



# 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 19, 2021

6:00 PM

Betty J. Glick Assembly Chambers

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

[Clerk's Note: An invocation was given by Carrie Henson.]

### 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

James Baisden, Chief of Staff

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-2940](#) January 5, 2021 Assembly Meeting Minutes  
approved

[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 enacted.**

[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)  
*[Clerk's Note: The final Whereas clause was amended to read: "at its regularly scheduled meeting held January 12, 2021, the Road Service Area Board recommended to approve the grant and expenditure of local funds in the amount of \$4,835.55;" and]*  
**This Budget Ordinance was enacted as amended.**

[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)  
*[Clerk's Note: The final Wherease clause was amended to read, "the Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting of January 11, 2021 and recommended approval by unanimous consent."*  
  
*A new Section 7 to read as follows, "Section 7. That the mayor is authorized to amend the lease by mutual agreement of the parties to expand or alter the number and location of classroom spaces leased to the Boys and Girls Club for youth services on similar terms as the original lease."*  
  
*All remaining sections renumbered accordingly.]*

**This Ordinance was enacted as amended.**

[2021-006](#) A Resolution Redistributing Fiscal Years 2018 and 2019 Community Assistance Program Funds to Eligible Nonprofits within the Unincorporated Communities of Diamond Ridge and Fritz Creek (Mayor)

**This Resolution was adopted.**

[2021-007](#) A Resolution Approving the Tourism and Economic Development Program Objectives for Fiscal Year 2022 (Mayor)

**This Resolution was adopted.**

[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)

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

[2021-03](#) An Ordinance Amending KPB 21.06.040, Administration, and KPB 21.06.070, "Development" Definition, for Floodplain Management Purposes (Mayor)

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

[KPB-2944](#) Confirming the Appointment to the Kenai Peninsula Borough Funny River Advisory Planning Commission (Mayor)

Donovan J. Fritz, Seat A, Term Expires September 30, 2023  
**approved.**

[KPB-2945](#) Confirming the Appointment to the Western Emergency Service Area Board (Mayor)

Janice Nofziger, Seat E (At-Large), Term Expires October, 2021  
**approved.**

Approval of the Consent Agenda

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

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

### PRESENTATIONS WITH PRIOR NOTICE

1. [KPB-2942](#) South Peninsula Hospital Quarterly Report (10 Minutes)  
*[Clerk's Note: Rick Davis, South Peninsula CEO gave a quarterly report to the assembly.]*
2. [KPB-2941](#) Project Homeless Connect, Jodi Stuart (10 Minutes)  
*[Jodi Stuart gave a presentation regarding Project Homeless Connect to the assembly.]*

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

President Hibbert called for public comment.

**Debbie Cary**, Ninilchik provided an update on the Kenai Peninsula Borough School District and the upcoming Superintendent interviews.

**Frank Christianson**, Sterling spoke in support of Resolution 2021-002.

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

### ITEMS NOT COMPLETED FROM PRIOR AGENDA

### PUBLIC HEARINGS ON ORDINANCES

[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)

A motion to enact Ordinance 2020-45 was on the floor from the 11/10/20 meeting

President Hibbert called for public comment with none being offered.

**Bjorkman** moved to postpone Ordinance 2020-45 to the March 2, 2021 meeting.

The motion to postpone Ordinance 2020-45 to the March 2, 2021 meeting carried by the following vote:

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

### UNFINISHED BUSINESS

**NEW BUSINESS**

## 1. Resolutions

[2021-008](#)

A Resolution Requesting the U.S. Secretary of Commerce to Declare a Commercial Fishery Resource Disaster Due to the 2020 Failure of the Upper Cook Inlet Commercial Sockeye Salmon Fishery (Mayor, Johnson)

**Johnson moved to adopt Resolution 2021-008**

President Hibbert called for public comment with none being offered.

Vice President Johnson declared a possible conflict of interest as he has a commercial fishing set-net permit. After consulting with legal, President Hibbert ruled no conflict existed as his permit was part of a larger group.

Assembly Member Bjorkman declared a possible conflict of interest as he has a commercial fishing set-net permit. After consulting with legal, President Hibbert ruled no conflict existed as his permit was part of a larger group.

Assembly Member Bjorkman spoke in support of Resolution 2021-008.

**Johnson moved to amend Resolution 2021-008 by Substitute Resolution**

**The motion to amend Resolution 2021-008 by substitute carried by the following vote:**

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

**The motion to adopt Resolution 2021-008 as amended carried by the following vote:**

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

## 3. Other

[KPB-2946](#)

Confirmation of Melanie Aeschliman as Borough Director of Planning (Mayor)

**Bjorkman moved to approve the confirmation of Melanie Aeschliman as Borough Director of Planning**

**Cox moved to postpone the confirmation of Melanie Aeschliman as Borough Director of Planning to the February 2, 2021 meeting.**

Assembly Members Johnson and Dunne spoke in support to postponing the confirmation.

Assembly Members Carpenter and Derkevorkian spoke in opposition to postponing the confirmation.

**The motion to postpone the confirmation failed by the following vote:**

**Yes:** 4 - Cox, Dunne, Johnson, and Chesley

**No:** 5 - Bjorkman, Carpenter, Hibbert, Derkevorkian, and Elam

Assembly Members Bjorkman, Cox and Dune Spoke in support of the confirmation.

**The motion to approve the confirmation of Melanie Aeschliman as Borough Director of Planning carried by the following vote:**

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

## MAYOR'S REPORT

### [KPB-2932](#) Mayor's Report Cover Memo

1. Assembly Requests/Responses
2. Agreements and Contracts
  - a. [KPB-2933](#) Authorization to Award a Contract for ITB21-017 Homer Medical Center Roof Replacement to Building Specialties, Inc., Anchor Point, AK.
  - b. [KPB-2934](#) Sole Source to Purchase Full-Time/Volunteer Uniforms from Bare Threads.
  - c. [KPB-2935](#) Authorization to Award a Contract for RFP21-005 Janitorial Services - River Center Building to Touch of Gold Cleaning, LLC.
  - d. [KPB-2936](#) Sole Source to Purchase Genie Telehandler from United Rentals.
  - e. [KPB-2937](#) Authorization to Award a Contract for RFP21-005 Janitorial Services - Office of Emergency Management and 911 Building to Touch of Gold Cleaning, LLC.
3. Other
  - a. [KPB-2938](#) 20CAR Summary Reports as of 01/11/21
  - b. [KPB-2939](#) Litigation Status Report - Quarter Ending 12/31/20

## PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

President Hibbert called for public comment with none being offered.

## ASSEMBLY COMMENTS

Assembly Member Chesley thanked everyone for their hard work. He thanked the

mayor and administration for their work on the confirmation of Melanie Aeschleman as Borough Director of Planning.

Assembly Member Carpenter thanked Dean Carl for driving him to Soldotna for the meeting. He stated how nice the newly renovated chambers looked. He stated that his wife was rear-ended in Cooper Landing and encouraged everyone to drive safely. Thanked DOT and Seward residents for their work on keeping the roads safe in the Seward area. He congratulated Senator Peter Micciche on becoming the State of Alaska Senate President.

Vice President Johnson thanked everyone for their input throughout the night. He reminded residents of the Kenai Peninsula Fishing Association Meeting. He thanked the Finance department for the CAFR and congratulated them for their financial award of excellence. He congratulated Melanie Aeschliman on her confirmation as Planning Director. He stated the Tutka Lagoon Hatchery may be closing and encouraged the public to submit public comments to State Parks.

Assembly Member Bjorkman thanked everyone for their work throughout the evening. Encouraged the public to stay engaged in local politics. He stated his excitement on being back in the classroom with students. He stated he was looking forward to having all students back five days a week. He thanked Margret Gilman and Dan Carstens for their dedication to KPBSD and wished them well in their retirement. He encouraged residents to get involved in the process of the hiring of new administrators at their local schools. He is grateful that the North Peninsula Recreational Center is reopening. He encouraged the public to participate in the reopening process.

Assembly Member Derkevorkian encouraged the public to get engaged in public meetings. He thanked administration and fellow assembly members for their hard work during the meeting.

Assembly Member Dunne thanked everyone for their hard work throughout the evening. Stated he was happy to see the new technology simplified public engagement. He thanked Carrie Henson for her invocation. He congratulated Melanie Aeschliman for her confirmation as planning director. He thanked the legal department for their work session.

Assembly Member Cox stated he was happy to be participating in meetings from the assembly chambers. Stated he was happy to have kids back in school. Stated that the Sohi skiers did well in a recent race. He wished everyone a good week.

Assembly Member Elam Stated his appreciation for staff support during meetings. He congratulated Senator Peter Micciche on becoming the State of Alaska Senate President. He stated he met with the Tourism and Marketing objectives group and thanked the members for their hard work. He thanked borough employees for their hard work.

President Hibbert congratulated Brandi Harbaugh and her staff on their financial excellence award and the CAFR. He stated his appreciation for borough employees and directors. He thanked Ryan Smith and Jodi Stuart for their presentations. He stated he recognized the problem with homelessness on the Kenai Peninsula. Thanked Debbie Cary for her participation in assembly meetings. Stated his appreciation for fellow assembly members, borough administration and staff.

## **PENDING LEGISLATION**

1.     [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)
2.     [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)
3.     [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
4.     [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
5.     [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 21, 2021   Anadromous Waters Habitat Protection Work Group  
2:00 PM   This meeting will be held through Zoom. Meeting ID: 917 6098 9577 Passcode:  
607311



2. February 2, 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 8:52 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of January 19, 2021.

  
John Blankenship, MMC, Borough Clerk

Approved by the Assembly: 02/02/2021