

Kenai Peninsula Borough  
Office of the Borough Clerk

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**MEMORANDUM**

**TO:** Brent Johnson, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Johni Blankenship, Borough Clerk (M) for JB

**FROM:** Michele Turner, Deputy Borough Clerk (M)

**DATE:** April 19, 2022

**RE:** Ordinance 2022-09: Authorizing a Negotiated Lease at Less Than Fair Market Value of Certain Real Property Containing 3.5 Acres More or Less to the Anchor Point Food Pantry for a Food Pantry and Other Community Uses (Mayor)

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Per KPB 22.40.050(F), the borough clerk, or the clerk's designee in his or her absence, has the authority to revise pending resolutions and ordinances prior to assembly action, by filling in any blanks in the legislation stating advisory board recommendations made concerning the legislation. This serves as our memorandum to advise the assembly of same.

Conforming to the advisory board's actions, the last two Whereas clauses have been updated to read:

**"WHEREAS,** the Anchor Point Advisory Planning Commission at its regularly scheduled meeting of April 7, 2022 recommended approval by majority consent; and

**WHEREAS,** the Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting of April 11, 2022 recommended approval by unanimous consent;"

Thank you.

Anchor Point Advisory Planning Commission  
Meeting Minutes: April 7, 2022

Call to Order: Meeting called to order by Dawson Slaughter at 7:00 pm

Roll Call: Dawson Slaughter, John Cox, Jay Wright, Donna White and Raymond Drake were present. Maria Bernier and Mary Trimble were absent.

Approval of previous minutes: A motion was made by Jay Wright and seconded by Raymond Drake to approve the minutes. The motion passed.

Approval of Agenda: Donna White made a motion to approve the agenda and John Cox seconded. The motion passed.

Correspondence: We received notice that the Planning Commission approved the utility easement for Piper's Haven.

Public Comment/Presentation without previous notice: None

Report from Borough

- a. Ryan Raidmae, KPB planner, informed us that there will be a 1 day zoom commissioner training available at a later date. He reiterated the change in what information the planning department wants regarding plat review.

Old Business: None.

New Business:

- a. Anchor Point Food Pantry lease-ordinance- Marcus Mueller, Land Management.  
14 community members signed in, however, there were more people present than that number represents.

Marcus Mueller, Land Management from the KPB presented the proposed lease of borough land to the Anchor Point Food Pantry (APFP) . It is an initial lease of 20 years with the possibility of an additional 10 years. He was questioned about whether or not the neighboring property owners were notified of this lease. The neighbors were noticed reading the land classification in the fall, but it was not required to notify the neighbors regarding the proposed lease. The KPB decided that 3.5 acres was a good size for community use.

Melissa (Misty) Martin explained the events that have led to the APFP requiring a new space. There has been a lot of work done developing the plan for this property. It has been difficult to raise funds when they have no property to use.

Robert Hallam, pastor of the Great land Worship Center (GLWC) stated that the Food Pantry had outgrown the space available at that location. They requested that they be allowed to put containers on the property to provide additional storage. The GLWC was not interested in having that curb appeal and suggested that they have 6 months to find a different location. They are very supportive of the FP and believe it provides a valuable service to the community of Anchor Point.

Chris Syme, Secretary of the Food Pantry, clarified that they required more space due to the influx of food as a result of the COVID virus and subsequent food supplies. She also included that there are trees on the property that they are hoping to use as a buffer around the property.

Robert Hallam inquired about the timelines for development of the property. According to the lease agreement the three phases are planned for 2022-2023, 2024-2025 and 2026-2028. The Borough will monitor the progress.

John Neville stated that there are a lot of people in distress this year. To get through this, we need to deal with the issues as the Anchor Point people. It is important that we deal with the issues of the distressed people as a town

problem and work to solve it as a community. The **FP** is an important aspect of this approach.

A neighbor of the property was concerned that the plan would be altered for another route into the property instead of School Street. Although the Borough cannot guarantee that that would never happen, the only plan for access is School Road. She was also concerned about the fact that people loiter in that area and what was the **FP** going to do about loiterers. The **FP** has had a procedure in place to not allow people to just hang around the area. They pick up food and are told to move on.

Emmitt Trimble stated that he has concerns about this location. He stated that the first Borough proposal was for 5 acres, but he '**complained**' to the Borough and it was moved to 3.5 acres. He stated that this land is an abandoned gravel pit and will be expensive for the **FP** to bring it up to the necessary standards to do what they plan. It will be expensive to bring water to the property and because the water table is low it will be expensive to get a sewer system installed. He suggested that the school would be a better use of the property and that this plan has been 'fast tracked' through the Borough. He thinks a better location would be the 40 acres of Borough property behind the Post Office.

Trent Herbst, a teacher at Chapman School stated that the school is always looking for more space. His classroom last year was 12 students, and this year he has 32.

Robert Hallam thanked the Borough for their generosity, but wondered if this is the best property for the **FP** in Anchor Point.

It is obvious to everyone in attendance that the **FP** needs to go somewhere and have the support of the community.

It was noted that the school has after school activities that use School Road. The **FP** was on that street for the last nine years and never had an issue with the school children. With the proposed lease, they will be even

farther away. Jay Wright asked about when school was out: 2:30 and the FP opens at 4:00 pm one day a week. It was noted that the after-school activities are over at 4:00pm.

Raymond Drake inquired about the Borough conducting test holes to determine the water level. Marcus stated that it was not the responsibility of the Borough to conduct these tests for private entities. Emmet Trimble volunteered to pay for the test holes. Marcus stated that the Borough has information from the state regarding test wells conducted by the state when the classification of the property was being considered.

Robert Hallam stated that it was important that the FP get the best possible land available. He also suggested that the FP consider a purchase agreement for when the lease is expired and suggested this be done prior to signing the lease agreement.

The KPB stated that there is no engineer on staff to conduct or interpret the results of the test holes. Marcus explained that for any KPB property under 5 acres, the Borough has a surveyor to test the property. If it is deemed unable to be used for the proposed use, the FP will have no penalty if they decide to bow out.

Donna White made the motion to recommend approval of the lease agreement to the Planning Commission and Borough Assembly. John Cox seconded. Emmitt will allow the FP to *move* onto his property if they can find someone to *move* the buildings they have.

It was pointed out that the FP cannot *move* onto the property until the lease has been signed.

A *vote* was taken on the motion, the motion passed 3 votes to 2 votes.

There are two letters submitted to the commission which will be included with the minutes.

b. Anchor Point Land Use Plan was tabled for the next meeting. It was not clear what this topic was regarding.

Announcements: None

Next Regular Meeting: May 5, 2022.

Commissioner comments: Dawson thanked those community members for attending the meeting and offering comments.

Adjournment: Meeting was adjourned by Dawson Slaughter at 8:46.

Attachments:

Email from Mary Trimble

Letter from Jeanette Shafer

## Turner, Michele

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**From:** Shirnberg, Ann  
**Sent:** Wednesday, April 13, 2022 8:53 AM  
**To:** Turner, Michele  
**Subject:** PC Recommendations for Legislation

Good Morning Michele,

The following pieces of legislation were heard at the April 11, 2022 Planning Commission meeting. The Planning Commission recommended unanimously (10-Yes & 1-Absent) to adopt the following:

- Resolution 2022-025: A resolution providing a 30 day application period prior to inactivating the Kalifornsky Advisory Planning Commission.
- Ordinance 2022-06 – An ordinance authorizing the negotiated sale of 180.281 acres in Cooper Landing as part of the Sterling Highway Mile Post 45-60 Realignment Project to the State of Alaska Department of Transportation & Public Facilities for a negotiated amount over appraised value.
- Resolution 2022-024: A resolution classifying certain parcel of Borough Owned Land in the Diamond Ridge area.
- Ordinance 2022-09: An ordinance authorizing a negotiated lease at less than fair market value of certain real property containing 3.5 acres more or less to the Anchor Point Food Pantry for a food pantry and other community uses.

Thank You,

Ann Shirnberg  
Administrative Assistant  
Planning Department  
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