



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Minutes - Final

Assembly

Kelly Cooper, President
Hal Smalley, Vice President
Norm Blakeley
Jesse Bjorkman
Kenn Carpenter
Tyson Cox
Willy Dunne
Brent Hibbert
Brent Johnson

Tuesday, May 19, 2020

6:00 PM

The meeting will be held through Zoom - Meeting ID:
128 871 931, from the Betty J. Glick Assembly
Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

[Clerk's Note: The invocation was offered by Meredith Harber.]

ROLL CALL

Present: 9 - Jesse Bjorkman, Norm Blakeley, Kenn Carpenter, Tyson Cox, Willy Dunne, Brent Hibbert, Brent Johnson, Hal Smalley, and Kelly Cooper

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 Hibbert stated that the assembly participated in budget work sessions and the Finance Committee met and discussed its agenda items.

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

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

Smalley moved to increase the Clerk and Deputy Clerk's Annual Salary by Two Percent (2%), Effective July 1, 2020 Currently Budgeted for in the FY21 Budget Cycle. The motion carried by the following vote:

Yes: 9 - Bjorkman, Blakeley, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, and Cooper

APPROVAL OF AGENDA AND CONSENT AGENDA

Smalley 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-2620](#) May 5, 2020 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:

[2019-19-36](#) An Ordinance Approving and Appropriating Grant Funds Totaling \$18,023.65 from the Alaska Department of Natural Resource for the Volunteer Fire Assistance Program on Behalf of Anchor Point Fire and Emergency Services, Kachemak Emergency Service Area, and Nikiski Fire Service Area (Mayor)

This Budget Ordinance was enacted.

[2019-19-37](#) An Ordinance Appropriating \$77,000 to the Office of Emergency Management to Cover Costs Associated with Mitigation for the COVID-19 Disaster Declaration (Mayor)

This Budget Ordinance was enacted.

[2020-22](#) An Ordinance Authorizing the Negotiated Lease of Rental Space at the Nikiski Community Recreation Center with the Kenaitze Indian Tribe (Mayor)

[Clerk's Note: The last Whereas clause of Ordinance 2020-22 was amended to read "Whereas, the Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting of May 11, 2020 recommended approval by unanimous consent."]

This Ordinance was enacted as amended.

[2020-23](#) An Ordinance Authorizing a One-Time Extension of KPB 20.70.130 Which Sets a One-Year Deadline to Record a Final Plat Following

Vacation Approval (Mayor)

[Clerk's Note: The last Whereas clause of Ordinance 2020-23 was amended to read "Whereas, the Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting of May 11, 2020 recommended approval by unanimous consent;

Section 2 of Ordinance 2020-23 was amended to read, "That the one-year vacation plat deadline established under KPB 20.70.130 is extended until the earlier of: (1) November 15, 2020; or (2) 30 days after the date the governor determines, pursuant to applicable law, that the Disaster Emergency no longer exists."]

This Ordinance was enacted as amended.

[2020-17](#)

An Ordinance Authorizing a Lease to New Cingular Wireless PCS LLC for Approximately 1,600 Square Feet of Borough Land in Kenai for a Communications Site (Mayor)

[Clerk's Note: Section 3 of Ordinance 2020-17 was deleted, ["THE MAYOR IS AUTHORIZED TO SIGN ANY DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE"] in its entirety.; and the Last Whereas Clause was amended to read "Whereas, the Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting of May 11, 2020 recommended approval with certain amendments by majority vote."]

This Ordinance was enacted as amended.

[2020-26](#)

An Ordinance Providing for an Exception to the Operating Agreement Between the Kenai Peninsula Borough and Central Peninsula General Hospital, Inc. to Allow Cash in Excess of 90 Days to be Retained by Central Peninsula General Hospital, Inc. as of June 30, 2020 Due to the Covid-19 Pandemic (Mayor)

This Ordinance was introduced and set for public hearing.

Approval of the Consent Agenda

President Cooper 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, Blakeley, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, and Cooper

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE

[KPB-2619](#) United States Senator Dan Sullivan CARES Act Presentation (10

Minutes)

[Clerk's Note: Senator Dan Sullivan Presented a Status Update of the CARES Act Funding.]

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Cooper called for public comment with none being offered.

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES

2020-19

An Ordinance Appropriating Funds for Fiscal Year 2021 (Mayor)

[Clerk's Note: Tyson Cox and Jesse Bjorkman declared a potential conflict at the introduction of the above referenced ordinance. President Cooper ruled that there was no conflict.]

Blakeley moved to overturn President Cooper's ruling that Assembly Members Cox and Bjorkman did not have a conflict.

Assembly Member Carpenter spoke in favor of overturning President Coopers ruling.

Assembly Members Smalley and Dunne spoke in opposition to the motion to overturn President Cooper's ruling.

The motion to overturn President Cooper's ruling failed by the following vote:

Yes: 2 - Blakeley, and Carpenter

No: 5 - Dunne, Hibbert, Johnson, Smalley, and Cooper

Abstain: 2 - Bjorkman, and Cox

Hibbert moved to enact Budget Ordinance 2020-19

President Cooper called for public comment.

The following people spoke in support of Kenai Peninsula College funding:

Michelle Waclawski, Homer

Kim Frost, Homer

Nancy Johnson, Homer

Christine Godfrey, Homer

Gary Turner, Soldotna

Reed Brewer, Homer

Zoe Kramer, Homer

Robin Dahlman, Soldotna

Linda Swarner, Kenai

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

Hibbert moved to postpone Budget Ordinance 2020-19 to the June 2, 2020 meeting.

The motion to postpone Budget Ordinance 2020-19 to the June 2, 2020 meeting carried by the following vote:

Yes: 9 - Bjorkman, Blakeley, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, and Cooper

[2020-21](#)

An Ordinance Amending KPB 21.02.050 to Change the Kachemak Bay Advisory Planning Commission Membership by Removing the City of Homer Ex Officio Non-Voting Member (Dunne)

Dunned moved to enact Ordinance 2020-21.

President Cooper called for public comment with none being offered.

The motion to enact Ordinance 2020-21 carried by the following vote:

Yes: 9 - Bjorkman, Blakeley, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, and Cooper

UNFINISHED BUSINESS

NEW BUSINESS

MAYOR'S REPORT

[KPB-2613](#) Mayor's Report Cover Memo

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
 - a. [KPB-2614](#) ProQA Licenses 5 Year Rate Lock Sole Source Waiver with Priority Dispatch
3. Other
 - a. [KPB-2615](#) Capital Project Reports - March 31, 2020
 - b. [KPB-2616](#) Litigation Status Report - Quarter Ending 03/31/2020
 - c. [KPB-2617](#) FY20-3Q Senior Center Grant Reports
 - d. [KPB-2618](#) FY20-3Q Economic Development Grant Reports

- e. [KPB-2621](#) LAYDOWN - Alaska Gasline Development Corporation Strategic Plan

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY COMMENTS

Assembly Member Carpenter congratulated Seniors from Seward High School on their graduation.

Assembly Member Blakeley stated he appreciated the dialogue throughout the evening. He wished everyone a good night.

Assembly Member Johnson discussed benefits of a potential joint Ninilchik-Anchor Point Fire Service Area. He stated his condolences to Fred Sturman and Marg Wiley's families.

Vice President Smalley thanked everyone for their testimony. He thanked the borough staff for their hard work on the budget. Mr. Smalley congratulated 2020 graduates and wished everyone a good evening.

Assembly Member Hibbert stated his appreciation to the assembly for their hard work. He wished everyone a safe evening.

Assembly Member Cox thanked the borough employees for their hard work through the budget process. He stated that he enjoyed hearing the 2020 accomplishments for each department. He thanked Finance Director, Brandi Harbaugh for compiling the budget document. Mr. Cox congratulated 2020 graduates and stated that he watched SOHI's graduation over Facebook Live.

Assembly Member Dunne stated the budget process highlighted the importance of borough services. He congratulated Homer High School graduates.

Assembly Member Bjorkman thanked everyone for a good meeting. He thanked Assembly Member Hibbert for guiding the assembly through the budget process. He thanked borough employees for their hard work in preparing their budget presentations. Mr. Bjorkman sent his condolences to Fred Sturman's family. He congratulated Nikiski High School graduates and wished them well.

President Cooper thanked borough employees, the administration and service areas on their hard work during the budget work sessions. She thanked Mr. Hibbert for his guidance through the budget and thanked the Clerk's office for their hard work.

PENDING LEGISLATION

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

June 2, 2020 Regular Assembly Meeting

6:00 PM This meeting will be held through Zoom: Meeting ID: 128 871 931 From the Betty J. Glick Assembly Chambers.

ADJOURNMENT

With no further business to come before the assembly, President Cooper adjourned the meeting at 10:28 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of May 19, 2020.

Johni Blankenship, MMC, Borough Clerk

Approved by the Assembly: _____