



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

Tuesday, February 16, 2021

6:00 PM

Betty J. Glick Assembly Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

[Clerk's Note: No invocation was given.]

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.

Vice President Johnson stated the Legislative Committee met and discussed its

agenda item.

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.

[KPB-2991](#) February 2, 2021 Regular Assembly Meeting Minutes

Approved.

[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)

[Clerk's Note: The final Whereas clause was amended to read: "the Kenai Peninsula Borough Planning Commission, at its regular meeting of January 25, 2021 recommended approval by unanimous consent." and the ninth Whereas clause was amended to read: "the South Peninsula Hospital Service Area Board, at its meeting of January 14, 2021 recommended approval by the passage of SPHSA Resolution 2021-01."]

This Budget Ordinance was enacted as amended.

[2020-19-18](#) An Ordinance Appropriating Supplemental Funds to Support the Western Emergency Service Area for the Remainder of Fiscal Year 2021 (Mayor)

[Clerk's Note: The final Whereas clause was amended to read: "at its regular meeting of February 10, 2020, the WESA board recommended approval of this ordinance by unanimous consent."]

This Budget Ordinance was enacted as amended.

[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)

[Clerk's Note: The final Whereas clause was amended to read: "the Planning Commission at its regularly scheduled meeting held on February 8, 2021 recommended approval by unanimous consent."]

This Ordinance was enacted as amended.

[2021-05](#) An Ordinance Authorizing the Negotiated Lease of Office Space at the Western Emergency Service Area Fire Department, Ninilchik Station (Mayor)

[Clerk's Note: The second to last whereas clause was deleted in its entirety and the final Whereas clause was amended to read: "the Western Emergency Service Area Board at its regularly scheduled meeting of February 10, 2021 recommended approval by unanimous consent."]

This Ordinance was enacted as amended.

[2021-011](#) A Resolution Accepting Emergency Response Training Manikin Equipment from the Southern Region Emergency Medical Services Council, Inc. on Behalf of Nikiski Fire Service Area (Mayor)

[Clerk's Note: The second to last Whereas clause was amended to read "at its regularly scheduled meeting held on February 10, 2021, the Service Area board recommended approval of this resolution;" (technical amendment)]

This Resolution was adopted as amended.

[2021-016](#) A Resolution Authorizing the Kenai Peninsula Borough Mayor to Submit a Bond Reimbursement Application to the Alaska Department of Education and Early Development for the Approval of Additional Projects in the Bond Reimbursement Program for Bonds Sold in 2014 (Mayor)

[Clerk's Note: The Title was amended to read: "A Resolution Authorizing the Kenai Peninsula Borough Mayor to [SUBMIT] Enter Into a Bond Reimbursement [APPLICATION] Agreement [TO THE] With the State of Alaska Department of Education and Early Development for [THE APPROVAL OF] Additional Projects in the Bond Reimbursement Program for Bonds Sold in 2014." and

Amend the third Whereas clause to read, "the assembly authorized the mayor to [SUBMIT] enter into a bond reimbursement [APPLICATION] agreement [TO] with the State of Alaska Department of Education and Early Development ("DEED") for the approval of the Redoubt Elementary roof project in 2019;" and

Amend the seventh Whereas clause to read, "this project is eligible under the Debt Funding Categories per AS 14.11.100 (j)(4) of the Bond Reimbursement program; [AND] and

Delete the eight whereas clause in its entirety and

Amend Section to read, "The mayor is authorized to [SUBMIT] enter into a Bond Reimbursement [APPLICATION TO THE] Agreement with DEED for the [APPROVAL OF THE] Homer High School Roof Replacement Project Phase 1 project."

This Resolution was adopted as amended.

[2021-012](#) A Resolution Approving Mutual Aid and Automatic Aid Agreements and Operational Plans Between Western Emergency Service Area and Central Emergency Service Area for Fire and Emergency Response Services (Mayor)

This Resolution was adopted.

[2021-013](#) A Resolution Approving Mutual Aid and Automatic Aid Agreements and Operational Plans Between Western Emergency Service Area and Kachemak Emergency Service Area for Fire Response Services (Mayor)

This Resolution was adopted.

[2021-014](#) A Resolution Approving Mutual Aid and Automatic Aid Agreements and Operational Plans Between Western Emergency Service Area and the Homer Volunteer Fire Department for Fire Response Services (Mayor)

This Resolution was adopted.

[2020-19-19](#) An Ordinance Accepting and Appropriating Funding from the State of Alaska in the Amount of \$426,303 for Fiscal Year 2021 and Approving Projects to be Completed for Community Purposes Under the State's 2019/2020 and 2020/2021 Community Assistance Programs (Mayor)

This Budget Ordinance was introduced and set for public hearing.

[2020-19-20](#) An Ordinance Appropriating \$63,791.65 from the Equipment Replacement Fund for Imagery Acquisition and Approving a Sole Source Award to EagleView™ for the Purchase and Implementation of Pictometry Imagery (Mayor)

This Budget Ordinance was introduced and set for public hearing.

[2020-19-21](#) An Ordinance Appropriating General Fund Fund Balance for Design Development of Phase I of the Homer High School Roof Replacement (Mayor)

This Budget Ordinance was introduced and set for public hearing.

[2020-19-22](#) An Ordinance Accepting and Appropriating \$9,600 from the State of Alaska Division of Forestry to Supplement Costs to Manage the Slash Disposal Site Located in Cooper Landing (Mayor)

This Ordinance was introduced and set for public hearing.

[2021-07](#) An Ordinance Accepting Emergency Response Equipment from the Nikiski Firefighters Association, Inc. on Behalf of Nikiski Fire Service Area (Mayor)

This Budget Ordinance was introduced and set for public hearing.

[2021-08](#) An Ordinance Authorizing Leases of Space at the Kenai River Center Building with the State of Alaska Department of Fish and Game and Department of Natural Resources and Repealing Ordinance 2020-30 (Mayor)

This Ordinance was introduced and set for public hearing.

[2021-09](#) An Ordinance Authorizing a Community Trail Management Agreement with Snomads, Inc. (Mayor)

This Ordinance was introduced and set for public hearing.

Approval of the Agenda and Consent Agenda

President Hibbert called for public comment.

Dave Mastolier, Snomads, Inc. spoke in support of Ordinance 2021-09.

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

The motion to approve the agenda and consent agenda as amended 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-2990](#) Central Peninsula Hospital Quarterly Report (10 Minutes)

[Clerk's Note: Rick Davis, Central Peninsula Hospital CEO gave a quarterly report to the assembly.]

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Hibbert called for public comment with none being offered.

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES

[2021-03](#) An Ordinance Amending KPB 21.06.040, Administration, and KPB

21.06.070, "Development" Definition, for Floodplain Management Purposes (Mayor)

Derkevorkian moved to enact Ordinance 2021-03.

President Hibbert called for public comment with none being offered.

The motion to enact Ordinance 2021-03 carried by the following vote:

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

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

[2021-010](#)

A Resolution Approving Additional Positions in the Central Emergency, Nikiski Fire, Kachemak Emergency and Western Emergency Service Areas Using Existing Available FY21 Funds (Mayor)

Cox moved to adopt Resolution 2021-010.

President Hibbert called for public comment.

The following people spoke in support of Resolution 2021-010:

Leslie Morton, Soldotna

Julie Dennison, Soldotna

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

Bjorkman moved to amend Resolution 2021-010 as follows:

Amend Section 2 to read, "As requested by the Nikiski Emergency Service Area Board, the Kenai Peninsula Borough Assembly approves two [THREE] additional Firefighter positions [AND ONE ADDITIONAL ASSISTANT CHIEF FOR TRAINING POSITION,] temporarily for FY2021, and authorizes the use of [\$185,257] \$92,629 in available FY2021 funds to support assess continuation of these positions and an additional firefighter position and assistant chief for training position for FY2022 to be presented by the Mayor as a part of the FY2022 budget."

Assembly Members Dunne, Johnson and Elam spoke in support of the amendment.

The motion to amend Resolution 2021-010 carried by the following vote:

Yes: 7 - Bjorkman, Carpenter, Cox, Dunne, Johnson, Derkevorkian, and Elam

No: 2 - Hibbert, and Chesley

Cox moved to amend Resolution 2021-010 as follows:

The sixth Whereas clause was amended to read, " the Western Emergency Service Area Board requested and unanimously approved this resolution on February 10, 2021, to increase the number of personnel assigned to the Western Emergency Service Area to include four additional fire fighters and one assistant chief for FY2021 and FY2022; and"

The motion to amend Resolution 2021-010 carried by the following vote:

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

Assembly Member Dunne spoke in support of Resolution 2021-010 as amended.

The motion to adopt Resolution 2021-010 as amended carried by the following vote:

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

2021-015

A Resolution Encouraging Alaska Representatives and Governor Dunleavy to Fully Fund the State's Budget for Abandoned Vehicle Removal within the Kenai Peninsula Borough (Cox, Johnson, Mayor, Hibbert, Elam)

Johnson moved to adopt Resolution 2021-015

President Hibbert called for public comment with none being offered.

Assembly Members Carpenter and Elam spoke in support of Resolution 2021-015.

The motion to adopt Resolution 2021-015 carried by the following vote:

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

3. Other

KPB-2979

Petition to Vacate a Segment of a 100' Right-of-Way Adjoining the East Boundary of Lot 1 Block 6 and the West Boundary of Lot 7 Block 3 Caribou Island Amended (Plat SW-37)

[Clerk's Note: The Planning Commission approved the referenced petition at its January 25, 2021 meeting, by majority vote.]

Derkevorkian moved to veto the action of the planning commission.

President Hibbert called for public comment.

The following people spoke in support of the motion to veto the Planning Commission's action:

Christian Washburn

Russell Nogg

Ernie Alvarez
Daniel Moose, Kenai
Deborah Wing
Krista Schooley, Soldotna
James Merrian

The following people spoke in opposition to the motion to veto the Planning Commission's action.

Mike Clements, Sterling
Peggy Clements, Sterling

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

Assembly Members Johnson, Carpenter, Bjorkman, Cox and Elam spoke in support of the motion to veto the Planning Commission's action.

President Hibbert passed the gavel to Vice President Johnson and spoke in support of the motion to veto the Planning Commission's action. Vice President returned the gavel to President Hibbert.

The motion to veto the Planning Commission's action carried by the following vote:

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

MAYOR'S REPORT

[KPB-2987](#) Mayor's Report Cover Memo

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
 - a. [KPB-2988](#) Sole Source: Lateral Medical Corporation SimJunior Patient Simulator
3. Other
 - b. [KPB-2989](#) Capital Project Reports - December 31, 2020

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

President Hibbert called for public comment with none being offered.

ASSEMBLY COMMENTS

Assembly Member Elam thanked everyone for their participation and encouraged everyone to participating in person. He stated he looked forward to participate in

person at the next meeting.

Assembly Member Dunne wished everyone a good evening.

Assembly Member Chesley stated his pleasure for meeting in person in the newly remodeled assembly chambers. He thanked the assembly for their hard work throughout the evening.

Assembly Member Carpenter thanked everyone for their participation and advocated for the public to testify in person. He encouraged everyone to drive safely.

Assembly Member Bjorkman thanked the assembly for a good evening. He stated he had a great few weeks at school with students and was thankful to have everyone back to in person learning. He stated he looked forward to parent-teacher conferences at the end of the week. He reminded everyone of early release day on February 17th. He expressed his excitement for the Kenai Peninsula Economic Development District (KPEDD) and the great things they were accomplishing. He stated he would like to see internet services providers be incentivized to provide residents with high speed internet services. He met with Purchasing Director, John Hedges to discuss borough master planning. He also met with Mayor Pierce to discuss capital projects and maintenance. He stated great things were happening at the borough and encouraged everyone to drive safely.

Assembly Member Derkevorkian thanked everyone who testified. He stated he enjoyed hearing from the public. He reminded the public that the chambers were open for in person participation. He stated that the "Shop Here All Year in Kenai!" program was underway.

Assembly Member Cox stated he was attending the upcoming KPEDD board meeting. He stated the school district's student allocation was closer to \$15,000 rather than the \$19,000 as previously reported. He shared an article he found from 2020 which stated the State of Alaska's average student cost was roughly \$16,000. He encouraged people to go to the source to find accurate information. He stated that Soldotna High School sports were in full swing and their hockey team was in their state tournament and the basketball team's had upcoming games against Homer. He stated the cross-country team was hosting boroughs over the weekend at Tsalteshi Trails.

Vice President Johnson provided a history of Alaska's Elizabeth Peratrovich Day.

President Hibbert thanked everyone for their participation. He stated he attended the latest Kenai River Social Management Advisory Board Meeting and they were looking to create a sockeye salmon stamp to raise money. He expressed his excitement for longer Alaskan days and wished everyone a good evening.

PENDING LEGISLATION

- 1. [2021-06](#) Amending KPB 16.04 - Establishment of Service Areas to Establish Residency Requirements for Appointed Service Area Board Members (Mayor)
- 2. [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
- 3. [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
- 4. [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

- 1. March 2, 2021 Regular Assembly Meeting
 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 Hibbert adjourned the meeting at 9:38 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of February 16, 2021.

Johni Blankenship, MMC, Borough Clerk

Approved by the Assembly: _____

