



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Minutes - Final

Assembly

Brent Johnson, President

Brent Hibbert, Vice President

Jesse Bjorkman

Lane Chesley

Tyson Cox

Richard Derkevorkian

Cindy Ecklund

Bill Elam

Mike Tupper

Tuesday, October 11, 2022

6:00 PM

Betty J. Glick Assembly Chambers

Meeting ID: 884 7373 9641 Passcode: 671108

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

[Clerk's Note: The invocation was given by Kathy Medcoff.]

ROLL CALL

[Clerk's Note: Assembly Members Ecklund and Derkevorkian attended via Zoom.]

Present: 9 - Jesse Bjorkman, Tyson Cox, Brent Hibbert, Brent Johnson, Richard Derkevorkian, Bill Elam, Lane Chesley, Cindy Ecklund, and Mike Tupper

Also present were:

Mike Navarre, Borough Mayor

Max Best, Chief of Staff

Sean Kelley, Borough Attorney

Brandi Harbaugh, Finance Director

Johni Blankenship, Borough Clerk

Michele Turner, Deputy Borough Clerk

COMMITTEE REPORTS

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

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

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

APPROVAL OF AGENDA AND CONSENT AGENDA

Hibbert moved to approve the Agenda and Consent Agenda.

[KPB-4623](#) September 20, 2022 Regular Assembly Meeting Minutes approved.

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

[2022-19-18](#) An Ordinance Accepting and Appropriating an Additional \$231,044.38 from the State of Alaska Department of Military and Veteran Affairs, Division of Homeland Security and Emergency Management for the Emergency Siren Warning System Replacement Project (Mayor) (Hearing on 10/11/22)

[Clerk's Note: Section 4 in Ordinance 2022-19-18 was amended to read, "This ordinance shall be effective [IMMEDIATELY UPON ENACTMENT] retroactive to August 29, 2022."]

This Ordinance was enacted as amended.

New Business

[2022-053](#) Certifying the Results of the October 4, 2022 Regular Borough Election (Johnson at the Request of the Borough Clerk)

This Resolution was adopted.

[2022-19-19](#) An Ordinance Calling For A Special Mayoral Election, Setting The Special Election Date, And Appropriating Necessary Funds (Johnson) (Hearing on 10/25/22)

This Ordinance was introduced and set for public hearing.

[2022-19-20](#) An Ordinance Appropriating \$100,000 to the Legal Department to Cover Costs of Hiring Hearing Officers for Planning Commission Appeals (Johnson at the Request of the Borough Attorney) (Hearing on 10/25/22)

This Budget Ordinance was introduced and set for public hearing.

[2022-19-21](#) An Ordinance Appropriating Supplemental Funding to Complete the

Uninterrupted Power Supply Replacement Project Located in the Emergency Response Center (Mayor) (Hearing on 10/25/22)

This Budget Ordinance was introduced and set for public hearing.

[2022-19-22](#) An Ordinance Accepting and Appropriating \$441,000 from the State of Alaska Department of Military and Veteran Affairs, Division of Homeland Security and Emergency Management for Areawide Warning Sirens and Cybersecurity Upgrades (Mayor) (Hearing on 10/25/22)

This Budget Ordinance was introduced and set for public hearing.

[2022-19-23](#) An Ordinance Accepting \$200,000 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security & Emergency Management for Emergency Management Operations and Appropriating \$40,000 for the Remaining Match Requirement (Mayor) (Hearing on 10/25/22)

This Budget Ordinance was introduced and set for public hearing.

[2022-19-24](#) An Ordinance Appropriating \$653,900 from the General Fund for Increased Costs of Contract Services for Operation of the Seward, Kenai, Nikiski and Sterling Transfer Facilities (Mayor) (Hearing on 10/25/22)

This Budget Ordinance was introduced and set for public hearing.

[2022-42](#) An Ordinance Approving the 2023 Asset Allocation for the Land Trust Investment Fund Investments and Amending KPB Code 5.10.200(B) to Update and Add New Subsections Under Authorized Investments (Mayor) (Hearing on 11/15/22)

This Ordinance was introduced and set for public hearing.

[KPB-4635](#) Approving a New Liquor License and Restaurant Designation Permit Filed by Mark Burner DBA: Anglers Lodge LLC, License No. 6094 approved.

[KPB-4634](#) Petition to Vacate Entire Cul-De-Sac Where Lothrop Park Drive and Ivy Avenue Meet at Lot 1 Block 4 of Leisure Time Estates and Dedicated on Leisure Time Estates, HM 80-32, in the Ninilchik area. KPB File 2022-130V

[Clerk's Note: At its regularly scheduled meeting of September 26, 2022 the Kenai Peninsula Borough Planning Commission approved the

proposed vacation by unanimous vote.]

approved.

[KPB-4648](#) Confirming Appointments to Advisory Planning Commissions

Cooper Landing Advisory Planning Commission
Laura Johnson, Seat G, Term Expires 09/30/2025

Moose Pass Advisory Planning Commission
Jennifer Boyle, Seat F, Term Expires 09/30/2025
Jeff Hetrick, Seat G, Term Expires 09/30/2025

approved.

[KPB-4656](#) Confirming Appointments to the Service Area Boards (Mayor)

Bear Creek Fire Service Area Board
Wolfgang V. Kurtz, Seat A, Term Expires 10/2025

Nikiski Fire Service Area Board
Tony Jackson, Seat A, Term Expires 10/2025
Paul M. Walukewicz, Seat B, Term Expires 10/2025
Kathryn Walukewicz, Seat C, Term Expires 10/2025

Road Service Area Board
Phillip Fraley, At-Large Seat #1,
Term Expires 09/30/2025
Heidi Covey, At-Large Seat #2, Term Expires 09/30/2025

Seldovia Recreational Service Area Board
Elizabeth Diament, Seat D, Term Expires 10/2025

West Emergency Service Area Board
Dawson Slaughter, Seat B, Term Expires 10/2025
Katherine Covey, Seat D, Term Expires 10/2025

approved.

[KPB-4662](#) Confirming an Appointment to the Resilience and Security Advisory Commission (Mayor)

Resilience and Security Advisory Commission
Bretwood Higman, Southwest Peninsula Seat, Term Expires

09/30/2025

approved.

[KPB-4663](#)

Designation of Administrative Officer and Alternate Administrative Officer to Act on Behalf of the Mayor (Mayor)

approved.

Approval of the Agenda and Consent Agenda

President Johnson called for public comment.

The following people spoke in support of postponing Ordinance 2022-19-19 to November:

Garrett

Joan Corr

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

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

Yes: 9 - Bjorkman, Cox, Hibbert, Johnson, Derkevorkian, Elam, Chesley, Ecklund, and Tupper

VACANCY, DESIGNATION OR SEATING MEMBERS

1. Swear-In Newly Elected Assembly Members

[Clerk's Note: Borough Clerk Johni Blankenship administered oaths of office to the newly elected Assembly Members: Jesse Bjorkman, District 3; Tyson Cox, District 4; and Brent Johnson, District 7.]

PRESENTATIONS WITH PRIOR NOTICE

1. [KPB-4624](#) KPBSD Quarterly Report, Clayton Holland, Superintendent (10 minutes)

[Clerk's Note: Kenai Peninsula Borough School District Superintendent Holland gave a quarterly report to the assembly.]

2. [KPB-4625](#) Resilience and Security Advisory Commission Presentation: Cook Inlet Natural Gas and Energy Future, RSAC Vice Chair Brett Higman (10 minutes)

[Clerk's Note: Resilience and Security Advisory Commission Vice Chair Brett "Hig" Higman gave a presentation to the assembly.]

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Johnson called for public comment.

Queen Parker, Sterling spoke in support of hand count elections and more opportunity for community participation.

Ed Martin III addressed the assembly regarding material site processes and regulations.

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-4638](#) Authorization to Award a Contract for ITB23-015 Brushing Vegetation Control - Central Region
 - b. [KPB-4639](#) Authorization to Award a Contract for ITB23-021 Brushing Vegetation Control - West Region, Units 6 & 7
 - c. [KPB-4640](#) Authorization to Award a Contract for ITB23-020 Kwechak Creek Maintenance
 - d. [KPB-4641](#) Purchase of Motorola Radios, Under the National Association of State Procurement Officials (NASPO) Contract
 - e. [KPB-4642](#) Authorization to Award a Contract for ITB23-016 Brushing Vegetation Control - North Region
 - f. [KPB-4643](#) Authorization to Award a Contract for ITB23-017 Brushing Vegetation Control - South Region
 - g. [KPB-4644](#) Authorization to Award a Contract for ITB23-018 Brushing Vegetation Control - East Region, Unit 3
 - h. [KPB-4645](#) Authorization to Award a Contract for ITB23-019 Brushing Vegetation Control - West Region, Units 3, 4, & 5
 - i. [KPB-4646](#) FutureSync Sole Source Waiver

3. Other

- a. [KPB-4647](#) Litigation Status Report - Quarter Ending 09/30/22

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

President Johnson called for public comment.

Susan Smalley, Kenai addressed the assembly regarding breast cancer awareness month.

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

ASSEMBLY COMMENTS

Assembly Member Elam thanked everyone for attending. He congratulated the school district and Central Emergency Services on the passage of Proposition 2 and Proposition 3 by the voters. He wished everyone a good evening.

Assembly Member Cox congratulated his son for completing the sacrament of confirmation. He thanked the constituents of District 4 for electing him as their representative. Mr. Cox shared a few of his observations while on the campaign trail.

Assembly Member Tupper reminded everyone to mentally and automotively prepare themselves for winter driving as it was sneaking up on us.

Assembly Member Derkevorkian thanked President Johnson for allowing him to attend via Zoom. He thanked the election workers and the Clerk's Office for all their efforts to conduct this year's election. He congratulated the assembly members that were re-elected. Mr. Derkevorkian wished everyone a good evening.

Assembly Member Bjorkman thanked everyone for attending in person as well as those who attended online or via the radio. He thanked everyone who voted in the October 4, 2022 election, stating voter participation is essential for democracy. He stated the school year was moving quickly and reminded students to get their first quarter work completed and turned in. Mr. Bjorkman stated AGDC issued a memorandum of understanding to include the possibility of producing ammonia as part of the potential AK LNG project. He stated he was looking forward to seeing this project move forward, but was reminded not to get too excited about the Christmas tree decorations as you had to get the tree first. Mr. Bjorkman congratulated Nikiski High School football team and the girls volleyball team for a good season. He wished everyone a good evening.

Assembly Member Chesley stated he looked forward to both Central Peninsula Hospital and South Peninsula Hospital's presenting their quarterly reports at the October 25, 2022 assembly meeting. He provided a brief synopsis of the hospital's reporting requirements per the operating agreement. He encouraged the assembly to continue to ask certain questions as that was in the borough's scope in the oversight of the hospitals; however, practicing medicine was not. Mr. Chesley shared that he attended a City of Homer event, Homer Drawdown, which was launching a non-motorized transportation plan that encourages folks to walk instead of drive. He stated the Homer Trails Alliance was scheduled to give a presentation to the Assembly on November 15, 2022, which was a group who were promoting, maintaining and developing sustainable trails in the Homer area. He stated these efforts were also being explored at Homer High School and Middle School and looked forward to the Superintendent and Capital Projects director to attend future meetings regarding this topic.

Assembly Member Ecklund provided an update on activities in the Seward area regarding the flooding. She congratulated Jesse Bjorkman, Tyson Cox and Brent Johnson for their re-election to the assembly. Ms. Ecklund stated it was also good to see Chief of Staff Max Best back at the borough. She wished everyone a good evening.

Vice President Hibbert thanked all the candidates who were elected and all the candidates that participated in the election. He thanked the Clerk's Office and all the election workers who put on a great election this year. Mr. Hibbert welcomed Mayor Navarre and Chief of Staff Best. He stated Ben Hanson, IT Director was going to be greatly missed. He thanked Superintendent Holland and all the director's for attending. He reminded everyone to be careful on the slick roads.

President Johnson provided a brief summation of a situation surrounding election worker Susan Smalley and recapped borough code as well as state statutes regarding election candidates. He stated he appreciated all election workers and hoped this clarification encouraged Mrs. Smalley to continue to serve as an election worker as she had done over the last forty years. Mr. Johnson wished everyone a good night.

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. October 25, 2022 Material Subcommittee Meeting
Time TBD Betty J. Glick Assembly Chambers
Borough Administration Building
Remote participation available through Zoom
Meeting ID: 884 7373 9641 Passcode: 671108

2. October 25, 2022 Regular Assembly Meeting
6:00 PM Betty J. Glick Assembly Chambers
Borough Administration Building
Remote participation available through Zoom
Meeting ID: 884 7373 9641 Passcode: 671108

ADJOURNMENT

With no further business to come before the assembly, President Johnson adjourned the meeting at 8:21 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of October 11, 2022.

Johni Blankenship, MMC, Borough Clerk

Approved by the Assembly: _____