



# 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*

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Tuesday, February 6, 2018

6:00 PM

Assembly Chambers

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

The invocation was given by Dr. Keith Hamilton from Alaska Christian College, Soldotna, Alaska.

### ROLL CALL

**Present:** 8 - Paul Fischer, Dale Bagley, Brent Hibbert, Kenn Carpenter, Norm Blakeley, Kelly Cooper, Hal Smalley, and Wayne Ogle

**Excused:** 1 - Willy Dunne

Also present were:

Charlie Pierce, Borough Mayor

John Quick, Chief of Staff

Colette Thompson, Borough Attorney

Johni Blankenship, Borough Clerk

Michele Turner, Deputy Borough Clerk

### COMMITTEE REPORTS

Assembly President Ogle stated the Assembly had a joint budget work session with the Kenai Peninsula Board of Education and Administration.

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

Assembly Member Carpenter stated the Lands Committee met and discussed its agenda items.

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

## **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-1555](#) January 16, 2018 Regular Assembly Meeting Minutes  
**approved.**

[KPB-1556](#) A Resolution Commending the Soldotna High School Football Cheerleaders and Their Co-Captains Joanna Cornelius and Seryn Tyler Sproul  
**This Commending Resolution was adopted.**

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

[2018-05](#) An Ordinance of Assessment Confirming the Assessment Roll for the Clarence Drive Road Improvement Assessment District (Mayor)  
**This Ordinance was enacted.**

## **New Business**

[2018-005](#) A Resolution Approving a \$10,000 Budget Revision in the 2017/2018 Borough Senior Grant Program for the Homer Citizens, Inc. (Mayor)  
**This Resolution was adopted.**

[2018-006](#) A Resolution Designating the Newspaper and Authorizing Award of a Contract for the Publication of the 2018 Foreclosure List, and the Delinquent Leasehold, Mobile Homes, Personal Property and Other Tax Lists for the Tax Year 2017 (Mayor)  
**This Resolution was adopted.**

[2018-08](#) An Ordinance Confirming the Assessment Roll for the Eddy Hill Drive Road Improvement Assessment District (Mayor)  
**This Ordinance was introduced and set for public hearing.**

[2018-07](#) An Ordinance Authorizing a Conditional Negotiated Lease at Less than Fair Market Value of Certain Real Property Containing 66.5 Acres More or Less to the Cooper Landing Rifle and Sportsman's Club for the Development of Shooting Facilities (Mayor)

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

[2018-10](#) An Ordinance Authorizing the Negotiated Lease of Office and Meeting Space at the Nikiski Community Recreation Center (Mayor)

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

[2018-09](#) An Ordinance Amending the Borough Code to Provide for Financial Support for the Promotion of Tourism and Economic Development Subject to Annual Assembly Appropriation and Voter Approval of a Bed Tax (Bagley) (Hearing on 03/06/18)

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

[KPB-1547](#) Petition to Vacate the Western 400 Foot Portion of the Mark Ross Ct. Right-of-way Adjoining Lots 4 & 5 Ross Retreat Three, Plat SL 92-7, as Dedicated on Ross Retreat Too, Plat SL 92-2. The Right-of-way Being Vacated is Unconstructed and Located Within the NW 1/4 and SW 1/4 of Section 15, Township 8 South, Range 14 West, SM AK within the KPB. File 2017-172V. Petitioners: Christopher J. Pollack, Amelia R. Pollack, and Stephen J. Pollack IV of Seldovia, Alaska.

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its January 8, 2018 meeting by unanimous consent.]

**approved**

[KPB-1548](#) Petition to Vacate Public Rights-of-way and Utility Easements in the Cohoe Area Described as Follows:

- Vacation of the eastern portion (approximately 620 feet) of the Saskatoon Avenue right-of-way as dedicated on Crooked Creek Subdivision, Plat KN 75-35. The right-of-way being vacated is unconstructed;
- Vacation of the ten-foot-wide utility easement adjoining the western boundary of Tract 2A 1 Crooked Creek Subdivision 2004 Addition, Plat KN 2005-25, as originally granted on Crooked Creek Subdivision 1977 Subdivision of Tract A, Plat KN 85-1 08;
- Vacation of the five-foot-wide utility easement located thirty-five feet

north of, and running parallel to, the Saskatoon Ave right-of-way across the entire width of Tract 2A 1 Crooked Creek Subdivision 2004 Addition, Plat KN 2005-25, as originally granted on Crooked Creek Subdivision 1977 Subdivision of Tract A, Plat KN 85-1 08;

- Vacation of the twenty-foot-wide utility easement adjoining the northern boundary of Tract 2-C Crooked Creek Subdivision Marsh 1984 Subdivision of Tract C, Plat KN 84-228
- Vacation of the ten-foot-wide utility easement adjoining the western boundary of Tract 2-C Crooked Creek Subdivision Marsh 1984 Subdivision of Tract C, Plat KN 84-228;
- Vacation of the ten-foot-wide utility easements on the north and south sides of the shared boundary between Tract 2-C Crooked Creek Subdivision Marsh 1984 Subdivision of Tract C, Plat KN 84- 228, and Tract D Crooked Creek Subdivision, Plat KN 75-35, as originally granted on Crooked Creek Subdivision 1977 Subdivision of Tract A, Plat KN 85-108.

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its January 8, 2018 meeting by unanimous consent.]

**approved**

[KPB-1549](#)

Petition to Vacate a portion of the Willy Avenue right-of-way east of Brody Road adjoining the northernmost portion of the northern boundary of Tract B1A Kinrod 2003 Addition, Plat HM 2004-74, as dedicated on Kinrod 1998 Addition, Plat HM 99-8. The right-of-way being vacated is unconstructed and located within the SW1/4 of S31, T01S, R13W, SM, AK, within the KPB; KPB File 2017-166V.

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its January 8, 2018 meeting by unanimous consent.]

**approved**

Approval of the Agenda and Consent Agenda

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

**Absent:** 1 - Dunne

**COMMENDING RESOLUTIONS AND PROCLAMATIONS**

[KPB-1556](#) A Resolution Commending the Soldotna High School Football Cheerleaders and Their Co-Captains Joanna Cornelius and Seryn Tyler Sproul

*[Clerk's Note: Bagley presented the commending resolution to Cheer Coach, Jeannie Young and members of the cheer squad.]*

**PRESENTATIONS WITH PRIOR NOTICE**

[KPB-1557](#) Kenai Peninsula Tourism Marketing Council – Impact Tourism has on the Kenai Peninsula Borough, Summer Lazenby, Executive Director (10 Minutes)

*[Clerk's Note: Summer Lazenby, Executive Director for Kenai Peninsula Tourism Marketing Council gave a presentation to the Assembly.]*

[KPB-1558](#) Central Peninsula General Hospital, Inc. Quarterly Report (10 Minutes)

*[Clerk's Note: Lance Spindler, CFO of Central Peninsula General Hospital, Inc. gave a quarterly report to the Assembly.]*

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

President Ogle called for public comment.

**Linda Swarner**, Executive Director of the Food Bank gave the Assembly an update of events at their facility.

**Tim Dillon**, Executive Director of Kenai Peninsula Economic Development District provided the Assembly with the 2017 Economic Overview and gave a brief explanation of its contents.

**Dr. Keith Hamilton**, Soldotna spoke in support of an invocation.

**John Sanborn**, Soldotna spoke in support of school funding.

**Carrie Henson**, Soldotna spoke in opposition to an invocation.

**Jesse Bjorkman**, Nikiski addressed the Assembly regarding the spirit of public service and spoke in support of school funding.

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 - None.
3. Other
  - a. [KPB-1560](#) Equipment Grant Award and Department Match Confirmation
  - b. [KPB-1561](#) Project Reports - December 31, 2017
  - c. [KPB-1563](#) Revenue - Expenditure Report - December 2017
  - d. [KPB-1562](#) Budget Revisions - December 2017
  - e. [KPB-1564](#) FY18 - 2nd Quarter Senior Center Grant Reports
  - f. [KPB-1565](#) FY18 - 2nd Quarter Economic Development Grant Reports
  - g. [KPB-1572](#) Alert Warning Systems

*[Clerk's Note: Office of Emergency Management Project Manager, Dan Nelson and Acting Director, Chief James Baisden gave a presentation regarding what was learned with the Alert Warning Systems as a result of the tsunami warning issued on January 23, 2018.]*

**ITEMS NOT COMPLETED FROM PRIOR AGENDA**

None.

**PUBLIC HEARINGS ON ORDINANCES**

[2018-02](#) An Ordinance Amending The Borough Code to Provide that Vacancies in Service Area Boards May be Filled by Appointed Candidates to Serve for The Remainder of the Term Instead of Until the Next Election (Bagley)

**Hibbert moved to enact Ordinance 2018-02.**

President Ogle called for public comment with none being offered.

**The motion to enact Ordinance 2018-02 carried by the following vote:**

**Yes:** 8 - Fischer, Bagley, Hibbert, Carpenter, Blakeley, Cooper, Smalley, and Ogle

**Excused:** 1 - Dunne

2018-03

An Ordinance Amending the Borough Code to Provide that the Assembly Shall Schedule at Least two Meetings Per Month for Six Months Each Year (Bagley)

Hibbert moved to enact Ordinance 2018-03.

President Ogle called for public comments with none being offered.

The motion to enact Ordinance 2018-03 carried by the following vote:

**Yes:** 8 - Fischer, Bagley, Hibbert, Carpenter, Blakeley, Cooper, Smalley, and Ogle

**Excused:** 1 - Dunne

2018-04

An Ordinance Amending KPB Chapters 16.20 and 16.55 to Provide for Appointed Members to Serve on the Kachemak Emergency Service Area Board and the Seldovia Recreational Service Area Board (Dunne)

Hibbert moved to enact Ordinance 2018-04.

President Ogle called for public comment with none being offered.

Hibbert moved to amend Ordinance 2018-04 as follows:

The last two Whereas clauses to read, "WHEREAS, at its meeting of November 9, 2017 the KESA board recommended approval by majority consent; and

WHEREAS, at its meeting of February 6, 2018 the SRSA board recommended approval by unanimous consent;"

The motion to amend carried by the following vote:

**Yes:** 8 - Fischer, Bagley, Hibbert, Carpenter, Blakeley, Cooper, Smalley, and Ogle

**Excused:** 1 - Dunne

The motion to enact as amended carried by the following vote:

**Yes:** 8 - Fischer, Bagley, Hibbert, Carpenter, Blakeley, Cooper, Smalley, and Ogle

**Excused:** 1 - Dunne

**N. UNFINISHED BUSINESS - None.**

**O. NEW BUSINESS**

Resolutions

2018-008

A Resolution Supporting House Bill 287 Providing Early Approval of Funding for Public Education and Student Transportation (Cooper, Smalley)

Hibbert moved to adopt Resolution 2018-008.

President Ogle called for public comment.

The following people spoke in support of Resolution 2018-008:

**Keith Hamilton**, Soldotna

**Debbie Carey**, Ninilchik

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

Assembly Member Fischer spoke in opposition to Resolution 2018-008.

Assembly Member Smalley spoke in support of Resolution 2018-008.

**Cooper moved to amend Resolution 2018-008 as follows:**

Amend the sixth Whereas to read, "WHEREAS, according to the sponsors, [REPRESENTATIVE PAUL SEATON] the intent of House Bill 287 is to make early funding available for school districts and regional education attendance areas; and"

**The motion to amend carried by the following vote:**

**Yes:** 8 - Fischer, Bagley, Hibbert, Carpenter, Blakeley, Cooper, Smalley, and Ogle

**Excused:** 1 - Dunne

**Blakeley moved to postpone Resolution 2018-008 to February 20, 2018.**

**The motion to postpone Resolution 2018-008 as amended carried by the following vote:**

**Yes:** 8 - Fischer, Bagley, Hibbert, Carpenter, Blakeley, Cooper, Smalley, and Ogle

**Excused:** 1 - Dunne

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

President Ogle called for public comment.

**Minor Child**, Nikolaevsk addressed the Assembly regarding a new school for their community.

**Carrie Henson**, Soldotna spoke in opposition to an invocation.

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

## **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

February 20, 2018 Regular Assembly Chambers 6:00 PM  
Assembly Chambers, Soldotna, Alaska



**ASSEMBLY COMMENTS**

Assembly Member Fischer wished everyone a happy Valentine's Day and a good night.

Assembly Member Blakeley wished everyone a good night.

Assembly Member Cooper thanked Carrie Henson for her testimony. She shared a story of how borough employees go above and beyond to serve the community; one in particular - Brend Ahlberg, Community and Fiscal Projects Manager.

Assembly Member Smalley wished Mr. Hibbert happy birthday. He thanked everyone for their testimony and the great presentations. He congratulated Steve Ford from the Assessing Department on his retirement. Mr. Smalley wished everyone a happy Valentine's Day.

Assembly Member Hibbert thanked everyone for the birthday wishes. He agreed there was great testimony and presentations. Mr. Hibbert wished everyone a good evening.

Assembly Member Carpenter thanked everyone for their testimony and stated they were always important. He thanked all the participants of the Polar Bear Jump in Seward. He also thanked Trustworthy Hardware for donating equipment to the Boy Scouts banquet. Mr. Carpenter wished everyone a good evening.

Assembly Member Bagley wished Steve Ford well in his retirement.

President Ogle congratulated Mr. Hibbert on his birthday. He thanked everyone who testified and those who attended. He invited everyone to attend the North Road Extension meeting on February 8, 2018, 6:00 p.m. at the Nikiski Recreation Center and the Alaska Gasline Development Corporation meeting on February 12, 2018, 6:00 p.m. at the Nikiski Recreation Center. Mr. Ogle gave a brief report of the first Material Site Work Group meeting that was held on January 31, 2018 and invited everyone to attend the next meeting on February 14, 2018 at 2:00 p.m. in Assembly Chambers.

**INFORMATIONAL MATERIALS AND REPORTS****NOTICE OF NEXT MEETING AND ADJOURNMENT**

With no further business to come before the assembly, President Ogle adjourned the meeting at 8:11 p.m.

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

Assembly meeting of February 6, 2018.

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Johni Blankenship, MMC, Borough Clerk

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