



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 22, 2019

6:00 PM

Betty J. Glick Assembly Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

The invocation was given by Barbara McNinch.

ROLL CALL

[Clerk's Note: Assembly Members Cooper and Blakeley attended by 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 Fischer 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.

Assembly Member Dunne stated the Legislative Committee met and discussed its agenda items.

President Ogle stated the assembly met in a joint budget work session with the school district and had a good discussion.

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 Johni Blankenship noted by title only the resolutions and ordinances on the consent agenda.

[KPB-2001](#) January 8, 2019 Regular Assembly Meeting Minutes
approved

The following public hearing items met the required conditions of KPB 22.40.110 and were added to the consent agenda:

[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 enacted.

[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 enacted as amended.

[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 enacted.

[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 enacted.

[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 enacted.

New Business

[2019-008](#) A Resolution Approving a Quarterly Update to the Borough Retention Schedule (Ogle at the Request of the Borough Clerk)

This Resolution was adopted.

[2019-007](#) A Resolution Establishing Kenai Peninsula Borough 2019 State Capital Project Priorities for Road Projects (Mayor)

[Clerk's Note: The third Whereas clause of Resolution 2019-007 was amended to read, "the RSA board recommended approval by the adoption of RSA Resolution 2019-02 at its meeting held January 15, 2019; and"]

This Resolution was adopted as amended.

[2019-009](#) A Resolution Establishing Kenai Peninsula Borough 2019 State Capital Project Priorities for Public Safety Projects (Mayor)

[Clerk's Note: The second Whereas clause in Resolution 2019-009 was amended to read, "the borough requests funding in the amount of \$[1,999,200]2,046,800 to purchase [294]301 self-contained breathing apparatus (SCBA) on behalf of all municipal and volunteer fire departments within the borough; and"]

This Resolution was adopted as amended.

[2018-19-28](#) An Ordinance Appropriating \$2,322,000 in Closure/Postclosure Funds for Costs Associated with Phase II Closure of the Homer Landfill (Mayor)

This Budget Ordinance was introduced and set for public hearing.

[2019-01](#) An Ordinance Amending KPB 2.56.030 to Adopt the 2018 Homer Comprehensive Plan as the Official Comprehensive Plan for that Portion of the Borough within the Boundaries of the City of Homer (Mayor) (Hearing on 02/19/19)

This Ordinance was introduced and set for public hearing.

[2019-02](#) An Ordinance Amending KPB Title 3 to Enact Local Provisions for Protection of Whistleblowers (Cooper, Smalley) (Hearing on 02/19/19)

This Ordinance was introduced and set for public hearing.

[KPB-2004](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store, License No. 17204 Filed by Mary's Garden, Subject to the Standard Conditions

[Clerk's Note: Standard Conditions for Commercial Marijuana Facilities are as follows:

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).
4. The marijuana establishment shall not conduct any business on, or allow any consumer to access, the retail marijuana store's licensed premises, between the hours of 2:00 a.m. and 8:00 a.m.]

approved

[KPB-2003](#) Confirming Kim Saner as the Human Resources Director (Mayor)

approved

[KPB-2002](#) Confirming Melanie Aeschliman as Borough Assessor (Mayor)

approved

Approval of the Agenda and Consent Agenda

President Ogle called for public comments.

Tim Navarre, Kenai spoke in support of Ordinance 2018-19-27.

Jason Ross, Nikiski spoke in opposition to Ordinance 2018-19-25.

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

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Ogle called for public comment.

Michele Hartline, Nikiski spoke in support of President Ogle and invited everyone to tune in to Sound Off on January 29, 2019 at 10:00 a.m. as he will be co-hosting.

Christine Hutchison, Kenai stated she was the state director of the Convention of States Project and spoke in support of Mayor Pierce.

Greg Stanley, Tote Road spoke in regards to the road construction in the Graycliff Subdivision.

Dennis Meadows, Kenai introduced himself to the assembly as the interim director of Kenai Peninsula Tourism and Marketing Council.

Tim Navarre, Kenai spoke in support of the assembly dedicating the chambers as the "Betty J. Glick Assembly Chambers."

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

MAYOR'S REPORT

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
 - a. [KPB-2006](#) Authorization to Award a Contract for ITB19-010 Calcium Chloride Purchase to NorthStar Supply, LLC, Palmer, Alaska.
 - b. [KPB-2007](#) Authorization to Award a Contract for ITB19-011 Emergency Response Rescue River Boat to Woodridge Boats, Inc., Seattle, Washington.
3. Other
 - a. [KPB-2008](#) Tesoro Foundation Grant – 2018 Final Installment of \$75,000.

ITEMS NOT COMPLETED FROM PRIOR AGENDA

UNFINISHED BUSINESS

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

President Ogle called for public comment with none being offered.

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. January 30, 2019 Material Site Work Group
2:00 PM Betty J. Glick Assembly Chambers, Soldotna, Alaska
2. February 5, 2019 Regular Assembly Meeting
6:00 PM Betty J. Glick Assembly Chambers, Soldotna, Alaska

ASSEMBLY COMMENTS

Assembly Member Fischer wished everyone a good evening and encouraged everyone to listen to Governor Dunleavy's State of the State Address.

Assembly Member Dunne stated the budget work session with the school district was a good discussion and looked forward to further joint work sessions. He stated even though the assembly meeting was short, he felt good things had been accomplished.

Assembly Member Blakeley wished everyone a good evening.

Assembly Member Smalley stated he attended the Kenai Peninsula Economic Development District's Industry Outlook Forum in Homer and provided a brief recap of events.

Assembly Member Hibbert stated he was thankful for the doctors and medical facilities available in our community. He stated he served on the Kenai Peninsula Tourism and Marketing Council's board and that they prepared a beautiful guide this year. Mr. Hibbert wished everyone a good evening.

Assembly Member Carpenter invited everyone to attend the polar bear jump in Seward on Saturday, January 26, 2019 and provided a brief recap of festivities.

Assembly President Ogle congratulated Kim Saner, HR Director and Melanie Aeschliman, Borough Assessor on their appointments. He stated he also attended the Kenai Peninsula Economic Development District's Industry Outlook Forum in Homer; stating there were good presentations and the forum was well done by Tim Dillon. Mr. Ogle stated the budget for Fiscal Year 2020 was approaching and that the assembly had a good joint budget work session with the school district.

INFORMATIONAL MATERIALS AND REPORTS

1. [KPB-2000](#) Records Management Program - Procedures

NOTICE OF NEXT MEETING AND ADJOURNMENT

With no further business to come before the assembly, President Ogle adjourned the meeting at 7:10 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of January 22, 2019.

Johni Blankenship, MMC, Borough Clerk

Approved by the Assembly: _____