



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Minutes - Draft Assembly

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Tuesday, November 12, 2024

6:00 PM

Betty J. Glick Assembly Chambers

Meeting ID: 895 1103 3332 Passcode: 193069

[https://yourkpb.zoom.us/j/8951103332?](https://yourkpb.zoom.us/j/89511033332?pwd=GThg6CA4QuaaPihm3rpMKljbZoy5ZG.1)

[pwd=GThg6CA4QuaaPihm3rpMKljbZoy5ZG.1](https://yourkpb.zoom.us/j/8951103332?pwd=GThg6CA4QuaaPihm3rpMKljbZoy5ZG.1)

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

The invocation was given by Tim Weekley, Chaplain for Central Emergency Services.

### ROLL CALL

**Present:** 8 - Brent Johnson, Tyson Cox, Ryan Tunseth, Kelly Cooper, Peter Ribbens, Cindy Ecklund, James Baisden, and Willy Dunne

**Absent:** 1 - Bill Elam

Also present were:

Peter A. Micciche, Borough Mayor

Brandi Harbaugh, Finance Director

Sean Kelley, Borough Attorney

Michele Turner, Borough Clerk

Jason Kasper, Deputy Borough Clerk

### COMMITTEE REPORTS

Assembly Member Tunseth stated the Finance Committee met and discussed its agenda items.

*[8 Present: Baisden, Cox, Cooper, Dunne, Ecklund, Johnson, Tunseth, Ribbens/1 Absent: Elam]*

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

*[8 Present: Baisden, Cox, Cooper, Dunne, Ecklund, Johnson, Tunseth, Ribbens/1 Absent: Elam]*

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

*[8 Present: Baisden, Cox, Cooper, Dunne, Ecklund, Johnson, Tunseth, Ribbens/1 Absent: Elam]*

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

*[8 Present: Baisden, Cox, Cooper, Dunne, Ecklund, Johnson, Tunseth, Ribbens/1 Absent: Elam]*

Assembly President Ribbens stated the Committee of the Whole met and discussed its agenda item.

*[8 Present: Baisden, Cox, Cooper, Dunne, Ecklund, Johnson, Tunseth, Ribbens/1 Absent: Elam]*

## **APPROVAL OF AGENDA AND CONSENT AGENDA**

**Cooper moved to approve the Agenda and Consent Agenda.**

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

[KPB-6429](#) October 22, 2024 Regular Assembly Meeting Minutes  
approved.

[KPB-6449](#) LAYDOWN A Resolution Commending the Soldotna High School Football Team - 2024 Alaska Division II State Champion (Mayor, Cox)  
**This Commending Resolution was adopted.**

[KPB-6450](#) LAYDOWN A Resolution Commending the Homer High School Football Team - 2024 Alaska Division III State Champion (Cooper, Mayor)  
**This Commending Resolution was adopted.**

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

[2024-19-11](#) An Ordinance Deobligating Some or All In-Kind Services by the Cities of Kenai, Soldotna, and Homer and Appropriating their Cash Contributions as Required Match Funds for the Safe Streets and Roads for All Grant Project (Mayor)

*[Clerk's Note: Section 5 in Ordinance 2024-19-11 was amended to read, "That \$14,510 received from the City of Homer be appropriated to account 271.94910.23SSR.49999 for the Safe Streets and Roads for All Project."]*

**This Budget Ordinance was enacted as amended.**

[2024-19-16](#) An Ordinance Appropriating Funds from the School Maintenance Fund for Buildings and Grounds Contracts (Mayor)

**This Budget Ordinance was enacted as amended.**

[2024-19-17](#) An Ordinance Appropriating Supplemental Funds for Required Audit Fees Due to Additional Single Audit Programs that Have Met the Major Program Thresholds (Mayor)

*[Clerk's Note: Section 2 in Ordinance 2024-19-17 was amended to read, "That [\$6,598] \$16,545 is appropriated from the School Maintenance Fund fund balance to account 241.94910.43012 to provide for audit services associated with [an] two additional major federal single audit programs for the Kenai Peninsula Borough School District."]*

**This Budget Ordinance was enacted as amended.**

[2024-19-19](#) An Ordinance Appropriating Funds for the Ninilchik School Septic System Repair or Replacement Project (Mayor)

**This Budget Ordinance was enacted as amended.**

#### New Business

[2024-048](#) A Resolution Authorizing the Mayor to Enter into a Memorandum of Agreement with the City of Kachemak for Repair and Maintenance of the Clayton Way Right-of-Way (Mayor)

**This Resolution was adopted.**

[2024-049](#) A Resolution Amending the Scope of Work Under the Community Development Block Grant – Disaster Recovery Program to Update the Emergency Operations Plan (Mayor)

**This Resolution was adopted.**

[2024-051](#) A Resolution Authorizing the Mayor to Execute a Memorandum of Agreement and Fourth Amendment to the Operating Agreement with CPGH, Inc. (Mayor)

**This Resolution was adopted.**

[2024-052](#) A Resolution Establishing the Kenai Peninsula Borough's State Capital Project Priorities for the Year 2025 (Mayor) (Referred to Legislative Committee)

*[Clerk's Note: Dunne declared a possible conflict with Resolution 2024-052 as he was a prior member of the South Kenai Peninsula Hospital Service Area*

*Board and that his spouse was employed at South Kenai Peninsula Hospital. He stated there was no monetary benefit, nor was he involved with the project. Through the advice of legal counsel, President Ribbens ruled a conflict did not exist.]*

*[Clerks Note: In the document entitled "Kenai Peninsula Borough State Funding Priorities - 2025" was amended as follows:*

*i. Under the heading "the following are the Ranking Capital Priorities of the Kenai Peninsula Borough", add a new #5:*

*"...*

*5. South Peninsula Hospital pharmacy relocation, infusion expansion and relocation, and nuclear medicine service line addition project..."*

*ii. Under the heading, "UNINCORPORATED COMMUNITIES", add one additional project:*

*"...*

*Lowell Point (Emergency Shelter Improvements)...*

*..."]*

**This Resolution was adopted as amended.**

[2024-19-20](#) An Ordinance Redirecting Previously Appropriated Solid Waste Capital Project Funds for Leachate Concentrator Upgrades (Mayor) (Hearing on 12/03/24)

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

[2024-19-21](#) An Ordinance Accepting and Appropriating Funding from the State of Alaska in the Amount of \$410,514 and Approving Projects to be Completed for Community Purposes Under the 2024/2025 Community Assistance Program (Mayor) (Hearing on 12/03/24)

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

[2024-30](#) An Ordinance Confirming the Assessment Roll for the Jubilee Street Utility Special Assessment District and Establishing the Method for Terminating Assessments and Issuing Refunds to Property Owners (Mayor) (Hearing on 12/03/24)

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

[2024-33](#) An Ordinance Amending KPB 21.46.070 to Create the Kenai Wellness Estates Addition Local Option Zoning District Mixed-Use District (C-3) and Granting an Exception to the Minimum Twelve-Lot Requirement in KPB 21.44.040(A) (Mayor) (Hearing on 01/07/25)

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

[2024-31](#) An Ordinance Amending KPB Chapter 16.41 to Authorizing the KPB Road Service Area to Approve Minimal Maintenance Work and One-Time Maintenance Work on Roads not Currently Maintained by the KPB Road Service Area (Mayor) (Hearing on 01/07/25)

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

[2024-32](#) An Ordinance Amending KPB 21.50.055 Relating to the Start of Accrual of Civil Fines for Violations of Title 21 of the KPB Code (Mayor) (Hearing on 01/07/25)

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

[2024-29](#) An Ordinance Amending KPB 2.56.030 to Incorporate the 2024 Homer Transportation Plan as an Element of the Official Comprehensive Plan for that Portion of the Borough within the Boundaries of the City of Homer (Mayor) (Hearing on 01/07/25)

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

[KPB-6428](#) Approval of the 2025 Assembly Meeting Schedule (Ribbens at the Request of the Borough Clerk)  
**approved.**

Approval of the Agenda and Consent Agenda

President Ribbens called for public comment with none being offered.

**The motion to approve the Agenda and Consent Agenda as amended carried by the following vote:**

**Yes:** 8 - Johnson, Cox, Tunseth, Cooper, Ribbens, Ecklund, Baisden, and Dunne

**Absent:** 1 - Elam

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-6437](#) Mayor's Proclamation Declaring November 30, 2024 as "Small Business Saturday"

*[Clerk's Note: Mayor Micciche read the proclamation.]*

[KPB-6449](#) LAYDOWN A Resolution Commending the Soldotna High School Football Team - 2024 Alaska Division II State Champion (Mayor, Cox)

*[Clerk's Note: Mayor Micciche and Assembly Member Cox presented the Commending Resolution to the Soldotna High School Football Team, Principal Chip Abolafia, and Head Coach Galen Brantley.]*

[KPB-6450](#) LAYDOWN A Resolution Commending the Homer High School Football Team - 2024 Alaska Division III State Champion (Cooper, Mayor)

*[Clerk's Note: Mayor Micciche read the Commending Resolution for the Homer High School Football Team.]*

#### PRESENTATIONS WITH PRIOR NOTICE

[KPB-6439](#) Cook Inlet Natural Gas Storage Alaska (CINGSA), Project Update, John Sims, President

*[Clerk's Note: John Sims, President of ENSTAR/CINGSA, gave a presentation to the Assembly.]*

[KPB-6431](#) South Peninsula Hospital, Quarterly Report, Ryan Smith, CEO

*[Clerk's Note: Ryan Smith, CEO of South Peninsula Hospital gave a presentation to the Assembly.]*

#### PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Ribbens called for public comment.

**Tim Navarre**, Kenai addressed the Assembly regarding the Alaska Liquid Natural Gas (LNG) project.

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

#### MAYOR'S REPORT

Meeting went into Recess

Meeting Reconvened

[KPB-6432](#) Mayor's Report

- 1. Assembly Requests/Responses
- 2. Agreements and Contracts
  - a. [KPB-6433](#) Authorization to Award Contract ITB25-008 – CPL Leachate Infrastructure Phase II
  - b. [KPB-6434](#) Authorization to Award Contract ITB25-014 – Rocky Ridge Operations Maintenance
- 3. Other
  - a. [KPB-6435](#) Litigation Status Report – Quarter Ending 09/30/24
  - b. [KPB-6436](#) Tax Adjustment Request Approval

**ITEMS NOT COMPLETED FROM PRIOR AGENDA**

None.

**PUBLIC HEARINGS ON ORDINANCES**

[2024-19-18](#) An Ordinance Authorizing the Acquisition of Real Property Located Adjacent to the Chapman School Campus in Anchor Point for Future School Use, and Appropriating \$850,000 from the General Fund for the Purchase (Mayor)

Tunseth moved to enact Ordinance 2024-19-18.

President Ribbens called for public comment.

The following people spoke in support of Ordinance 2024-19-18:

- Lindsay Bear**
- Jessica Williams**
- Heidi Stokes**
- Casey Eberte**
- Amanda Friendshuh**
- Jeanette Shafer**

The following people spoke in opposition of Ordinance 2024-19-18:

**Mary Griswold** (via Zoom)

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

closed.

**Cooper moved to amend Ordinance 2024-19-18 as follows:**

Add a new second-to-last Whereas clause to read, "a safety concern has been identified and makes the timing of this more critical; and"

**The motion to amend Ordinance 2024-19-18 carried by the following vote:**

**Yes:** 8 - Johnson, Cox, Tunseth, Cooper, Ribbens, Ecklund, Baisden, and Dunne

**Absent:** 1 - Elam

**The motion to enact Ordinance 2024-19-18 as amended carried by the following vote:**

**Yes:** 8 - Johnson, Cox, Tunseth, Cooper, Ribbens, Ecklund, Baisden, and Dunne

**Absent:** 1 - Elam

[2024-28](#)

An Ordinance Adopting the Updated 2024 Kenai Peninsula Borough Hazard Mitigation Plan, a Multi-Jurisdictional Plan Including the Cities of Seldovia and Seward (Mayor)

**Cox moved to enact Ordinance 2024-28.**

President Ribbens called for public comments with none being offered.

**Cox moved to amend Ordinance 2024-28 as follows:**

The final whereas clause to read, "the KPB Planning Commission held a public hearing on this ordinance at its [September 23] October 14, 2024, meeting and recommended approval by unanimous consent."

**The motion to amend Ordinance 2024-28 carried by the following vote:**

**Yes:** 8 - Johnson, Cox, Tunseth, Cooper, Ribbens, Ecklund, Baisden, and Dunne

**Absent:** 1 - Elam

**The motion to enact Ordinance 2024-28 as amended carried by the following vote:**

**Yes:** 8 - Johnson, Cox, Tunseth, Cooper, Ribbens, Ecklund, Baisden, and Dunne

**Absent:** 1 - Elam

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

- 1. Resolutions



[2024-050](#)

A Resolution Supporting the Transportation Priorities to be Considered for Grant Funding to be Submitted to the State of Alaska Department of Transportation and Public Facilities (Mayor)

*[Clerk's Note: Cox declared a possible conflict with Resolution 2024-050 as he was a CARTS Board member and participated in voting on the transportation priorities. He stated there was no monetary benefit. Through the advice of legal counsel, President Ribbens ruled a conflict did not exist.]*

**Dunne moved to adopt Resolution 2024-050.**

President Ribbens called for public comments.

**Tim Navarre**, Kenai addressed the Assembly and spoke in opposition to Resolution 2024-050.

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

**The motion to adopt Resolution 2024-050 carried by the following vote:**

**Yes:** 8 - Johnson, Cox, Tunseth, Cooper, Ribbens, Ecklund, Baisden, and Dunne

**Absent:** 1 - Elam

## PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

President Ribbens called for public comment.

**Tim Navarre**, Kenai addressed the Assembly and spoke in opposition to Resolution 2024-050.

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

## ASSEMBLY COMMENTS

Assembly Member Dunne stated he was attending a Seldovia City Council meeting in Seldovia on November 25, 2024. He thanked the Homer Police Department for their work in apprehending a suspect involved in the recent incidents at a couple of Homer facilities.

Assembly Member Tunseth stated he attended the Kenai Peninsula Board of Education meeting on November 4, 2024. He stated he attended the regional volleyball championship tournament held in Nikiski and was impressed with the level of play by the teams. He thanked Nikiski High School for hosting the tournament. He stated the Peninsula Oilers were not having a 2025 season. He congratulated Rose Berg, a 4th grader from Connections Home School for winning Senator Murkowski's 2024 U.S. Capitol Christmas Tree Essay Contest. He stated that Kenai

did not receive the Small Community Air Service Development Grant to test the viability of direct air service from Kenai to Seattle/Tacoma. He stated that Saturday, November 14, 2024 was the Boys and Girls Annual Auction.

Assembly Member Baisden stated that November 11, 2024 was Veterans Day and thanked the community for everything they did for veterans. He stated the Kenai Cardinals, Nikiski Bulldogs, Seward Seahawks, and Soldotna Stars Volleyball Teams was participating in the Alaska State Volleyball Championships in Anchorage and wished them luck.

Assembly Member Johnson stated he was attending the Kenai Peninsula College Council on November 14, 2024.

Assembly Member Cox stated he attended a CARTS meeting on November 11, 2024. He stated he was excited skiing was now available for the community.

Assembly Member Ecklund stated she met with the Alaska Railroad Corporation (ARRC) in Seward on November 5, 2024. She stated she was a member of the Seward Community Library Association and had attended their annual membership meeting and commented author Betty Epps Arnett (91) was one of the speakers. She stated she attended the regional volleyball tournament held in Nikiski and commented that we have very strong teams heading to Anchorage.

President Ribbens stated he attended a presentation hosted by Homer Electric Association and Renewable Independent Power Producer (RIPP) regarding a proposal to build a 45-megawatt solar farm in Nikiski.

## **INFORMATIONAL MATERIALS AND REPORTS**

### **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. December 3, 2024 6:00 PM  
Regular Assembly Meeting  
Betty J. Glick Assembly Chambers  
Borough Administration Building  
Remote participation available through Zoom  
Meeting ID: 895 1103 3332 Passcode: 193069

### **ADJOURNMENT**

With no further business to come before the assembly, President Ribbens adjourned the meeting at 9:20 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough

Assembly meeting of November 12, 2024.

\_\_\_\_\_  
Michele Turner, CMC, Borough Clerk

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