



# 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, January 5, 2021

6:00 PM

Betty J. Glick Assembly Chambers  
George A. Navarre Kenai Peninsula Borough  
Administration Building  
and Through Zoom. Meeting ID: 938 6524 5999  
Passcode: 886199

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

[Clerk's Note: A moment of silence was observed.]

### 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

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.

Assembly Member Johnson stated the Legislative 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.

[KPB-2926](#) December 1, 2020 Regular Assembly Meeting Minutes approved.

[KPB-2927](#) December 15, 2020 Special Assembly Meeting Minutes  
A motion was made to approve the Agenda and Consent Agenda. The motion carried by the following vote:

[2020-49](#) An Ordinance Approving the Transfer of Assets from Ninilchik Emergency Services, Inc. to the Borough on Behalf of the Newly Expanded Fire & Emergency Medical Service Area (Mayor)

*[Clerk's Note: The Title was amended to read, "Approving the Transfer of Assets from Ninilchik Emergency Services, Inc. to the Borough on Behalf of the Newly Expanded Fire and Emergency Medical Service Area and Extending the Deadline for Completion of the Transfer of Assets"]*

*Section 1 was amended to read: "That the Borough Mayor is authorized to execute any preliminary documents necessary for the borough to accept the transfer of all real and personal property located in or obtained for use at or by the Ninilchik Fire Department from NES on behalf of the newly expanded service area called the Western Emergency Service Area, subject to inspection and approval of the property by the borough administration. A list of the property proposed to be transferred to the borough, subject to borough approval, is attached hereto as Attachment A and incorporated herein by reference. The final transfer agreement and list of property will be presented to the assembly for approval before the transfer deadline."*

*A new Section to read as follows: "That the deadline in Section 8 of Ordinance 2020-31 for the transfer of free and clear title, ownership and possession of all real and personal property located in and obtained for use at or by the Ninilchik Fire Department to the borough on behalf of the Western Emergency Service Area is extended from January 31, 2021 to April 20, 2021. The failure to transfer said assets as described shall render the creation of the Western Emergency Service Area null and void."*

*Renumber Section 2 to Section 3.]*

**This Ordinance was enacted as amended.**

- [2021-001](#) A Resolution Adopting an Alternate Allocation Method for the FY21 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.**
- [2021-003](#) A Resolution Approving the Public Relations Objectives for Fiscal Year 2021 (Mayor)  
**This Resolution was adopted.**
- [2021-004](#) A Resolution Requesting Senators Lisa Murkowski and Dan Sullivan, and Congressman Don Young to Take Actions Exempting COVID-19 Relief Funds from Federal Income Taxation (Borough Assembly)  
**This Resolution was adopted.**
- [2021-005](#) A Resolution Certifying Assembly Support of the Kenai Performers, Inc. in Providing Community Theatre for the Past 40 Years and in Support of its Loan with the USDA Rural Development Program to Purchase a Commercial Building for it's Black-Box Theatre (Borough Assembly)  
**This Resolution was adopted.**
- [2020-19-15](#) An Ordinance Appropriating \$112,341.16 from the Land Trust Fund, Fund Balance to be Transferred to the Land Trust Investment Fund Representing the Fiscal Year 2020 Transfer of Land Sales Revenue to the Land Trust Investment Fund Per KPB 5.20.080(B) (Mayor)  
**This Budget Ordinance was introduced and set for public hearing.**
- [2020-19-16](#) An Ordinance Accepting and Appropriating a \$150,164.45 Grant from The National Oceanic and Atmospheric Administration, Gulf of Alaska Pink Salmon Fishery Disaster Relief Program Administered by the Pacific States Marine Fisheries Commission to Improve Fish Passage at Old Exit Glacier Road Bridge #1 (Mayor)  
**This Budget Ordinance was introduced and set for public hearing.**
- [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)

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

[2021-02](#)

An Ordinance Authorizing the Negotiated Lease of Classroom Space at the Soldotna Prep Building with the Boys and Girls Club of the Kenai Peninsula (Mayor)

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

#### Approval of the Consent Agenda

President Hibbert called for public comment.

Robert Gibson, addressed Resolution 2021-001 and Resolution 2021-002.

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

- [KPB-2924](#) COVID-19 Vaccine Update and Q & A, Dr. Kristin Mitchell (10 Minutes)

[Clerk's Note: Dr. Kristin Mitchell gave a presentation regarding the COVID-19 vaccination to the assembly.]
- [KPB-2925](#) Kenai Peninsula Economic Development District Update, Tim Dillon, Executive Director (10 Minutes)

[Clerk's Note: Tim Dillon, KPEDD Executive Director gave a presentation 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

#### UNFINISHED BUSINESS

**NEW BUSINESS**

## 1. Resolutions

[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)

**Derkevorkian moved to adopt Reslution 2021-002**

President Hibbert called for public comment with none being offered.

**Derkevorkian moved to postpone Resolution 2021-002 to the February 2, 2021 meeting.**

**The motion to postpone Resolution 2021-002 to the February 2, 2021 meeting carried by the following vote:**

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

**MAYOR'S REPORT**

[KPB-2920](#) Mayor's Report Cover Memo

## 1. Assembly Requests/Responses

## 2. Agreements and Contracts

**a.** [KPB-2921](#) Authorization to Award a Contract for ITB21-002 40CY MSW Roll-Off Container(s) & Parts to Kenai Welding, Kenai, Alaska.

## 3. Other

**a.** [KPB-2922](#) Revenue-Expenditure Report - November, 2020

**b.** [KPB-2923](#) Budget Revisions - November, 2020

**PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

President Hibbert called for public comment with none being offered.

**ASSEMBLY COMMENTS**

Assembly Member Bjorkman thanked the Borough administration, Clerk's office and IT Departments for their hard work in the assembly chamber remodel. He stated he was thankful to be meeting together again. He thanked the public for their input and participation throughout the evening. He stated that the Kenai Peninsula Borough School District would bring students back to the classroom on January 11th, 2021. He thanked Dr. Mitchell and Tim Dillon for their presentations.

Assembly Member Chesley stated that the Orthodox Christian Christmas would take place on January 7th. He thanked the Mayor for his focus on the safety culture at the Borough.

Assembly Member Carpenter thanked everyone for their hard work in reopening the assembly chambers. He stated he was looking forward to meeting in person at the upcoming meeting. He encouraged everyone to drive safely and wished everyone a happy new year.

Assembly Member Derkevorkian thanked the Borough administration, Clerk's office and IT Departments for their hard work in reopening the assembly chambers. He stated the importance of in-person meetings and having face-to-face discussions. He stated he was happy that kids were heading back in school and encouraged the public to voice their opinion in their communities.

Assembly Member Dunne thanked everyone for their participation. He stated his appreciation for the new technology for assembly members. He encouraged constituents to participate in the meetings over Zoom. He thanked Dr. Mitchell for her presentation on COVID-19 vaccine. He encouraged the public to get the COVID-19 vaccine. He thanked the legislative delegation for participating in dialogue with the assembly earlier in the day. He wished everyone good evening.

Assembly Member Cox stated he met with borough administration and President Hibbert regarding a promotional contract with Agnew::Beck. He stated his disagreement with the contract process and wished the contractual objections would go before the assembly.

Assembly Member Elam thanked the public for their input. He thanked the assembly and legislative delegation for their participation in the meeting. He stated he was happy to be participating in-person. He stated his appreciation to borough staff for their hard work in re-opening the assembly chambers. He thanked Dr. Mitchell and Tim Dillon for their presentations. He encouraged everyone to continue to work together to get through the pandemic and keep kids in school.

Vice President Johnson gave a brief report from the Anadromous Waters Habitat Protection Work Group and the Western Emergency Services Board Meetings. He stated his appreciation for borough staff and their hard work.

President Hibbert stated his appreciation for borough staff and was impressed with how they've helped residents through the pandemic. He thanked Mr. Gibson for his testimony. He encouraged the school district to work with Tim Dillon at the Kenai Peninsula Economic District to promote the workforce development program. He

thanked the Clerk's Office and IT for their hard work in the assembly chambers remodel. He stated his appreciation for the assembly members and wished everyone a good night.

## **PENDING LEGISLATION**

- [2020-45](#) An Ordinance Amending KPB 2.40, Planning Commission, KPB Title 20, Subdivisions, and KPB 21.20, Hearing and Appeals, to Correct Grammatical Errors, and Clarify and Improve Certain Administrative Procedures (Mayor)
- [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
- [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
- [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. January 7, 2021 AWPWG  
2:00 PM This meeting will be held through Zoom Meeting ID: 917 6098 9577 Passcode: 607311
2. January 19, 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 Hibbert adjourned the meeting at 8:41 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of January 5, 2021.

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Johni Blankenship, MMC, Borough Clerk

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