalliste Edeen.]

ROLL CALL

[Clerk's Note: Assembly Member Blakeley attended via phone.]

Present: 9 - Paul Fischer, Dale Bagley, Brent Hibbert, Kenn Carpenter, Norm Blakeley, Kelly Cooper, Hal Smalley, Wayne Ogle, and Willy Dunne

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 Cooper stated the Finance Committee met and discussed its agenda items.

Assembly Member Carpenter stated the Lands Committee met and discussed its agenda item.

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

MOTION

Bagley moved to authorize Assembly Member Hal Smalley to attend the National Association of Counties (NACO) Legislative Convergence in Washington DC in March 2019.

The total expense is estimated to be no more than \$3,600, and up to \$1,750 of the expenses will be reimbursed by the Alaska Municipal League (AML) as Mr. Smalley is AML's WIR Representative. The total anticipated expense to the borough is \$1,850.

Yes: 9 - Fischer, Bagley, Hibbert, Carpenter, Blakeley, Cooper, Smalley, Ogle, and Dunne

APPROVAL OF AGENDA AND CONSENT AGENDA

Bagley moved to approve the agenda and consent agenda.

Copies have been made available to the public, Borough Clerk John Blankenship noted by title only the resolutions and ordinances on the consent agenda.

- [KPB-1978](#) December 4, 2018 Regular Assembly Meeting Minutes
approved.
- [2019-002](#) A Resolution Adopting an Alternate Allocation Method for the FY19 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Cook Inlet Fisheries Management Area (Mayor)
This Resolution was adopted.
- [2019-003](#) A Resolution Authorizing the Purchase and Installation of a Hill-Rom Navicare Nurse Call System for the South Peninsula Hospital Utilizing Funds Previously Appropriated (Mayor)
This Resolution was adopted.
- [2019-004](#) A Resolution Authorizing the Transfer of Funds within the Legal Department to Cover Anticipated Additional Costs Associated with Appeals from Planning Commission Decisions and Collection Case Litigation Costs (Mayor)
This Resolution was adopted.
- [2019-001](#) A Resolution Endorsing Robert Ruffner's Reappointment to the Alaska Board of Fisheries (Bagley, Ogle)
This Resolution was adopted.
- [2019-005](#) A Resolution Approving the 2019 Labor Negotiation Procedures for a

New Collective Bargaining Agreement with the Kenai Borough Employees Association (Mayor)

This Resolution was adopted.

[2019-006](#)

A Resolution Directing the Kenai Peninsula Borough Clerk to Establish an Election Stakeholders Group to Explore Implementing Optional Election Models to Better Serve Kenai Peninsula Voters and Ratifying a State of Alaska Commission for Human Rights Conciliation Agreement (Ogle)

This Resolution was adopted.

[2018-19-23](#)

An Ordinance Appropriating \$425,000 from the General Fund for the Design and Replacement of the Boiler Plant at Homer High School (Mayor)

This Budget Ordinance was introduced and set for public hearing.

[2018-19-24](#)

An Ordinance Approving the Lease Purchase of Two Diagnostic Ultrasound Machines for the South Peninsula Hospital and Appropriating \$375,000 from the South Peninsula Hospital Service Area Capital Project Fund (Mayor)

This Budget Ordinance was introduced and set for public hearing.

[2018-19-25](#)

An Ordinance Accepting and Appropriating \$10,010,000 from the State of Alaska Department of Education & Early Development for the Kachemak Selo New K-12 School Construction Project (Mayor)

This Budget Ordinance was introduced and set for public hearing.

[2018-19-26](#)

An Ordinance Appropriating Funds from the General Fund for Earthquake Response Under the Locally Declared Disaster Emergency Within the Kenai Peninsula (Mayor)

This Budget Ordinance was introduced and set for public hearing.

[2018-19-27](#)

An Ordinance Appropriating \$10,000 from the General Fund for Contribution to the Alaska Municipal League to Support a Working Group that will be Charged with Establishing a Centralized Sales Tax Administrator for Remote Sellers (Mayor)

This Budget Ordinance was introduced and set for public hearing.

[KPB-1971](#)

Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility, License No. 17811 Filed by North Road Buds, LLC, Subject

to the Following Standard Conditions:

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-1972](#)

Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility, License No. 16511 Filed by Smoking Joe's Terps Co. Subject to the Following Standard Conditions:

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-1973](#)

Authorizing a Letter of Non-Objection of the Issuance of the New Liquor License as Requested by Mt. Marathon Brewing Company, License No. 5730

approved.

[KPB-1992](#)

Petition to Vacate the Anchor Point Area of Five Rights-of-ways and Associated Easements as Follows:

- a. Vacate the 33-foot Wide Portions of the Stoddard Avenue and Wardell Street Rights-of-way and the Associated 10-foot Wide Utility Easements, Dedicated on Hamiltons Countryside Estates, Plat HM 87-31.
- b. Vacate the 50-foot Wide Portion of the Stoddard Avenue, the Portion of the 60-foot Wide Peck Street Rights-of-way and the Associated 20-foot Wide Roadway Construction and Maintenance Easement and the Associated 10-foot Utility Easement Dedicated on Starichkof Cape Estates, Plate HM 77-28.
- c. Vacate the Portion of the 33-foot Wide Stoddard Avenue, the Portion of the 33-foot wide Wardell Street (Excluding that portion

adjoining lot 2 Block 3 Stariski Estates), the 60-foot Wide and 30-foot wide Portions of the Peck Street, the 60-foot Wide Portion of the Aven Avenue, the 60-foot-wide and 30-foot-wide Portions of the Custitan Avenue Rights-of-way and Associated 5-foot Wide Utility Easements Dedicated by Stariski Estates, Plat HM 76-99. (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its December 10, 2018 meeting by unanimous consent.]

approved.

Approval of the Agenda and Consent Agenda

President Ogle called for public comment.

Robin Davis, spoke in opposition to Resolution 2019-004.

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

The motion to approve the agenda and consent agenda carried by the following vote:

Yes: 9 - Fischer, Bagley, Hibbert, Carpenter, Blakeley, Cooper, Smalley, Ogle, and Dunne

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE

[KPB-1986](#) Project Homeless Connect 2019, Maggie Winston (10 Minutes)

[Clerk's Note: Maggie Winston gave a presentation to the Assembly regarding Project Homeless Connect 2019.]

[KPB-1970](#) Tim Johnson, Chair Alaska LNG Project Advisory Committee – Status Update (10 Minutes)

[Clerk's Note: Alaska LNG Project Advisory Committee Chair, Tim Johnson gave a committee status update to the Assembly.]

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Ogle called for public comment.

George Pierce, Kasilof spoke in support of the anadromous stream ordinance.

Carrie Henson, Soldotna spoke in support of the invocation given at the meeting.

The following people spoke in support of the Mayor's accomplishments:

Christine Hutchison, Kenai

Michele Hartline, Nikiski

Jack Brown, Kasilof addressed the assembly regarding the tourism industry.

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

MAYOR'S REPORT

Mayor's Report Cover Memo

[KPB-1987](#) Mayor's Report to the Assembly Cover Memo

1. Assembly Requests/Responses
2. Agreements and Contracts
 - a. [KPB-1988](#) Authorization to Award a Contract for RFP 19-002 Land Trust Land Investment Services to Alaska Permanent Capital Management, Anchorage, AK.
 - b. [KPB-1989](#) Authorization to Award a Contract for ITB 19-009 Tyonek Landfill O&M to Tyonek Contractors, LLC (TCLLC).
3. Other
 - a. [KPB-1990](#) Revenue – Expenditure Report – November 2018
 - b. [KPB-1991](#) Budget Revisions - November 2018

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES

UNFINISHED BUSINESS

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

President Ogle called for public comment.

George Pierce, Kasilof spoke in opposition to appointing assembly members when a vacancy occurs on the assembly.

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

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. January 15, 2019 AK LNG PAC Meeting
6:00 PM Nikiski Community Recreation Center
2. January 16, 2019 Material Site Work Group
2:00 PM Betty J. Glick Assembly Chambers
3. January 22, 2019 Regular Assembly Meeting
6:00 PM Betty J. Glick Assembly Chambers

ASSEMBLY COMMENTS

Assembly Member Fischer reminded everyone to bundle up if you go outside.

Assembly Member Dunne stated public comments for the Material Site Work Group could be submitted from their website. He thanked the Independent Living Center for their presentation on Project Homeless Connect. Mr. Dunne provided a brief update regarding opioid addiction rates and SB53. He wished everyone a good evening.

Assembly Member Cooper reminded everyone to attend the Kenai Peninsula Economic Development District's Industry Outlook Forum, January 9, 2018, 8:15 a.m. at the Christian Community Church in Homer.

Assembly Member Smalley encouraged everyone to attend the Industry Outlook Forum, stating it was a great event. He stated naming the assembly chambers after Betty J. Glick was an appropriate name. He wished everyone a happy and prosperous new year. Mr. Smalley congratulated Cheif Browning on his temporary appointment to Cheif of Emergency Services.

Assembly Member Hibbert wished everyone a good evening and a happy new year.

Assembly Member Carpenter wished everyone a happy new year. He stated he was looking forward to the new budget cycle.

Assembly Member Bagley stated the City of Soldotna had skating trails at the river park and invited everyone to give them a try. He shared his developed thoughts regarding Betty Glick and stated he was pleased they were able to name the assembly chambers after her.

President Ogle expressed his appreciation of Betty Glick. He wished Mr. Carpenter a

happy birthday.

INFORMATIONAL MATERIALS AND REPORTS

NOTICE OF NEXT MEETING AND ADJOURNMENT

With no further business to come before the assembly, President Ogle adjourned the meeting at 7:44 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of January 8, 2019.

Johni Blankenship, MMC, Borough Clerk

Approved by the Assembly: _____