



# KENAI PENINSULA BOROUGH



ASSEMBLY PACKET

JULY 3, 2012

7:00 PM

# July 2012

## Monthly Planner

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																																																																																		
<i>1</i>	<i>2</i>  7:00 PM SewardBear Creek FSA	<i>3</i>  <div style="border: 1px solid #800000; padding: 2px; display: inline-block;"><b>7:00 PM Assembly Meeting</b></div>	<i>4</i>  7:00 PM Moose Pass APC	<i>5</i>  7:00 PM Hope/Sunrise APC	<i>6</i>	<i>7</i>																																																																																																		
<i>8</i>	<i>9</i>  6:30 PM Central Pen Hosp SA  7:00 PM KPB School Board	<i>10</i>  5:30 PM Nikiski Senior SA  7:00 PM Anchor Point APC  7:30 PM Bear Creek FSA	<i>11</i>  6:00 PM Cooper Landing APC	<i>12</i>  6:30 PM South Pen Hospital SA  7:00 PM KESA	<i>13</i>	<i>14</i>																																																																																																		
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# August 2012

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# July 2012 - December 2012

## Assembly Yearly Planner

Jun 2012						
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### JUNE

- 5 Assembly Meeting
- 19 Assembly Meeting

### JULY

- 3 Assembly Meeting
- 4 Borough Holiday: Independence Day
- 13 7/13-7/17 NACo Annual Conf. (Pittsburgh)

### AUGUST

- 7 Assembly Meeting
- 14 8/14-8/17 AML Summer Legislative Conf. (Bethel)

### SEPTEMBER

- 3 Borough Holiday: Labor Day
- 4 Assembly Meeting
- 18 Assembly Meeting (Homer)

### OCTOBER

- 2 Borough Election
- 9 Assembly Meeting
- 23 Assembly Meeting

### NOVEMBER

- 6 General Election
- 12 11/12-11/16 AML Annual Conf. (Anchorage)
- Borough Holiday: Veterans Day
- 20 Assembly Meeting

- 22 Borough Holiday: Thanksgiving

- 23 Borough Holiday: Thanksgiving

### DECEMBER

- 4 Assembly Meeting
- 24 Borough Holiday: Christmas Eve
- 25 Borough Holiday: Christmas

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***TUESDAY, JULY 3, 2012***

- 3:15 PM          Finance Committee**
- 3:45 PM          Lands Committee**
- 4:15 PM          Policies and Procedures Committee**
- 4:45 PM          Committee of the Whole**
- 7:00 PM          Regular Assembly Meeting**

Above listed meetings will be held in:

Assembly Chambers  
George A. Navarre Kenai Peninsula Borough Administration Building  
144 North Binkley Street, Soldotna, Alaska

July 3, 2012

**3:15 PM**

Assembly Chambers  
George A. Navarre Kenai Peninsula  
Borough Administration Building, Soldotna

Bill Smith, Chair

Ray Tauriainen, Vice Chair

All Assembly Members

**AGENDA**

**M. PUBLIC HEARINGS ON ORDINANCES**

1. Ordinance 2011-19-90: Appropriating \$61,809.66 from the State of Alaska Division of Emergency Services to Reimburse the Borough for Costs Incurred While Responding to Wind Storms that Occurred in November 2011 and to Recognize Revenue of \$4,602.90 for Equipment Rental (Mayor).....28
2. Ordinance 2012-19-02: Accepting and Appropriating \$19,790.10 on Behalf of Bear Creek Fire Service Area from the Alaska Department of Natural Resources for the Volunteer Fire Assistance Program (Mayor) .....32
3. Ordinance 2012-19-03: Accepting and Appropriating \$150,000 from the State of Alaska for North Peninsula Recreation Service Area (NPRSA) Trails Upgrade and Expansion Project (Mayor) .....36
4. Ordinance 2012-19-04: Appropriating \$250,000 in the Solid Waste Capital Projects Fund for Closure Cost at the Homer Landfill and Awarding a Contract for Design of a Closure Cap System to HDR Alaska, Inc. (Mayor) .....39
5. Ordinance 2012-19-05: Accepting and Appropriating \$19,816 on Behalf of Kachemak Emergency Service Area from the Alaska Department of Natural Resources for the Volunteer Fire Assistance Program (Mayor) .....42
13. Ordinance 2012-26: Repealing the June 30, 2012 Expiration Date in Ordinance 2011-19-66, Which Appropriated \$240,000 in Unappropriated Interest Income from the Environmental Protection Fund for Additional Funding of the Spruce Bark Beetle Program (Mayor).....128

**O. NEW BUSINESS**

1. Bid Awards

- \*a. Resolution 2012-056: Authorizing Road Service Area Capital Improvement Project: Mayoni Street #C4MAY Contract Award and Allocation (Mayor) .....133
- \*b. Resolution 2012-057: Authorizing Road Service Area Capital Improvement Project: North Kobuk Street, Spruce Avenue, View Lane, Mary Avenue, Central Avenue, Spinaker Drive, Everwell Place, Marshall Drive and Sunset Park Street #C5NOR Contract Award and Allocation (Mayor).....137

3. Other

- \*a. Authorizing an Application for a New Liquor License Filed by Clark and Paula Shen dba Alaska Legends Kenai River Lodge.....154

\*Consent Agenda Items

July 3, 2012	3:45 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Sue McClure, Chair	Brent Johnson, Vice Chair	Ray Tauriainen

**AGENDA**

**M. PUBLIC HEARINGS ON ORDINANCES**

- 6. Ordinance 2012-19-15: Authorizing the Acquisition of Real Property Adjacent to the Property Used by Aurora Borealis Charter School in Kenai on Behalf of the Kenai Peninsula Borough School District and Appropriating Funds for the Acquisition (Mayor).....46
- 7. Ordinance 2012-20: Approving Widgeon Woods R-1, Single-Residential Local Option Zoning District, and Amending KPB 21.46.040 (Mayor) .....71
- 10. Ordinance 2012-23: Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough Through Tax Foreclosure Proceedings (Mayor).....92
- 11. Ordinance 2012-24: Authorizing the Sale of Certain Parcels of Borough Land in Widgeon Woods Phase Two Subdivision in the Ciechanski Area by Sealed Bid Procedures (Mayor) .....111

\*Consent Agenda Items



***Policies and Procedures Committee***

July 3, 2012

4:15 PM

Assembly Chambers  
George A. Navarre Kenai Peninsula  
Borough Administration Building, Soldotna

Mako Haggerty, Chair

Charlie Pierce, Vice Chair

Linda Murphy

**AGENDA**

**K. MAYOR’S REPORT.....12**

- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
  - a. Request for Waiver of Formal Bidding/Cooperative Purchase of Mailing Equipment from Pitney Bowes .....13
  - b. Request for Waiver of Formal Bidding Procedures for Lowell Point Fire Service Area Close Out Equipment Purchase from WS Darley.....15
  - c. Authorization to Award Contract for Kenai Central High School Culinary Arts Kitchen Remodel to Holden Company .....16
  - d. Authorization to Award Contract for RFP12-023 Municipal Entitlement Surveys to Sentec Surveying and Engineering, LLC and Mullikin Surveys.....17
  - e. Authorization to Award Contract for Central Emergency Services Training Site – Gravel Pad Arc Loop Road, Soldotna to Foster Construction, Inc.....18
- 3. Other
  - a. Budget Revisions May, 2012.....20
  - b. Revenue-Expenditure Report May, 2012 .....25

**M. PUBLIC HEARINGS ON ORDINANCES**

- 8. Ordinance 2012-21: Repealing KPB 5.04.110 and KPB 16.16.085 Which Require Voter Approval for Certain Major Capital Improvement Projects (Mayor) .....84
- 9. Ordinance 2012-22: Amending KPB 16.04.080 Administrative Employees—Appointment, Qualifications, and Removal to Clarify that All Service Area Directors Including Fire Chiefs, Whether Employees or Volunteers, are Appointed by the Mayor (Mayor) .....88
- 12. Ordinance 2012-25: Amending KPB 16.06.030(A) to Extend the Deadline for Service Areas to Obtain an Energy Audit (Mayor).....124

**O. NEW BUSINESS**

2. Ordinances

- \*a. Ordinance 2012-27: Enacting KPB 5.12.101 to Classify and Exempt from Real Property Taxation Residential Renewable Energy Systems Used to Develop Means of Energy Production Using Energy Sources Other Than Fossil or Nuclear Fuels (Smalley) (Hearing on 08/07/12).....142
- \*b. Ordinance 2012-28: Amending KPB 16.50.030 to Provide that all Seats of the Seward-Bear Creek Flood Service Area Board Shall be Filled by Residents of the Service Area and Eliminating the Requirement that Four of the Seats be Residents of the City of Seward and Three be Residents of the Rest of the Service Area (McClure) (Hearing on 08/07/12).....146
- \*c. Ordinance 2012-29: Amending KPB 3.04.115 Deleting the Requirement that all Administrative Position Vacancies be Advertised for Two Weeks (Mayor) (Hearing on 08/07/12).....150

\*Consent Agenda Items

July 3, 2012

4:45 PM

Assembly Chambers  
George A. Navarre Kenai Peninsula  
Borough Administration Building, Soldotna

All Assembly Members

**AGENDA**

**ITEMS NOT APPEARING ON THE REGULAR MEETING AGENDA**

1. Discussion Regarding Legal Counsel for the Assembly

\*Consent Agenda Items

# *Assembly Agenda*

July 3, 2012 - 7:00 PM

Regular Meeting

Borough Assembly Chambers, Soldotna, Alaska

*Gary Knopp  
Assembly President  
Seat 1 - Kalifornsky  
Term Expires 2012*

*Charlie Pierce  
Assembly Vice President  
Seat 5-Sterling/Funny  
River  
Term Expires 2014*

*Mako Haggerty  
Assembly Member  
Seat 9 - South Peninsula  
Term Expires 2012*

*Brent Johnson  
Assembly Member  
Seat 7 - Central  
Term Expires 2013*

*Sue McClure  
Assembly Member  
Seat 6 - East Peninsula  
Term Expires 2012*

*Linda Murphy  
Assembly Member  
Seat 4 - Soldotna  
Term Expires 2013*

*Hal Smalley  
Assembly Member  
Seat 2 - Kenai  
Term Expires 2014*

*Bill Smith  
Assembly Member  
Seat 8 - Homer  
Term Expires 2014*

*Ray Tauriainen  
Assembly Member  
Seat 3 - Nikiski  
Term Expires 2013*

**A. CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE**

**C. INVOCATION**

**D. ROLL CALL**

**E. COMMITTEE REPORTS**

**F. APPROVAL OF AGENDA AND CONSENT AGENDA**

(All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Assembly and will be approved by one motion. There will be no separate discussion of these items unless an Assembly Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.)

**G. APPROVAL OF MINUTES**

\*1. June 19, 2012 Regular Assembly Meeting Minutes..... 1

**H. COMMENDING RESOLUTIONS AND PROCLAMATIONS**

\*1. Commending the Members of the Lowell Point Emergency Service Area Board for Their Years of Service (McClure)..... 10

**I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)**

**J. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA (3 minutes per speaker; 20 minutes aggregate)**

**K. MAYOR'S REPORT ..... 12**

1. Assembly Requests/Responses – None.

2. Agreements and Contracts

a. Request for Waiver of Formal Bidding/Cooperative Purchase of Mailing Equipment from Pitney Bowes ..... 13

b.	Request for Waiver of Formal Bidding Procedures for Lowell Point Fire Service Area Close Out Equipment Purchase from WS Darley.....	15
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3.	Other	
a.	Budget Revisions May, 2012.....	20
b.	Revenue-Expenditure Report May, 2012 .....	25
<b>L.</b>	<b>ITEMS NOT COMPLETED FROM PRIOR AGENDA – None.</b>	
<b>M.</b>	<b>PUBLIC HEARINGS ON ORDINANCES (Testimony limited to 3 minutes per speaker)</b>	
1.	<u>Ordinance 2011-19-90</u> : Appropriating \$61,809.66 from the State of Alaska Division of Emergency Services to Reimburse the Borough for Costs Incurred While Responding to Wind Storms that Occurred in November 2011 and to Recognize Revenue of \$4,602.90 for Equipment Rental (Mayor) (Referred to Finance Committee).....	28
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5.	<u>Ordinance 2012-19-05</u> : Accepting and Appropriating \$19,816 on Behalf of Kachemak Emergency Service Area from the Alaska Department of Natural Resources for the Volunteer Fire Assistance Program (Mayor) (Referred to Finance Committee) .....	42
6.	<u>Ordinance 2012-19-15</u> : Authorizing the Acquisition of Real Property Adjacent to the Property Used by Aurora Borealis Charter School in Kenai on Behalf of the Kenai Peninsula Borough School District and Appropriating Funds for the Acquisition (Mayor) (Referred to Lands Committee) .....	46
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12.	<u>Ordinance 2012-25</u> : Amending KPB 16.06.030(A) to Extend the Deadline for Service Areas to Obtain an Energy Audit (Mayor) (Referred to Policies and Procedures Committee).....	124

13.	<u>Ordinance 2012-26</u> : Repealing the June 30, 2012 Expiration Date in Ordinance 2011-19-66, Which Appropriated \$240,000 in Unappropriated Interest Income from the Environmental Protection Fund for Additional Funding of the Spruce Bark Beetle Program (Mayor) (Referred to Finance Committee) .....	128
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3. Other

- \*a. Authorizing an Application for a New Liquor License Filed by Clark and Paula Shen dba Alaska Legends Kenai River Lodge (Referred to Finance Committee) .....154

**P. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS** (3 minutes per speaker)

**Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

- 1. August 7, 2012 Regular Assembly Meeting 7:00 PM Soldotna

**R. ASSEMBLY COMMENTS**

**S. PENDING LEGISLATION** (This item lists legislation which will be addressed at a later date as noted.)

- 1. Resolution 2011-108: Approving a New Senior Clerk Typist Classified Position in the River Center Department (Mayor) (Referred to Policies and Procedures Committee) *TABLED 01/17/12*
- 2. Ordinance 2011-36: Amending KPB 14.40.155 Temporary Road Closure, to Clarify and Expand the Reasons and Procedure for Closing Borough Roads and Rights-of-Way (Mayor) (Referred to Policies and Procedures Committee) *TABLED 12/06/11*
- 3. Ordinance 2011-19-91: Authorizing the Transfer of \$104,226 in Residual Interest Earnings in the Bond Funded Capital Project Fund to Various Capital Project Funds (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
- 4. Ordinance 2012-19-06: Accepting and Appropriating a Grant in the Amount of \$975,000 from the State of Alaska on Behalf of the Nikiski Fire Service Area for the Purchase of an Aerial Fire Apparatus (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
- 5. Ordinance 2012-19-07: Accepting and Appropriating a Grant in the Amount of \$100,750 from the State of Alaska on Behalf of the Central Emergency Service Area for the Purchase of a Rescue Boat (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
- 6. Ordinance 2012-19-08: Accepting and Appropriating Grants in the Amount of \$1,107,500 from the State of Alaska on Behalf of the Kenai Peninsula Borough School District for Equipment, Supplies and Student Nutrition Services (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)



7. Ordinance 2012-19-09: Accepting and Appropriating a Grant in the Amount of \$3,100,000 from the State of Alaska for Soldotna High School and Kenai High School Track and Field Improvements (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
8. Ordinance 2012-19-10: Accepting and Appropriating a Grant in the Amount of \$1,625,000 from the State of Alaska for Security Camera Systems in Borough-Owned Facilities (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
9. Ordinance 2012-19-11: Accepting and Appropriating a Grant in the Amount of \$15,000 from the State of Alaska on behalf of the River Center for the Septic Tank Removal and Sewer System Connection Project (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
10. Ordinance 2012-19-12: Accepting and Appropriating a Grant in the Amount of \$2,000,000 from the State of Alaska on behalf of the Central Kenai Peninsula Hospital Service Area for the Radiation Oncology Facility Construction Project (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
11. Ordinance 2012-19-13: Accepting and Appropriating a Grant in the Amount of \$1,000,000 from the State of Alaska for Hazard Tree Removal (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
12. Ordinance 2012-19-14: Accepting and Appropriating \$8,050,000 from the State of Alaska on Behalf of the Road Service Area for Capital Improvement Projects (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
13. Ordinance 2012-19-16: Approving the Acquisition of Real Property along Salmon Creek for Flood Mitigation and Appropriating \$27,700 from Seward Bear Creek Flood Service Area for the Acquisition of Four Parcels and Approving a Contribution from the Conservation Fund for the Acquisition of Five Additional Parcels Along Salmon Creek (Mayor) (Hearing on 08/07/12) (Referred to Lands Committee)

**T. INFORMATIONAL MATERIALS AND REPORTS**

**U. NOTICE OF NEXT MEETING AND ADJOURNMENT**

The next meeting of the Kenai Peninsula Borough Assembly will be held on August 7, 2012, at 7:00 P.M. in the Borough Assembly Chambers, Soldotna, Alaska.

*This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula), K201AO-FM 88.1 (East Peninsula).*

*Copies of agenda items are available at the Borough Clerk's Office in the Meeting Room just prior to the meeting. For further information, please call the Clerk's Office at 714-2160 or toll free within the Borough at 1-800-478-4441, Ext. 2160. Visit our website at [www.borough.kenai.ak.us](http://www.borough.kenai.ak.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*

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# Kenai Peninsula Borough

## *Assembly Meeting Minutes*

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June 19, 2012

Regular Meeting - Soldotna, Alaska

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### **CALL TO ORDER**

A Regular Meeting of the Kenai Peninsula Borough Assembly was held on June 19, 2012, in the Borough Assembly Chambers, Soldotna, Alaska. President Knopp called the meeting to order at 7:00 p.m.

### **PLEDGE OF ALLEGIANCE AND INVOCATION**

The Pledge of Allegiance was recited followed by the invocation given by Pastor Steve Brown from the Kenai New Life Assembly.

### **There were present:**

Gary Knopp, Presiding  
Mako Haggerty  
Brent Johnson  
Sue McClure  
Linda Murphy

Charlie Pierce  
Hal Smalley  
Bill Smith  
Ray Tauriainen

comprising a quorum of the assembly.

### **Also in attendance were:**

Colette Thompson, Borough Attorney  
Johni Blankenship, Borough Clerk  
Shellie Saner, Deputy Clerk

### **COMMITTEE REPORTS**

Assembly Member Smith said the Finance Committee met and discussed its agenda items. (07:02:11)

Assembly Member McClure said the Lands Committee met and discussed its agenda items.

Assembly Member Haggerty said the Policies and Procedures Committee met and discussed its agenda items.

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

**MOTION TO APPROVE AGENDA:**

Pierce moved for the approval of the agenda and consent agenda. (07:18:01)

President Knopp called for additions, corrections or deletions to the agenda or consent agenda.

The following item was removed from the consent agenda:

- Resolution 2012-054: Approving the Revised Salary Schedules for Appendix A Personnel (Mayor) (Referred to Finance Committee)

The following item was added to the consent agenda:

- Ordinance 2012-26: Repealing the June 30, 2012 Expiration Date in Ordinance 2011-19-66, which Appropriated \$240,000 in Unappropriated Interest Income from the Environmental Protection Funding for Additional Funding of the Spruce Bark Beetle Program (Mayor) (Shortened Hearing on 07/03/12) (Referred to Finance Committee)

Copies having been made available to the public, Borough Clerk Johni Blankenship noted by title only the resolutions and ordinances on the consent agenda.

- June 5, 2012 Regular Assembly Meeting Minutes
- Resolution 2012-053: Authorizing the Mayor to Execute a Joint Funding Agreement with the U.S. Department of the Interior U.S. Geological Survey to Cooperatively Maintain the Stream River Gages and Gaging Stations (Mayor) (Referred to Finance Committee)
- Resolution 2012-055: Revising Borough Policy TR-02, Reimbursement of Business Meals (Murphy) (Referred to Policies and Procedures Committee)
- Ordinance 2011-19-91: Authorizing the Transfer of \$104,226 in Residual Interest Earnings in the Bond Funded Capital Project Fund to Various Capital Project Funds (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
- Ordinance 2012-19-06: Accepting and Appropriating a Grant in the Amount of \$975,000 from the State of Alaska on Behalf of the Nikiski Fire Service Area for the Purchase of an Aerial Fire Apparatus (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
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- Ordinance 2012-19-08: Accepting and Appropriating Grants in the Amount of \$1,107,500 from the State of Alaska on Behalf of the Kenai Peninsula Borough School District for Equipment, Supplies and Student Nutrition Services (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
- Ordinance 2012-19-09: Accepting and Appropriating a Grant in the Amount of \$3,100,000 from the State of Alaska for Soldotna High School and Kenai High School Track and Field Improvements (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)

- Ordinance 2012-19-10: Accepting and Appropriating a Grant in the Amount of \$1,625,000 from the State of Alaska for Security Camera Systems in Borough-Owned Facilities (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
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- Ordinance 2012-19-13: Accepting and Appropriating a Grant in the Amount of \$1,000,000 from the State of Alaska for Hazard Tree Removal (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
- Ordinance 2012-19-14: Accepting and Appropriating \$8,050,000 from the State of Alaska on Behalf of the Road Service Area for Capital Improvement Projects (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
- Ordinance 2012-19-15: Authorizing the Acquisition of Real Property Adjacent to the Property Used by Aurora Borealis Charter School in Kenai on Behalf of the Kenai Peninsula Borough School District and Appropriating Funds for the Acquisition (Mayor) (Shortened Hearing on 07/03/12) (Referred to Lands Committee)
- Ordinance 2012-19-16: Approving the Acquisition of Real Property along Salmon Creek for Flood Mitigation and Appropriating \$27,700 from Seward Bear Creek Flood Service Area for the Acquisition of Four Parcels and Approving a Contribution from the Conservation Fund for the Acquisition of Five Additional Parcels Along Salmon Creek (Mayor) (Hearing on 08/07/12) (Referred to Lands Committee)
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- Ordinance 2012-26: Repealing the June 30, 2012 Expiration Date in Ordinance 2011-19-66, which Appropriated \$240,000 in Unappropriated Interest Income from the Environmental Protection Funding for Additional Funding of the Spruce Bark Beetle Program (Mayor) (Shortened Hearing on 07/03/12) (Referred to Finance Committee)
- Approving the Application for Restaurant Designation Permit Filed by Margaret K. Lupton and Jeffery T. Clonts dba Magpye's Pizzeria (Referred to Finance Committee)

President Knopp called for public comment with none being offered.

AGENDA APPROVED AS AMENDED: Unanimous.

**COMMENDING RESOLUTIONS AND PROCLAMATIONS** - None.

**PRESENTATIONS WITH PRIOR NOTICE**

(07:24:27)

**Janice Chumley, Cheryl Anderson and Heather Flores**, gave a presentation on, "Invasive Weed Awareness and Control."

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

(07:40:09)

President Knopp called for public comment.

**Brother Tom Patmor**, P.O. Box 124, Clam Gulch, addressed the Assembly regarding a natural gas pipeline in the Kenai Peninsula Borough.

The following people spoke in opposition to the enactment of Ordinance 2011-12:

**Diane MacRae**, 55175 Elaine Avenue, Kasilof

**George Pierce**, P.O. Box 80, Kasilof

**Joe Demaree**, P.O. Box 1125, Kenai

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

**MAYOR'S REPORT**

(08:01:15)

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
  - a. Authorization to Award Contract for the Road Service Area Summer & Winter Road Maintenance for Central Region Units 1, 2, 4 & 10, South Region Units 3, 4, 7, 8 & 9 and West Region Units 1, 4, 5 & 6 to various contractors
  - b. Request for Waiver of Formal Bidding Procedures - Finance High Density Mobile Storage System for the Finance/Legal Borough Administration Remodel Project to Northwest /Think Office LLC
  - c. Authorization to Award Contract for Workers Compensation Third Party Claims Adjustor to Alaska Municipal League Joint Insurance Association
  - d. Request for Waiver of Formal Bidding Procedures - Homer Baling Facility to Pioneer Supply Inc

- e. Request for Waiver of Formal Bidding Procedures for the Fee Proposal for providing shredded rubber fall surface material for the North Peninsula Recreation Service Area Playground to SiteLines Park and Playground Products
3. Other
- a. Certification of the 2012 Main Roll Assessment
  - b. Letter from James Greeley, State Petroleum Property Assessor, regarding the total assessed value of oil and gas property in the Kenai Peninsula Borough

**ITEMS NOT COMPLETED FROM PRIOR AGENDA - None.**

**PUBLIC HEARING ON ORDINANCES**

(08:12:55)

**Ordinance 2012-15: Authorizing the Grant of Assets from the Lowell Point Emergency Service Area to the Lowell Point Volunteer Fire Department (McClure) (Referred to Policies and Procedures Committee)**

MOTION: Haggerty moved to enact Ordinance 2012-15.

President Knopp called for public comment with none being offered.

MOTION: Haggerty moved to amend Ordinance 2012-15 as follows:

Section 2 to read, “[THAT] [T] The estimated value of the assets to be transferred is [ARE VALUED AT] approximately \$36,481 and generally include without limitation the following:

1 - heavy industrial generator \$4,023 | 1 - air exchanger \$7,486 | Miscellaneous supplies, tools and equipment \$24,972"

The first paragraph of Section 3 to read, “That the grant specifically shall not include the transfer of the following radio equipment as required by Federal Register OMB A-102 and any other assets found in possession of Lowell Point Emergency Service Area that the borough is prohibited by law or grant agreement from transferring to the LPVFD.”

MOTION TO AMEND PASSED: Unanimous.

VOTE ON MOTION TO ENACT AS AMENDED:

Yes: Haggerty, Johnson, McClure, Murphy, Pierce,  
Smalley, Smith, Tauriainen, Knopp

No: None

Absent: None

MOTION TO ENACT AS AMENDED PASSED: 9 Yes, 0 No, 0 Absent

(08:16:43)

**Ordinance 2012-16: Amending KPB 5.22.050 Regarding the Senior Citizen's Grant Program for Adult Day Care Centers (Mayor) (Referred to Policies and Procedures Committee)**

MOTION: Haggerty moved to enact Ordinance 2012-16.

President Knopp called for public comment with none being offered.

VOTE ON MOTION TO ENACT:

Yes: Haggerty, Johnson, McClure, Murphy, Pierce,  
Smalley, Smith, Tauriainen, Knopp

No: None

Absent: None

MOTION TO ENACT PASSED: 9 Yes, 0 No, 0 Absent

(08:18:16)

**Ordinance 2012-18: Authorizing the Assessor to Accept the Late-Filed Disabled Veteran Exemption Application of James M. Boyer for 2012, Filed After March 31 (Smith) (Referred to Policies and Procedures Committee)**

MOTION: Smith moved to enact Ordinance 2012-18.

President Knopp called for public comment with none being offered.

VOTE ON MOTION TO ENACT:

Yes: Haggerty, Johnson, McClure, Murphy, Pierce,  
Smalley, Smith, Tauriainen, Knopp

No: None

Absent: None

MOTION TO ENACT PASSED: 9 Yes, 0 No, 0 Absent

(08:20:28)

**Ordinance 2012-19-01: Accepting and Appropriating \$1,100,000 From the State of Alaska for the Homer High School Athletic Facilities Construction Project (Mayor) (Referred to Finance Committee)**

MOTION: Smith moved to enact Ordinance 2012-19-01.

President Knopp called for public comment with none being offered.



MOTION: Smith moved to amend Ordinance 2012-19-01 as follows:

The second whereas to read, "Senate Bill 160, which appropriated fundign to the Borough for the Project, was passed by the State Legislature and signed by the Governor on May 14, 2012; and"

MOTION TO AMEND PASSED: Unanimous.

VOTE ON MOTION TO ENACT AS AMENDED:

Yes: Haggerty, Johnson, McClure, Murphy, Pierce, Smalley, Smith, Tauriainen, Knopp

No: None

Absent: None

MOTION TO ENACT AS AMENDED PASSED: 9 Yes, 0 No, 0 Absent

**UNFINISHED BUSINESS - None.**

**NEW BUSINESS**

(08:22:40)

**Resolution 2012-054: Approving the Revised Salary Schedules for Appendix A Personnel (Mayor) (Referred to Finance Committee)**

MOTION: Smith moved to adopt Resolution 2012-054.

President Knopp called for public comment with none being offered.

Assembly Members Pierce and Smith spoke in opposition to Resolution 2012-054.

Assembly Members Murphy, Haggerty, Smalley and Johnson spoke in support of Resolution 2012-054.

President Knopp spoke in support of Resolution 2012-054.

VOTE ON MOTION TO ADOPT:

Yes: Haggerty, Johnson, McClure, Murphy, Smalley, Tauriainen, Knopp

No: Pierce, Smith

Absent: None

MOTION TO ADOPT PASSED: 7 Yes, 2 No, 0 Absent

**PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

(08:42:10)

President Knopp called for public comment.

**Fred Sturman**, 136 Riverview, Soldotna, spoke in opposition to Resolution 2012-054.

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

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

(08:45:17)

The next meeting of the Kenai Peninsula Borough Assembly was scheduled for July 3, 2012, at 7:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

#### **ASSEMBLY COMMENTS**

(08:45:27)

Assembly Member Smalley wished everyone a wonderful evening.

Vice President Pierce noted that \$18,000,000 of funding from the State of Alaska was in the Ordinance introduced on the consent agenda, and many of the decisions made by the Assembly were easy because funding was available. He stated that having been raised by a single mother he was taught to get by with what was available. He said Alaska had a healthy economy and industry; however, if that changed the Assembly could be faced with very different policies and decisions.

Assembly Member Haggerty reminded everyone that tomorrow, June 20, 2012 would be the longest day of the year.

Assembly Member Johnson wished everyone a blessed couple of weeks.

Assembly Member McClure noted the annual summer solstice cemetery tour would be held Thursday, June 21, 2012, 10:30 p.m. at the American Legion Cemetery, she stated the tours theme this year was, "Seward's Incorporation," and would be in honor of council members and mayors who had passed on. She said that she would be present for the, "Weed Smackdown" on June 30, 2012, 11:00 a.m. at the Seward Middle School, and reminded everyone about all of the festivities and celebrations occurring in Seward on July 4, 2012, and noted that she may be calling in for the July 3, 2012 meeting due to the increased traffic.

Assembly Member Tauriainen requested an excused absence from the July 3, 2012 meeting.

Assembly Member Smith addressed the concerns of Mr. Demaree and stated that KPB 21.18 did not regulate in-stream mining; although, the River Center had been issuing permits for in-stream mining, after consulting with the borough Legal staff it was relayed to the River Center staff that the borough did not regulate in-stream mining. He said the Vietnam Moving Memorial wall was in Ninilchik, and noted that he had stopped and visited the wall and it was quite the experience. He encouraged people to stop in and see it. He thanked Mayor Navarre for his efforts to get the repairs made to the Homer Track completed this year.

Assembly Member Murphy noted that she would be in Seward for the 4<sup>th</sup> of July, and that her daughter Crystal would be participating in the race. She extended her gratitude to the Birch Ridge Golf Course and the people involved with the Junior Program, stating that this was the fourth year she had participated in the program and it was the nicest group of kids to date. She specifically

thanked Tom Walsh, Nolan Rose, Bill Enberg, Tony Azzara and Aaron Dexheimer who were the coaches who assisted the kids, this was a great way to introduce kids to golf.

President Knopp thanked everyone who had participated in the meeting, and noted there were lots of projects going on; however, not to forget to take some time and enjoy summer also. He noted that there were lots of tourists in town, and we all should slow down and enjoy our home with the them.

**ADJOURNMENT**

With no further business to come before the assembly, President Knopp adjourned the meeting at 8:55 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of June 19, 2012.

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

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

Introduced by: McClure  
Date: 07/03/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
COMMENDING RESOLUTION**

**A RESOLUTION COMMENDING THE MEMBERS OF THE LOWELL POINT  
EMERGENCY SERVICE AREA BOARD FOR THEIR YEARS OF SERVICE**

1 **WHEREAS**, the voters of Lowell Point approved a proposition establishing the Lowell Point  
2 Emergency Service Area (LPESA) in June of 2003; and

3 **WHEREAS**, the voters of Lowell Point approved a proposition calling for the abolishment of  
4 the LPESA in October of 2011; and

5 **WHEREAS**, the proposition which approved the abolishment of the LPESA had an effective  
6 date of July 1, 2012; and

7 **WHEREAS**, the members of the LPESA have served their community well and worked hard to  
8 culminate this action; and

9 **WHEREAS**, the members will continue contributing to the community after July 1, 2012, as  
10 part of the Lowell Point Community Council to organize and run the Lowell Point  
11 Volunteer Fire Department;

12 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**  
13 **PENINSULA BOROUGH:**

14 **SECTION 1.** That the Kenai Peninsula Borough Assembly commends the present board  
15 members; Alison A. Heavirland, Jim McCracken, George T. Walker, Jr., Gloria  
16 Sears, and Mary Miller for their service.

1 **SECTION 2.** That the Kenai Peninsula Borough Assembly commends the past board members;  
2 Mica Van Buskirk, John Sears, Linda M. Paquette, David B. Leech, and Michael  
3 A. Miller for their service.

4 **SECTION 3.** That copies of this resolution will be distributed to those members and a copy for  
5 display at the Penny Hardy Community Center in Lowell Point.

6 **SECTION 4.** This resolution takes effect upon adoption.

7 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD**  
8 **DAY OF JULY, 2012.**

---

Gary Knopp, Assembly President

ATTEST:

---

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



## **KENAI PENINSULA BOROUGH**

144 North Binkley St. Soldotna, Alaska 99669-7520  
Toll-Free within the Borough 1-800-478-4441  
Phone 907-714-2150 • Fax 907-714-2377  
www.borough.kenai.ak.us

**MIKE NAVARRE  
BOROUGH MAYOR**

### **MAYOR'S REPORT TO THE ASSEMBLY**

**TO:** Gary Knopp, Assembly President  
Kenai Peninsula Borough Assembly Members

**FROM:** Mike Navarre, Kenai Peninsula Borough Mayor *MN*

**DATE:** July 3, 2012

---

#### Assembly Requests/ Response

None

#### Agreements and Contracts

- a. Request for Waiver of Formal Bidding/Cooperative Purchase of Mailing Equipment from Pitney Bowes
- b. Request for Waiver of Formal Bidding Procedures for Lowell Point Fire Service Area Close Out Equipment Purchase from WS Darley
- c. Authorization to Award Contract for Kenai Central High School Culinary Arts Kitchen Remodel to Holden Company
- d. Authorization to Award Contract for RFP12-023 Municipal Entitlement Surveys to Sentec Surveying and Engineering, LLC and Mullikin Surveys
- e. Authorization to Award Contract for Central Emergency Services Training Site – Gravel Pad Arc Loop Road, Soldotna to Foster Construction, Inc.

#### Other

- a. Budget Revisions May, 2012
- b. Revenue-Expenditure Report May, 2012



## **KENAI PENINSULA BOROUGH**

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441

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**MIKE NAVARRE  
BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Mike Navarre, Mayor

**THRU:** Mark Fowler, Purchasing & Contracting Officer

**FROM:** Mark A. Dixon, General Services Director

**DATE:** June 4, 2012

**SUBJECT:** Request for Waiver of Formal Bidding/Cooperative Purchase – Mailing Equipment

**RECEIVED**

**JUN 07 2012**

**KPB  
FINANCE DEPT ACCOUNTING**

This memo is to request that waiver of formal bidding procedures, per KPBB Code 5.28.300, be considered for the following reasons:

The mailroom currently has funds available in the equipment replacement fund to purchase new mail meter equipment. Western States Contracting Alliance (WSCA), a cooperative purchasing group, has contracts with both providers (Pitney Bowes and Neopost) of this equipment who are represented in Alaska.

The Purchasing Department initially requested proposals and received two: Pitney Bowes at \$15,725.00, Neopost at \$15,925.00. Since the machines are not identical, Julie English, Lead Mail Room/Copy Clerk, investigated both machines. Julie English visited a State of Alaska site to view the Neopost machine in use. Personnel at the State were frustrated with certain components of the machine, having to frequently investigate error codes and issues with extra postage.

The Pitney Bowes machine is made with higher quality materials. It will automatically adjust postage for larger parcels. The Pitney Bowes salesperson seemed more knowledgeable. We currently have an older Pitney Bowes and have been satisfied with the service.

We request approval for award of a contract to Pitney Bowes for a not to exceed amount of \$15,725.00.

All expenditures for this project will be charged to account 705.18420.

Mike Navarre  
Mike Navarre, Borough Mayor

6/11/12  
Date

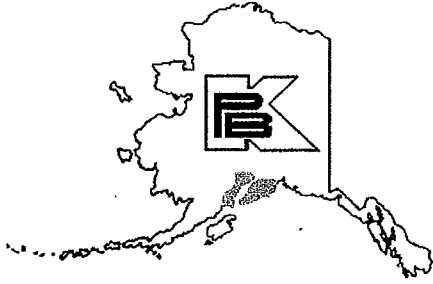
**FINANCE DEPARTMENT  
FUNDS VERIFICATION**

ACCT # 705.18420 - \$15,725.00

BY: pc DATE: 6/7/12

Chapman





## KENAI PENINSULA BOROUGH

Purchasing & Contracting  
144 North Binkley Street • Soldotna, Alaska 99669-7520  
Phone (907) 714-2260 • Fax (907) 714-2373  
www.borough.kenai.ak.us/purchasing

MIKE NAVARRE  
BOROUGH MAYOR

### MEMORANDUM

**TO:** Mike Navarre, Mayor  
**FROM:** Mark Fowler, Purchasing & Contracting Director  
**DATE:** June 13, 2012  
**SUBJECT:** Request for Waiver of Formal Bidding – Lowell Point Fire Service Area Close Out Equipment Purchase

This memo is to request that waiver of formal bidding procedures, per KP Code 5.28.300, be considered for the following reasons:

The Lowell Point Fire Service Area is dissolving at the end of the fiscal year. In order close out all available funds the service area has requested and received quotes for a variety of fire equipment/materials that will be transferred to the Lowell Point Volunteer Fire Department.

We are requesting approval to waive formal bidding to purchase the equipment/material from WS Darley for a not to exceed amount of \$27,471.22.

Funds for this purchase are available in account 213.51510

Mike Navarre, Mayor

Date

**FUND VERIFICATION  
FINANCE DEPARTMENT**

ACCT: 213.51510 - \$27,471.22

BY: pe

DATE: 6/14/12



**KENAI PENINSULA BOROUGH**  
 144 North Binkley Street • Soldotna, Alaska 99669-7520  
 Toll-free within the Borough: 1-800-478-4441, Ext. 2260  
 www.borough.kenai.ak.us

**MIKE NAVARRE  
 BOROUGH MAYOR**

**MEMORANDUM**

**TO:** Mike Navarre, Mayor

**THRU:** Mark Fowler, Purchasing & Contracting Director *MF*

**FROM:** Kevin Lyon, Capital Projects Director *KL*

**DATE:** June 13, 2012

**SUBJECT:** Authorization to Award Contract for KCHS Culinary Arts Kitchen Remodel

The Purchasing and Contracting Office formally solicited and received bids for the KCHS Culinary Arts Kitchen Remodel. Bid packets were released on April 27, 2012 and the Invitation to Bid was advertised in the Peninsula Clarion on April 27, 2012.

The project consists of remodeling the kitchen at Kenai Central High School per the Plans and Specifications.

On the due date of May 23, 2012, one (1) bid was received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$67,091.00 submitted Holden Company of Soldotna, Alaska.

Your approval for this bid award is hereby requested. Funding for this project is in account number 400.73020.12KIT.49101.

*Mike Navarre*  
 \_\_\_\_\_  
 Mike Navarre, Mayor

*6/15/12*  
 \_\_\_\_\_  
 Date

**RECEIVED**  
 JUN 14 2012  
 KP  
 FINANCE ADMINISTRATION

FINANCE DEPARTMENT  
 FUNDS VERIFIED  
 ACT #400.73020.12KIT.49101 (\$67,091.00)  
 BY: *pe* DATE: *6/14/12*  
*BMS*  
*see cc*



# KENAI PENINSULA BOROUGH

Purchasing & Contracting  
144 North Binkley Street • Soldotna, Alaska 99669-7520  
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www.borough.kenai.ak.us/purchasing

**MIKE NAVARRE  
BOROUGH MAYOR**

## MEMORANDUM

**TO:** Mike Navarre, Mayor  
**THRU:** Mark Fowler, Purchasing & Contracting Director  
Max Best, Planning Director  
Marcus Mueller, Land Management Officer  
**FROM:** KS Keith Snarey, Land Management Agent  
**DATE:** June 7, 2012  
**SUBJECT:** Authorization to Award Contract for RFP12-023 Municipal Entitlement Surveys

RECEIVED

JUN 08 2012

KPB  
FINANCE DEPT ACCOUNTING

The Purchasing and Contracting Office formally solicited and received proposals for the Municipal Entitlement Surveys. Proposal packets were released on April 26, 2012 and the Request for Proposal was advertised in the Peninsula Clarion on April 26, 2012.


The project consists of providing survey, monumentation and platting of land per for municipal entitlement conveyance.

On the due date of May 30, 2012 three (3) proposals were received and ranked by a review committee as follows:

<u>SURVEY</u>	<u>FIRMS</u>	<u>TOTAL SCORE</u>
ASLS 2010-17	Sentec Surveying	287
ASLS 2010-17	Mullikin Surveys	255
ASLS 2010-17	Warwick Surveying	118
EPF 96-16	Mullikin Surveys	288
EPF 96-16	Sentec Surveying	252

The highest ranking proposal for survey ASLS 2010-17, which includes a cost factor, was submitted by Sentec Surveying and Engineering, LLC with a lump sum cost proposal of \$36,190.00. The highest ranking proposal for survey EPF 96-16, which includes a cost factor, was submitted by Mullikin Surveys with a lump sum cost proposal of \$34,766.00. The proposal review committee recommends award of contracts to Sentec Surveying and Engineering, LLC and Mullikin Surveys. Your approval for this award is hereby requested.

Funding for this project is in account number 250.21210.ENTLM.43011

  
Mike Navarre, Mayor

6/15/12  
Date

FINANCE DEPARTMENT	834,766
FUNDS VERIFIED	36,190
ACT #	250.21210.ENTLM.43011
BY:	pc
DATE:	6/12/12





**KENAI PENINSULA BOROUGH**

144 North Binkley Street • Soldotna, Alaska 99669-7520  
Toll-free within the Borough: 1-800-478-4441, Ext. 2260  
www.borough.kenai.ak.us

**MIKE NAVARRE  
BOROUGH MAYOR**

**MEMORANDUM**


**TO:** Mike Navarre, Mayor  
**THRU:** Mark Fowler, Purchasing & Contracting Director   
**FROM:** Kevin Lyon, Capital Projects Director   
**DATE:** June 18, 2012  
**SUBJECT:** Authorization to Award Contract for CES Training Site – Gravel Pad  
Arc Loop Road, Soldotna

The Purchasing and Contracting Office formally solicited and received bids for the CES Training Site – Gravel Pad Arc Loop Road, Soldotna. Bid packets were released on May 4, 2012 and the Invitation to Bid was advertised in the Peninsula Clarion and the Anchorage Daily News on May 4, and May 6, 2012.

The project consists of constructing a new access drive, a gate, and new 150 x 200 gravel pad with 200A electrical and lighting.

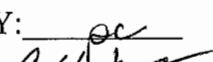
On the due date of June 12, 2012 four (4) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$93,150.00 was submitted by Foster Construction, Inc., Soldotna, AK.

Your approval for this bid award is hereby requested. Funding for this project is in account number 443.51610.12469.49101.

  
Mike Navarre, Mayor

6/21/12  
Date

**RECEIVED**  
JUN 19 2012  
KPB  
FINANCE ADMINISTRATION

FINANCE DEPARTMENT  
FUNDS VERIFIED  
ACT #443.51610.12469.49101 (\$93,150.00)  
BY:  DATE: 6/19/12

**KENAI PENINSULA BOROUGH  
PURCHASING & CONTRACTING**

**BID TAB FOR: ITB12-063 CES Training Site - Gravel Pad - Arc Loop Road**

CONTRACTOR	BASE BID
G&H Construction	\$139,900.00
Wolverine Supply	\$146,560.00
Foster Construction	\$93,150.00
Peninsula Construction	\$116,900.00

**DUE DATE: June 12, 2012 @ 2:00 PM**



**KPB OFFICIAL:**

**Mark Fowler, Purchasing & Contracting Director**



## **KENAI PENINSULA BOROUGH**

Finance Department

144 North Binkley Street • Soldotna, Alaska 99669-8250

**PHONE:** (907) 714-2170 • **FAX:** (907) 714-2376

MIKE NAVARRE  
BOROUGH MAYOR

**To:** Gary Knopp, Assembly President  
Members of the Kenai Peninsula Borough Assembly

**Thru:** Mike Navarre, Borough Mayor *MN*

**Thru:** Craig C. Chapman, Finance Director *CChap*

**From:** Brandi Harbaugh, Controller *BH*

**Date:** June 6, 2012

**Subject:** Budget Revisions – May 2012

Attached is a budget revision listing for May 2012. The attached list contains budget revisions between major expenditure categories (i.e., maintenance & operations and capital outlay). Other minor transfers were processed between object codes within major expenditure categories.

	<u>INCREASE</u>	<u>DECREASE</u>
<b><u>MAINTENANCE:</u></b> Transfer funds to cover unanticipated increases in purchases of supplies and other expenditures for the remainder of the fiscal year.		
241.41010.00000.42250 (Uniforms)	1,500.00	
241.41010.00000.42310 (Repair/Maintenance Supplies)	65,500.00	
241.41010.00000.42424 (Safety Supplies)	1,000.00	
241.41010.00000.43210 (Transportation/Subsistence)	5,000.00	
241.41010.00000.43780 (Buildings/Grounds Maintenance)	20,000.00	
241.41010.00000.43810 (Rents and Operating Leases)	2,000.00	
241.41010.00000.43764 (Snow Removal)		95,000.00
<b><u>SOLID WASTE:</u></b> Transfer funds from hauling and waste programs to the Homer baler to cover the cost of freight.		
290.32570.00000.43250 (Freight & Express)	25.00	
290.32310.00000.43250 (Freight & Express)		25.00
<b><u>NIKISKI FIRE DEPARTMENT:</u></b> Move funds to cover the cost of a new portable ALMR radio.		
206.51110.00000.48730 (Minor Communications Equipment)	7,000.00	
206.51110.00000.43610 (Public Utilities)		7,000.00
<b><u>PLANNING:</u></b> Move funds to cover cost to replace broken label writer, and increased costs of dues and subscriptions, as well as licenses and subscriptions that were not previously included in the budget.		
100.21110.00000.48710 (Minor Office Equipment)	90.00	
100.21110.00000.42120 (Computer Software)		90.00
100.21110.00000.43920 (Dues & Subscriptions)	340.00	
100.21110.00000.43310 (Advertising)		340.00
<b><u>CAPITAL PROJECTS:</u></b> Transfer funds to cover the cost of Microsoft Project Sharepoint and scanner. Purchasing determined this was the best solution for efficient project tracking.		
100.31110.00000.42120 (Computer Software)	10,407.24	
100.31110.00000.48120 (Office Machines)	5,750.00	
100.31110.00000.43011 (Contract Services)		16,157.24
<b><u>CENTRAL EMERGENCY SERVICES:</u></b> Transfer funds to purchase new generators for engines three and six.		
211.51610.00000.48740 (Minor Machines & Equipment)	2,000.00	
211.51610.00000.42410 (Small Tools & Minor Equipment)		2,000.00

	<u>INCREASE</u>	<u>DECREASE</u>
<b><u>PRINT SHOP/MAIL ROOM:</u></b> Transfer funds to cover additional shipping costs. This cost had previously been calculated incorrectly.		
100.11233.00000.42410 (Small Tools & Minor Equipment)	150.00	
100.11233.00000.43720 (Equipment Maintenance)		150.00
<b><u>OFFICE OF EMERGENCY MANAGEMENT:</u></b> Move funds to purchase web IAP software for the incident management team laptops budgeted in wrong account.		
100.11250.00000.42120 (Computer Software)	1,500.00	
100.11250.00000.48710 (Minor Office Equipment)		1,500.00
<b><u>CENTRAL EMERGENCY SERVICES:</u></b> Move funds to cover operational supplies for the remainder of this fiscal year, and set up budget for minor communications equipment and small tools.		
211.51610.00000.42210 (Operating Supplies)	1,000.00	
211.51610.00000.42230 (Fuels, Oils & Lubricants)	4,600.00	
211.51610.00000.42410 (Small Tools & Minor Equipment)	2,370.00	
211.51610.00000.43750 (Vehicle Maintenance)	800.00	
211.51610.00000.48730 (Minor Communications Equipment)	1,900.00	
211.51610.00000.48760 (Minor Fire Fighting Equipment)	500.00	
211.51610.00000.42220 (Medical Supplies)		2,370.00
211.51610.00000.43011 (Contract Services)		6,000.00
211.51610.00000.43260 (Training)		2,800.00
<b><u>911:</u></b> Transfer funds to enable purchase of a new scanner, since the scanner in the office is owned by the State and can only be used for State business.		
264.11255.00000.48710 (Minor Office Equipment)	1,200.00	
264.11255.00000.43720 (Equipment Maintenance)		1,200.00
<b><u>ASSESSING:</u></b> Moving funds to cover purchase of document scanner.		
100.11520.00000.48710 (Minor Office Equipment)	525.00	
100.11520.00000.42410 (Small Tools & Minor Equipment)		525.00
<b><u>KACHEMAK EMERGENCY SERVICES:</u></b> Move funds to cover necessary medical supplies through the end of this fiscal year.		
212.51810.00000.42220 (Medical Supplies)	1,246.56	
212.51810.00000.48750 (Minor Medical Equipment)		646.56
212.51810.00000.42263 (Training Supplies)		600.00



	<u>INCREASE</u>	<u>DECREASE</u>
<b><u>KACHEMAK EMERGENCY SERVICES:</u></b> Transfer funds to cover unexpected increases in fuel and vehicle repair costs.		
212.51810.00000.42230 (Fuels, Oils & Lubricants)	2,598.65	
212.51810.00000.43610 (Public Utilities)	2,000.00	
212.51810.00000.43210 (Transport/Subsistence)	2,000.00	
212.51810.00000.42360 (Motor Vehicle Repair Supplies)	800.00	
212.51810.00000.42222 (Fire Prevention Supplies)		1,598.65
212.51810.00000.42223 (Fire Fighting Supplies)		3,000.00
212.51810.00000.43260 (Training)		2,000.00
212.51810.00000.43750 (Vehicle Maintenance)		800.00
 <b><u>SOLID WASTE:</u></b> Move funds to cover the cost of a replacement phone for Solid Waste Director.		
290.32010.00000.48730 (Minor Communication Equipment)	49.99	
290.32010.00000.43780 (Building/Grounds Maintenance)		49.99
 <b><u>CENTRAL EMERGENCY SERVICES:</u></b> Move funds to cover the purchase of a table and supply expenses through the end of this fiscal year.		
211.51610.00000.42210 (Operating Supplies)	1,500.00	
211.51610.00000.42230 (Fuels, Oils Lubricants)	2,600.00	
211.51610.00000.42250 (Uniforms)	2,600.00	
211.51610.00000.42360 (Motor Vehicle Repair Supplies)	4,000.00	
211.51610.00000.48720 (Minor Office Furniture)	32.00	
211.51610.00000.43210 (Transportation & Subsistence)		7,197.00
211.51610.00000.48730 (Minor Communications Equipment)		1,355.00
211.51610.00000.48755 (Minor Recreational Equipment)		180.00
211.51610.00000.48760 (Minor Firefighting Equipment)		2,000.00
 <b><u>PRINT SHOP/MAIL ROOM:</u></b> Transfer funds to cover purchase of tools and work equipment through the end of this fiscal year.		
100.11233.00000.42410.(Small Tools & Equipment)	775.00	
100.11233.00000.48120 (Office Machines)	5,017.00	
100.11233.00000.48710 (Minor Office Equipment)	8,687.00	
100.11233.00000.48720 (Minor Office Furniture)	3,336.00	
100.11233.00000.48730 (Minor Communication Equipment)	355.00	
100.11233.00000.43720 (Equipment Maintenance)		18,170.00
 <b><u>SEWARD/BEAR CREEK FLOOD SERVICE AREA:</u></b> Move funds to cover the cost (per Purchasing Contract) of a Konika Minolta Bizhub C35 Color Copier.		
259.21212.00000.42110 (Office Supplies)		1,075.00
259.21212.00000.48710 (Minor Office Equipment)	1,075.00	

	<u>INCREASE</u>	<u>DECREASE</u>
<b><u>NORTH PEN REC SERVICE AREA:</u></b> Transfer funds to cover the increased costs of operating supplies for the remainder of this fiscal year.		
225.61110.00000.42210 (Operating Supplies)	3,500.00	
225.51110.00000.43780 (Building/Grounds Maintenance)		3,500.00
<b><u>RISK MANAGEMENT:</u></b> Move funds to cover the cost of additional supplies used by maintenance and unexpected cost of utilities due to new location for department.		
700.11234.00000.42310 (Repair/Maintenance Supplies)	25.00	
700.11234.00000.43110 (Communications)	1,053.75	
700.11234.00000.43410 (Printing)	16.84	
700.11234.00000.43210 (Transport/Subsistence)	1,340.62	
700.11234.00000.43780 (Building/Grounds Maintenance)	1,461.90	
700.11234.00000.43610 (Public Utilities)	500.00	
700.11234.00000.42263 (Training Supplies)		4,398.11
<b><u>SOLID WASTE - CPL:</u></b> Transfer funds to support the CPL scle house attendant. This position was not funded in the FY12 budget.		
290.32122.00000.40110 (Regular Wages)	60,000.00	
290.32122.00000.40120 (Temporary Wages)	10,000.00	
290.32570.00000.43011 (Contract Services)		70,000.00
<b><u>FINANCE:</u></b> Transfer funds to enable replacement of W2/check printer that failed in April and was not scheduled to be replaced until FY13.		
100.11430.00000.48710 (Minor Office Equipment)	2,771.95	
100.11430.00000.43920 (Dues and Subscriptions)		387.00
100.11430.00000.43720 (Equipment Maintenance)		100.00
100.11430.00000.43019 (Software Licensing)		255.00
100.11430.00000.40120 (Temporary Wages)		1,797.00
100.11430.00000.40210 (FICA)		223.63
<b><u>CENTRAL EMERGENCY SERVICES:</u></b> Move funds to cover the cost of wireless access points to extend KPB enterprise wireless service to all CES outstations.		
211.51610.00000.48730 (Minor Communications Equipment)	3,850.00	
211.51610.00000.43260 (Training)		1,350.00
211.51610.00000.43780 (Buildings & Grounds Maintenance)		2,500.00



## **KENAI PENINSULA BOROUGH**

Finance Department

144 North Binkley Street • Soldotna, Alaska 99669-8250

**PHONE:** (907) 714-2170 • **FAX:** (907) 714-2376

MIKE NAVARRE  
BOROUGH MAYOR

**To:** Gary Knopp, Assembly President  
Members of the Kenai Peninsula Borough Assembly

**Thru:** Mike Navarre, Borough Mayor *MN*

**Thru:** Craig C. Chapman, Finance Director *C Chapman*

**From:** Brandi Harbaugh, Controller *BH*

**Date:** June 13, 2012

**Subject:** Revenue-Expenditure Report – May 2012

Attached is the Revenue-Expenditure Report of the General Fund for the month of May, 2012. Please note that 91.67% of the year has elapsed, 86.66% of budgeted expenditures have been made, and 97.56% of budgeted revenues have been collected.

KENAI PENINSULA BOROUGH  
REVENUE REPORT  
FOR THE PERIOD  
MAY 1  
THROUGH MAY 31, 2012

ACCOUNT NUMBER	DESCRIPTION	ESTIMATED REVENUE	YTD RECEIPTS	PTD RECEIPTS	VARIANCE	% COLLECTED
31100	TOTAL REAL TAX	\$ 25,255,890	\$ 24,739,831	\$ 81,758	\$ (516,059)	97.96%
31200	TOTAL PERS TAX	1,397,706	1,539,853	11,017	142,147	110.17%
31300	TOTAL OIL TAX	3,145,460	3,157,500	-	12,040	100.38%
31400	MOTOR VEHICLE TAX	700,000	496,019	54,101	(203,981)	70.86%
31510	PROPERTY TAX PENALTY & INTEREST	458,937	462,383	24,360	3,446	100.75%
31610	SALES TAX	28,671,825	27,923,759	2,640,773	(748,066)	97.39%
33110	IN LIEU PROPERTY TAX	3,118,550	3,080,253	-	(38,297)	98.77%
33117	OTHER FEDERAL REVENUE	68,500	49,183	16,817	(19,317)	71.80%
34110	SCHOOL DEBT REIMBURSEMENT	1,682,639	1,113,192	-	(569,447)	66.16%
34221	ELECTRICITY AND TELEPHONE REVENUE	170,000	-	-	(170,000)	0.00%
34222	FISH TAX REVENUE SHARING	650,000	17,519	-	(632,481)	2.70%
34210	REVENUE SHARING	2,150,000	2,879,368	-	729,368	133.92%
37350	INTEREST ON INVESTMENTS	975,000	1,168,485	194,735	193,485	119.84%
39000	OTHER LOCAL REVENUE	257,015	208,769	14,486	(48,246)	81.23%
	SOLID WASTE REVENUE	525,105	703,015	16,767	177,910	133.88%
<b>TOTAL REVENUES</b>		<b>\$ 69,226,627</b>	<b>\$ 67,539,129</b>	<b>\$ 3,054,814</b>	<b>\$ (1,687,498)</b>	<b>97.56%</b>

KENAI PENINSULA BOROUGH  
EXPENDITURE REPORT  
FOR THE PERIOD  
MAY 1  
THROUGH MAY 31, 2012

DESCRIPTION	REVISED BUDGET	YTD EXPENDED	PTD EXPENDED	AMOUNT ENCUMBERED	AVAILABLE BALANCE	% EXPENDED
ASSEMBLY ADMINISTRATION	\$ 495,033	\$ 327,064	\$ 30,855	\$ 6,393	\$ 161,576	66.07%
ASSEMBLY CLERK	516,738	422,506	44,830	(1,347)	95,579	81.76%
ASSEMBLY ELECTIONS	158,597	135,348	1,166	10,100	13,149	85.34%
ASSEMBLY RECORDS MANAGEMENT	243,913	189,827	15,630	6,542	47,544	77.83%
MAYOR ADMINISTRATION	587,806	460,080	41,332	1,738	125,988	78.27%
PURCHASING AND CONTRACTING	259,409	191,357	38,470	1,329	66,723	73.77%
GENERAL SERVICES	562,757	462,826	38,931	11,283	88,648	82.24%
GENERAL SERVICES - MIS	1,775,485	1,367,656	99,006	96,036	311,793	77.03%
GENERAL SERVICES - GIS	524,319	381,200	28,530	2,243	140,876	72.70%
GENERAL SERVICES - PRINT/MAIL	244,160	148,196	8,603	28,145	67,819	60.70%
GENERAL SERVICES - CUSTODIAL MAINT	123,191	98,943	8,981	1,431	22,817	80.32%
EMERGENCY MANAGEMENT	646,764	501,942	58,798	31,154	113,668	77.61%
LEGAL ADMINISTRATION	1,010,592	746,238	61,832	87,367	176,987	73.84%
FINANCE - ADMINISTRATION	496,504	409,045	37,336	925	86,534	82.39%
FINANCIAL SERVICES	894,813	742,669	55,814	1,671	150,473	83.00%
FINANCE - PROPERTY TAX AND COLLECTION	928,173	724,135	50,184	24,012	180,026	78.02%
FINANCE - SALES TAX	525,220	437,981	30,436	4,461	82,778	83.39%
ASSESSING ADMINISTRATION	1,208,067	984,607	76,623	19,438	204,022	81.50%
ASSESSING APPRAISAL	1,705,507	1,282,164	122,777	58,763	364,580	75.18%
RESOURCE PLANNING ADMINISTRATION	1,162,676	854,264	(9,383)	31,778	276,634	73.47%
THE RIVER CENTER	768,563	527,549	(40,298)	11,307	229,707	68.64%
MAJOR PROJECTS - ADMINISTRATION	299,195	197,374	14,009	19,375	82,446	65.97%
SENIOR CITIZENS GRANT PROGRAM	491,608	430,361	14,627	61,247	-	87.54%
SCHOOL DISTRICT OPERATIONS	46,614,905	42,939,472	4,340,525	-	3,675,433	92.12%
SOLID WASTE TRANSFER	8,856,615	7,041,126	1,099,115	1,016,998	798,491	79.50%
NON-DEPARTMENTAL	2,225,166	1,541,406	117,022	227,196	456,564	69.27%
<b>TOTAL EXPENDITURES</b>	<b>\$73,325,776</b>	<b>\$ 63,545,336</b>	<b>\$ 6,385,751</b>	<b>\$ 1,759,585</b>	<b>\$ 8,020,855</b>	<b>86.66%</b>

Introduced by: Mayor  
Date: 06/05/12  
Hearing: 07/03/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2011-19-90**

**AN ORDINANCE APPROPRIATING \$61,809.66 FROM THE STATE OF ALASKA  
DIVISION OF EMERGENCY SERVICES TO REIMBURSE THE BOROUGH FOR  
COSTS INCURRED WHILE RESPONDING TO WIND STORMS THAT OCCURRED  
IN NOVEMBER 2011 AND TO RECOGNIZE REVENUE OF \$4,602.90 FOR  
EQUIPMENT RENTAL**

1 **WHEREAS**, the borough encountered a number of wind storms during November 2011  
2 causing significant damage in the borough; and

3 **WHEREAS**, a disaster was declared by the borough Mayor on November 22, 2011, by the  
4 State of Alaska Governor on December 12, 2011, and by President Obama on  
5 February 2, 2012; and

6 **WHEREAS**, the borough incurred costs totaling \$61,809.66 associated with responding and  
7 recovering from the storms as follows: OEM \$1,173.38, Nikiski Fire \$ 14,361.06,  
8 CES \$8,030.10, and Roads \$38,245.12; and

9 **WHEREAS**, the costs incurred by the borough for response and recovery are eligible for  
10 reimbursement from FEMA (Federal Emergency Management Agency) through  
11 the State of Alaska, Division of Emergency Services; and

12 **WHEREAS**, Nikiski Fire was also awarded \$1,891.07 and Central Emergency Services (CES)  
13 was awarded \$2,711.83 for equipment rental charges associated with the wind  
14 storms;

15 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
16 **PENINSULA BOROUGH:**

1 **SECTION 1.** That the mayor is authorized to accept funds totaling \$61,809.66 from FEMA and  
2 the State of Alaska Division of Emergency Services for reimbursement of costs  
3 incurred by the borough in responding to the 2011 fall wind storms.

4 **SECTION 2.** That \$61,809.66 in costs incurred for initial response be appropriated to account  
5 no. 260.11251.12WND.49999.

6 **SECTION 3.** That equipment rental revenues of \$1,891.07 will be recognized in the Nikiski  
7 Fire operating fund and \$2,711.83 in the CES operating fund.

8 **SECTION 4.** That the appropriations made in this ordinance shall apply to the fiscal year  
9 ending June 30, 2012.

10 **SECTION 5.** That this ordinance shall be effective upon its enactment.

11 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
12 **DAY OF \* 2012.**

---

Gary Knopp, Assembly President

ATTEST:

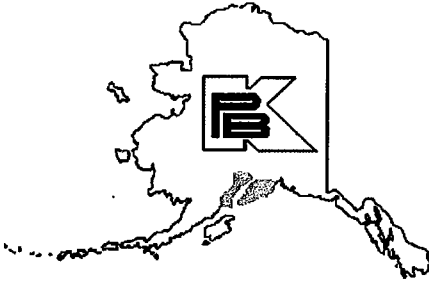
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Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



## KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520  
Toll-free within the Borough: 1-800-478-4441, Ext. 2150  
PHONE: (907) 714-2150 • FAX: (907) 714-2377  
www.borough.kenai.ak.us

MIKE NAVARRE  
BOROUGH MAYOR

### MEMORANDUM

**TO:** Gary Knopp, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Mayor *MND*  
Craig Chapman, Director of Finance *C Chapman*  
Brenda Ahlberg, Community & Fiscal Projects Manager *BA*

**FROM:** Eric Mohrmann, Emergency Management Director *EM*

**DATE:** May 24, 2012

**SUBJECT:** Ordinance 2011-19-90, appropriating \$61,809.66 from the State of Alaska Division of Emergency Services to reimburse the borough for costs incurred in responding to the wind storms occurring in November 2011

This ordinance appropriates money the State of Alaska Division of Emergency Services has awarded the borough for costs incurred in responding to the wind storms occurring during November 2011. At the time of packet closure outstanding costs of approximately \$2,500 for repairing a truck have not been paid. The truck is being repaired and the funds are expected to be spent prior to final hearing of this ordinance.

The ordinance includes funding for costs incurred by the Office of Emergency Management (OEM) of \$1,173.38, Nikiski Fire of \$14,361.06, Central Emergency Services (CES) of \$8,030.10 and the Road Service Area of \$38,245.12 in responding to the wind storms that occurred.

In addition, Nikiski Fire will receive \$1,891.07 and CES will receive \$2,711.83 in revenues for the use of department equipment which will be recognized in their operating funds. Attached please find a summary of the approved expenditures and communications from the state and federal agencies.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>260.11251.12WND.49999</u>
Amount	<u>\$ 61,809.66</u>
By:	<u>pc</u> Date: <u>5/23/12</u>



Kenai Peninsula Borough  
Wind Storms  
November 2011

State Declared Disaster AK12-237  
November 1-14, 2011

Approved Expenditures	ROADS	OEM	CES	NIKISKI	TOTAL
Road Contractors	15,953.07				15,953.07
<b>Total State Disaster Nov 1-14, 2011</b>	<b>15,953.07</b>				<b>15,953.07</b>

Federal Declared Disaster FEMA-4054-DR  
November 15-17, 2011

Approved Expenditures	ROADS	OEM	NIKISKI	CES	TOTAL
Roads pickup truck damage	2,056.45				2,056.45
Road Contractors	20,235.60				20,235.60
OEM - Shelter/food/wages for shelter employee		1,173.38			1,173.38
Fire Dept - OT Wages			14,019.06	7,671.10	21,690.16
Fire Dept - equipment			1,891.07	2,711.83	4,602.90
Fire Dept - Materials (per diem meals)			342.00	359.00	701.00
<b>Total Federal Disaster Nov 15-17, 2011</b>	<b>22,292.05</b>	<b>1,173.38</b>	<b>16,252.13</b>	<b>10,741.93</b>	<b>50,459.49</b>
<b>Total Federal &amp; State Reimbursement - Wind Storms</b>	<b>38,245.12</b>	<b>1,173.38</b>	<b>16,252.13</b>	<b>10,741.93</b>	<b>66,412.56</b>

Introduced by: Mayor  
Date: 06/05/12  
Hearing: 07/03/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-19-02**

**AN ORDINANCE ACCEPTING AND APPROPRIATING \$19,790.10 ON BEHALF OF  
BEAR CREEK FIRE SERVICE AREA FROM THE ALASKA DEPARTMENT OF  
NATURAL RESOURCES FOR THE VOLUNTEER FIRE ASSISTANCE PROGRAM**

1 **WHEREAS**, Bear Creek Fire Service Area (BCFSA) applied for a grant under the 2012  
2 Volunteer Fire Assistance Program administered by the State of Alaska  
3 Department of Natural Resources, Division of Forestry; and

4 **WHEREAS**, award notification has been given to BCFSA allowing the service area to purchase  
5 firefighting equipment in the amount of \$19,790.10; and

6 **WHEREAS**, the Volunteer Fire Assistance Program requires a 10 percent match of local  
7 expenditures toward the grant funds; and

8 **WHEREAS**, BCFSA will meet the match requirement through expenditures made from its  
9 operating budget prior to December 31, 2012, for firefighting equipment; and

10 **WHEREAS**, at its regular meeting of \_\_\_\_\_, 2012, the BCFSA Board recommended \_\_\_\_  
11 \_\_\_\_\_;

12 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
13 **PENINSULA BOROUGH:**

14 **SECTION 1.** That the mayor is authorized to accept the Volunteer Fire Assistance Program  
15 grant funds from the Alaska Department of Natural Resources on behalf of Bear  
16 Creek Fire Service Area and is authorized to execute the grant agreement and any

1 other documents deemed necessary to accept and expend the grant and to fulfill  
2 the intents and purposes of this ordinance.

3 **SECTION 2.** That grant funds are appropriated as follows:

4 \$19,790.10 to account 207.51210.13VF1.48760, minor firefighting equipment.

5 **SECTION 3.** This ordinance shall become effective immediately upon its enactment.

6 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
7 **DAY OF \* 2012.**

\_\_\_\_\_  
Gary Knopp, Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



# KENAI PENINSULA BOROUGH

## Bear Creek Fire Service Area

### MEMORANDUM

MIKE NAVARRE  
BOROUGH MAYOR

**TO:** Gary Knopp, Assembly President  
Members of the Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Mayor *MN*  
Craig Chapman, Director of Finance *CChapman*  
Brenda Ahlberg, Community & Fiscal Projects Manager *BA*

**FROM:** Mark Beals, BCFSA Fire Chief *Mark Beals*

**DATE:** May 24, 2012

**SUBJECT:** Ordinance 2012-19-02, accepting and appropriating a grant on behalf of Bear Creek Fire Service Area from the Alaska Department Natural Resources, Division of Forestry in the amount of \$19,790.10

The State of Alaska Department of Natural Resources, Division of Forestry provides assistance in training, equipment purchases and prevention activities through the Volunteer Fire Assistance Program (VFA). The VFA program may be used for both wildland and structure protection needs. The assistance is provided to increase firefighter safety, to improve the firefighting capabilities of rural volunteer fire departments, and to enhance protection in the urban-wildland interface.

Bear Creek Fire Service Area (BCFSA) applied for and has received an award notice for the purpose of purchasing minor firefighting equipment. The VFA program requires 10 percent matching funds. BCFSA will meet the 10 percent match requirement through expenditures made from its operating budget prior to December 31, 2012.

The performance period for the VFA grant ends December 31, 2012. Mark Beals, the BCFSA Fire Chief, shall provide grant oversight and project completion.

Attachment: award letter

FINANCE DEPARTMENT	
MATCH - FUNDS VERIFIED	
Pending Assembly Approval of FY13 budget document	
Acct. No.	<u>207.51210.00000.48514</u>
Amount	<u>\$1979.10</u>
By: <u>pe</u>	Date: <u>5/22/12</u>

# STATE OF ALASKA

SEAN PARNELL, GOVERNOR

## DEPARTMENT OF NATURAL RESOURCES

### DIVISION OF FORESTRY

42499 STERLING HIGHWAY  
SOLDOTNA, ALASKA 99669  
PHONE: (907) 260-4200  
FAX: (907) 260-4205

May 3, 2012

Bear Creek Fire Services  
P.O. Box 1565  
Seward, AK 99664  
Attn: Mark Beals

Certified Mail:

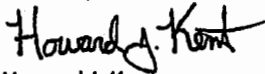
Dear Chief Beals,

Congratulations, your fire department has been awarded a grant through the 2012 Volunteer Fire Assistance program. Your grant will total \$19,790.10 and is a 10% match. This means that you will have to spend a total of \$1,979.10 in local matching funds as a condition of your grant. The VFA grant check is enclosed and must be cashed within 90 days or it will become void.

I have also included a copy of the VFA Criteria sheet for your reference. If you have any questions or if you need additional information on documentation required to complete the grant process you can contact me at the number listed below. Please send me copies of the receipts for documentation purposes as soon as the purchasing has been completed, so that I can keep current records. Documentation for purchases made under these funds will need to be sent back to me prior to January 31, 2013, in order to be eligible for next year's VFA grant application submittal.

Again, congratulations on being successful in receiving this year's VFA grant funding. Through interagency cooperation and local community effort, we can significantly reduce the impacts of wildfire here in Alaska. I look forward to working with you and the members of your fire department.

Sincerely,



Howard J. Kent  
Fire Management Officer  
Kenai/Kodiak Area Office  
42499 Sterling Highway  
Soldotna, AK 99669  
907-260-4220

This is an award of Federal Financial Assistance and as such is subject to the Office of Management and Budget (OMB) Circular A-87, Cost Principles for State, Local and Indian Tribal Governments; OMB Circular A-102 (Grants and Cooperative Agreements with State and Local governments) as implemented by USDA regulation 7 CFR Part 3016 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments); and OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations) as implemented by USDA regulation 7 CFR 3052. The OMB Circulars are available on the internet at [www.whitehouse.gov/omb/grants](http://www.whitehouse.gov/omb/grants). Electronic copies of the CFR's can be obtained at the following internet site: [www.gpoaccess.gov/cfr/](http://www.gpoaccess.gov/cfr/). If you are unable to retrieve these regulations electronically, please contact Arlene Weber-Sword at (907)269-8471.

Enclosure

***"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."***

Introduced by: Mayor  
Date: 06/05/12  
Hearing: 07/03/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-19-03**

**AN ORDINANCE ACCEPTING AND APPROPRIATING \$150,000 FROM THE STATE  
OF ALASKA FOR THE NORTH PENINSULA RECREATION SERVICE AREA  
(NPRSA) TRAILS UPGRADE AND EXPANSION PROJECT**

1 **WHEREAS**, the borough requested funding to upgrade and expand the NPRSA trails in the  
2 borough's 2012 legislative priorities; and

3 **WHEREAS**, Senate Bill 160, which appropriated funding to the borough for the project, was  
4 passed by the State Legislature and signed by the Governor on May 14, 2012; and

5 **WHEREAS**, the Alaska Department of Commerce, Community and Economic Development  
6 ("DCCED") will provide to the borough the grant award in the amount of  
7 \$150,000 for the Project; and

8 **WHEREAS**, it is in the best interest of the borough to accept the grant funds;

9 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
10 **PENINSULA BOROUGH:**

11 **SECTION 1.** That the mayor is authorized to accept a grant from the Alaska Department of  
12 Commerce, Community and Economic Development in the amount of \$150,000  
13 for the NPRSA Trails Upgrade and Expansion Project, and is authorized to  
14 execute a grant agreement and any other documents deemed necessary to accept  
15 and expend the grant and to fulfill the intents and purposes of this ordinance.

1 **SECTION 2.** That grant funds in the amount of \$150,000 are appropriated to account no.  
2 459.61110.13TRL.49999.

3  
4 **SECTION 3.** That due to the nature of this project the appropriation of these funds shall not  
5 expire at the end of any particular fiscal year.

6  
7 **SECTION 4.** This ordinance shall become effective immediately upon its enactment.

8 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
9 **DAY OF \* 2012.**

\_\_\_\_\_  
Gary Knopp, Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



**KENAI PENINSULA BOROUGH**  
 144 North Binkley Street • Soldotna, Alaska 99669-7520  
 Toll-free within the Borough: 1-800-478-4441  
**PHONE:** (907) 262-4441 • **FAX:** (907) 262-1892  
 www.borough.kenai.ak.us

**MIKE NAVARRE**  
**BOROUGH MAYOR**

**MEMORANDUM**

**TO:** Gary Knopp, Assembly President  
 Members, Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, KPB Mayor *MN*

**FROM:** Craig Chapman, Director of Finance *C Chapman*  
 Brenda Ahlberg, Community & Fiscal Projects Manager *B Ahlberg*  
 Rachel M. Parra, NPRSA Recreation Director *R Parra*

**DATE:** May 24, 2012

**SUBJECT:** Ordinance 2012-19- 03, Accepting and Appropriating \$150,000 from the State of Alaska for the North Peninsula Recreation Service Area Trails Upgrade and Expansion Project

In 2010 the North Peninsula Recreation Service Area (NPRSA) Spruce Bark Beetle Mitigation and Timber Sale was completed. The area mitigated was approximately 95 acres around the NPRSA facilities and existing trails system.

The objectives of this project were to reduce the wild land fire hazards, reduce falling tree hazards to recreational users of the area, reduce maintenance costs involved in removing hazard trees along trails, accelerate reforestation to improve long term forest growth, and finally, protect our current lands to create more recreational use and expand trails systems.

NPRSA is now ready to move to the final stage of the project, which includes upgrading existing portions of the trails and expanding a new trail system that will tie into the existing trails and provide for a lake access and disc golf course. The trails will be used for running, hiking, skiing, snowshoeing and disc golf. The opportunities for varied recreational uses are endless. The funding for this project is included in Senate Bill 160, which has passed the legislature and was authorized by the Governor.

In order to meet the goal of completion this year and in consideration of the weather and construction season necessary to complete the work, time is essential. If weather conditions cooperate and funding is available and appropriated by the beginning of July, the project completion date will be the end of October, just in time for the skiing season and winter trail activities to begin.

Your approval of this ordinance would be greatly appreciated.

FINANCE DEPARTMENT	
Acct # FUNDS VERIFIED	
Acct. No.	<u>459.61110.13TRL.49999</u>
Amount	<u>N/A</u>
By:	<u><i>pc</i></u> Date: <u>5/22/12</u>



Introduced by: Mayor  
Date: 06/05/12  
Hearing: 07/03/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-19-04**

**AN ORDINANCE APPROPRIATING \$250,000 IN THE SOLID WASTE CAPITAL  
PROJECTS FUND FOR CLOSURE COST AT THE HOMER LANDFILL AND  
AWARDING A CONTRACT FOR DESIGN OF A CLOSURE CAP SYSTEM TO HDR  
ALASKA, INC.**

1 **WHEREAS**, state and federal laws and regulations require the borough to place a final cover  
2 on its landfills when they stop accepting waste and to perform certain  
3 maintenance and monitoring functions at the sites for up to 30 years after closure;  
4 and;

5 **WHEREAS**, in accordance with Governmental Accounting Standard Board Statement 18,  
6 “Accounting for Municipal Solid Waste Landfill Closure and Postclosure Care  
7 Cost”, which the borough implemented in 1993, the borough has been  
8 appropriating funds annually through the operating budget of the solid waste  
9 department, to cover the estimated cost associated with closure and postclosure of  
10 the Homer Landfill; and

11 **WHEREAS**, the borough has previously reserved \$2,295,895 for closure/postclosure costs  
12 associated with the Homer Landfill in the solid waste capital projects fund; and

13 **WHEREAS**, the first step in the closure of the Homer Landfill is to contract with a firm for  
14 design of the closure cap system; and

15 **WHEREAS**, the purchasing and contracting department formally solicited and received  
16 proposals for the Homer Landfill Closure Design project and the highest ranking  
17 proposal was received from HDR Alaska, Inc. in the amount of \$205,166.10;

1 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
2 **PENINSULA BOROUGH:**

3 **SECTION 1.** That \$250,000 of the funds reserved in the Solid Waste Capital Project Fund for  
4 closure/postclosure be appropriated to account no. 411.32122.12HLC.49999 for  
5 design cost associated with the Homer Landfill closure project.

6 **SECTION 2.** That HDR Alaska, Inc. be awarded a contract in the amount of \$205,166.10 for  
7 design of a closure cap system for the Homer Landfill.

8 **SECTION 3.** That the appropriations made in this ordinance are of a project length nature and  
9 as such do not lapse at the end of any particular fiscal year.

10 **SECTION 4.** That this ordinance takes effect immediately upon its enactment.

11 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
12 **DAY OF \* 2012.**

\_\_\_\_\_  
Gary Knopp, Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



# KENAI PENINSULA BOROUGH

## Solid Waste Department

47140 East Poppy Lane • Soldotna, Alaska 99669  
Toll-free within the Borough: 1-800-478-4441, Ext. 2004  
PHONE: (907) 262-9667 • FAX: (907) 262-6090  
[www.borough.kenai.ak.us/SolidWaste](http://www.borough.kenai.ak.us/SolidWaste)

MIKE NAVARRE  
BOROUGH MAYOR

### MEMORANDUM

**TO:** Gary Knopp, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Mayor *MN*

**FROM:** Jack Maryott, Solid Waste Director *JM*  
Craig Chapman, Finance Director *C Chapman*  
Mark Fowler, Purchasing and Contracting Director *mf*

**DATE:** May 21, 2012

**SUBJECT:** Ordinance 2012-19-04, appropriating \$250,000 in the Solid Waste Capital Projects Fund for design of a closure cap system at the Homer Landfill and awarding a contract to HDR Alaska, Inc.

The Homer Landfill is scheduled for closure in the fall of 2013. State and federal laws and regulations require the borough to place a final cover on its landfills when they stop accepting waste and to perform certain maintenance and monitoring functions at the sites for up to 30 years after.

In accordance with Governmental Accounting Standard Board Statement 18, "Accounting for Municipal Solid Waste Landfill Closure and Postclosure Care Cost", the borough has funded the estimated cost associated with closure and postclosure of the Homer Landfill in the Solid Waste Capital Project Fund through prior annual appropriations.

The first step in this process is to contract with a firm for design of the closure cap system. The Purchasing and Contracting Office formally solicited and received proposals for this project for which HDR Alaska, Inc. had the highest ranking proposal.

This ordinance would appropriate \$250,000 for the design of the closure cap system for the Homer Landfill and award the contract for the design to HDR Alaska Inc.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>411.27900 FB</u>	
Amount <u>250,000.<sup>00</sup></u>	
By: <u>pc</u>	Date: <u>5/21/12</u>

Introduced by: Mayor  
Date: 06/05/12  
Hearing: 07/03/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-19-05**

**AN ORDINANCE ACCEPTING AND APPROPRIATING \$19,816 ON BEHALF OF  
KACHEMAK EMERGENCY SERVICE AREA FROM THE ALASKA DEPARTMENT  
OF NATURAL RESOURCES FOR THE VOLUNTEER FIRE ASSISTANCE PROGRAM**

1 **WHEREAS**, Kachemak Emergency Service Area (KESA) applied for a grant under the 2012  
2 Volunteer Fire Assistance Program administered by the State of Alaska  
3 Department of Natural Resources, Division of Forestry; and

4 **WHEREAS**, award notification has been given to KESA, allowing the service area to purchase  
5 firefighting equipment in the amount of \$19,816; and

6 **WHEREAS**, the Volunteer Fire Assistance Program requires a 10 percent match of local  
7 expenditures toward the grant funds; and

8 **WHEREAS**, KESA will meet the match requirement through expenditures made from its  
9 operating budget prior to December 31, 2012, for firefighting equipment; and

10 **WHEREAS**, at its regular meeting of \_\_\_\_\_, 2012, the KESA Board  
11 recommended \_\_\_\_\_;

12 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
13 **PENINSULA BOROUGH:**

14 **SECTION 1.** That the mayor is authorized to accept the Volunteer Fire Assistance Program  
15 grant funds from the Alaska Department of Natural Resources on behalf of  
16 Kachemak Emergency Service Area and is authorized to execute the grant

1 agreement and any other documents deemed necessary to accept and expend the  
2 grant and to fulfill the intents and purposes of this ordinance.

3 **SECTION 2.** That grant funds are appropriated as follows:

4 \$19,816 to account no. 212.51810.13VF2.48760, minor firefighting equipment.

5 **SECTION 3.** This ordinance shall become effective immediately upon its enactment.

6 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
7 **DAY OF \* 2012.**

\_\_\_\_\_  
Gary Knopp, Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



# KENAI PENINSULA BOROUGH

## Kachemak Emergency Service Area

### MEMORANDUM

MIKE NAVARRE  
BOROUGH MAYOR

**TO:** Gary Knopp, Assembly President  
Members of the Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Mayor *MN*  
Craig Chapman, Director of Finance *C Chapman*  
Brenda Ahlberg, Community & Fiscal Projects Manager *BA*

**FROM:** Bob Cicciarella, KESA Fire Chief *BC*

**DATE:** May 17, 2012

**SUBJECT:** Ordinance 2012-19-05, accepting and appropriating a grant on behalf of Kachemak Emergency Service Area from the Alaska Department Natural Resources, Division of Forestry in the amount of \$19,816

The State of Alaska Department of Natural Resources, Division of Forestry provides assistance in training, equipment purchases and prevention activities through the Volunteer Fire Assistance Program (VFA). The VFA program may be used for both wildland and structure protection needs. The assistance is provided to increase firefighter safety, improve the firefighting capabilities of rural volunteer fire departments, and enhance protection in the urban-wildland interface.

KESA applied for and has been given an award notice for the purpose of purchasing minor firefighting equipment. The VFA program requires 10 percent matching funds. KESA will meet the 10 percent match requirement through expenditures made from its operating budget prior to December 31, 2012.

The performance period for the VFA grant ends December 31, 2012. Bob Cicciarella, the KESA Fire Chief, shall provide grant oversight and project completion.

Attachment: award letter

FINANCE DEPARTMENT	
Match- FUNDS VERIFIED	
Pending Assembly Approval of FY13 budget document	
Acct. No.	<u>212.51810.00000.48760</u>
Amount	<u>\$ 1,981.60</u>
By:	<u>pc</u>
Date:	<u>5/22/12</u>

# STATE OF ALASKA

SEAN PARNELL, GOVERNOR

## DEPARTMENT OF NATURAL RESOURCES

### DIVISION OF FORESTRY

42499 STERLING HIGHWAY  
SOLDOTNA, ALASKA 99669  
PHONE: (907) 260-4200  
FAX: (907) 260-4205

May 3, 2012

Kachemak Emergency Services  
P.O. Box 4849  
Homer, AK 99603  
Attn: Robert Cicciarella

Certified Mail:

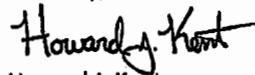
Dear Chief Cicciarella,

Congratulations, your fire department has been awarded a grant through the 2012 Volunteer Fire Assistance program. Your grant will total \$19,816.00 and is a 10% match. This means that you will have to spend a total of \$1,981.60 in local matching funds as a condition of your grant. The VFA grant check is enclosed and must be cashed within 90 days or it will become void.

I have also included a copy of the VFA Criteria sheet for your reference. If you have any questions or if you need additional information on documentation required to complete the grant process you can contact me at the number listed below. Please send me copies of the receipts for documentation purposes as soon as the purchasing has been completed, so that I can keep current records. Documentation for purchases made under these funds will need to be sent back to me prior to January 31, 2013, in order to be eligible for next year's VFA grant application submittal.

Again, congratulations on being successful in receiving this year's VFA grant funding. Through interagency cooperation and local community effort, we can significantly reduce the impacts of wildfire here in Alaska. I look forward to working with you and the members of your fire department.

Sincerely,



Howard J. Kent  
Fire Management Officer  
Kenai/Kodiak Area Office  
42499 Sterling Highway  
Soldotna, AK 99669  
907-260-4220

This is an award of Federal Financial Assistance and as such is subject to the Office of Management and Budget (OMB) Circular A-87, Cost Principles for State, Local and Indian Tribal Governments; OMB Circular A-102 (Grants and Cooperative Agreements with State and Local governments) as implemented by USDA regulation 7 CFR Part 3016 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments); and OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations) as implemented by USDA regulation 7 CFR 3052. The OMB Circulars are available on the internet at [www.whitehouse.gov/omb/grants](http://www.whitehouse.gov/omb/grants). Electronic copies of the CFR's can be obtained at the following internet site: [www.gpoaccess.gov/cfr/](http://www.gpoaccess.gov/cfr/). If you are unable to retrieve these regulations electronically, please contact Ariene Weber-Sword at (907)269-8471.

Enclosure

*"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."*

Introduced by: Mayor  
Date: 06/19/12  
Shortened Hearing: 07/03/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-19-15**

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY  
ADJACENT TO THE PROPERTY USED BY AURORA BOREALIS CHARTER  
SCHOOL IN KENAI ON BEHALF OF THE KENAI PENINSULA BOROUGH SCHOOL  
DISTRICT AND APPROPRIATING FUNDS FOR THE ACQUISITION**

1 **WHEREAS**, the relationship between the borough school district and borough is established  
2 pursuant to AS 14.14.060; and

3 **WHEREAS**, the Kenai Peninsula Borough School District (KPBSD) desires to acquire real  
4 property that adjoins the Aurora Borealis Charter School (ABCS) property in Kenai;  
5 and

6 **WHEREAS**, the subject property would be used for much needed space for a playground and a  
7 storage building that would be utilized for both the Kenai Alternative School and the  
8 ABCS; and

9 **WHEREAS**, subject property lies within the Kenai city limits and is zoned as Central Commercial  
10 which is appropriate for school purposes; and

11 **WHEREAS**, subject lots were appraised on April 13, 2012, by the KPB assessing department  
12 which concluded an estimated value of \$20,900 for each lot; and

13 **WHEREAS**, the property owners have agreed to proceed with this sale, subject to assembly  
14 approval; and



1 **WHEREAS**, purchase of the subject property and funding was approved at the KPBSD Board of  
2 Education meeting of May 7, 2012; and

3 **WHEREAS**, the KPB Planning Commission at its regularly scheduled meeting of June 11, 2012,  
4 recommended \_\_\_\_\_;

5 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
6 **PENINSULA BOROUGH:**

7 **SECTION 1.** That the purchase of the following described real property on behalf of the KPBSD is  
8 in the best interests of the borough:

9 Lots 2, 3, 4, and 5 Block 8, as shown on U.S. Survey 3025 A and B, East Addition,  
10 Townsite of Kenai. (Assessor Parcel No. 04711804, 04711805, 04711806, and  
11 04711807)

12 **SECTION 2.** That the terms and conditions substantially in the form of the Purchase Agreement  
13 accompanying this ordinance are hereby approved. The purchase price shall be  
14 \$20,900 for each lot. The total cost of the four lots would be \$83,600 plus closing  
15 costs not to exceed \$4,000.

16 **SECTION 3.** That this acquisition is for the expansion of the property used by the Aurora Borealis  
17 Charter School.

18 **SECTION 4.** That the proposed classification of this land is government.

19 **SECTION 5.** That the mayor is authorized to execute any and all documents necessary to purchase  
20 the real property described in Section 1 in accordance with the terms and conditions  
21 contained in this resolution and the accompanying Purchase Agreement, consistent  
22 with applicable provisions of KPB Chapter 17.10.

1 **SECTION 6.** That funding for this acquisition, up to \$87,600, will be received from the Kenai  
2 Peninsula Borough School District and shall be appropriated to account  
3 400.73010.13AUR.48610 for expenditures associated with this acquisition

4 **SECTION 7.** That this ordinance shall take effect immediately upon its enactment.

5 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \* DAY**  
6 **OF \* 2012.**

---

Gary Knopp, Assembly President

ATTEST:

---

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



# **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

**PHONE:** (907) 714-2200 • **FAX:** (907) 714-2378

*Toll-free within the Borough: 1-800-478-4441, Ext. 2200*

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

## **M E M O R A N D U M**

**TO:** Gary Knopp, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Mike Navarre, Borough Mayor *MN*

**FROM:** Max Best, Planning Director *MB*

**DATE:** June 13, 2012

**SUBJECT:** Ordinance 2012-19-15; Authorizing the Acquisition of Lots 2, 3, 4 and 5, Block 8, as shown on U.S. Survey 3025 A and B, East Addition, Townsite of Kenai on behalf of the Kenai Peninsula Borough School District, Pursuant to KPB 17.10.040

The Planning Commission reviewed the subject Ordinance during their regularly scheduled June 11, 2012 meeting. A motion passed by unanimous consent to recommend approval of the ordinance.

In the ordinance, please make the following amendment to the last WHEREAS:

*WHEREAS, the KPB Planning Commission at its regularly scheduled meeting of June 11, 2012, recommended approval by unanimous consent.*

Attached are the unapproved minutes of the subject portion of the meeting.

AGENDA ITEM F. PUBLIC HEARINGS

- 1.a. Ordinance 2012-19-15; Authorizing the Acquisition of Lots 2, 3, and 4, Block 8, as shown on U.S. Survey 3025 A and B, East Addition, Townsite of Kenai on behalf of the Kenai Peninsula Borough School District, Pursuant to KP B 17.10.040

Memorandum given by Max Best

PC Meeting: 6/11/12

The relationship between the borough school district and borough is established pursuant to AS 14.14.060. Purchase of subject property was approved at the KPBSD's meeting of May 7, 2012. (See KPBSD minutes). The School District wishes to expand the Aurora Borealis Charter School (ABCS) with the purchase of adjacent land. Over the years the ABCS's playground space has been reduced due to the addition of two portables. Acquisition of adjacent lots would make available much needed space for a playground and a storage building that would be utilized by both the Kenai Alternative School and the ABCS. Pursuant to KP B 17.10.040 acquisition of land shall be by resolution.

Virginia Poore is the owner of subject lots and is agreeable to proceed with this sale. The Borough would purchase these lots on behalf of the KP B School District. It is the opinion of the KP B Assessing Department that the current assessed value of each lot is \$20,900. The total cost of the three lots would be \$62,700. The Borough's offer to purchase these lots has been reduce to writing as shown in the attached Purchase Agreement. The attached ordinance would authorize the acquisition of subject property on behalf KP B School Board. The purchase price is not to exceed \$62,700 plus closing costs with funding coming from the KP B School District / ABCS.

The property lies within the Kenai City limits and is zoned as Central Commercial which is appropriate for school purposes. Each lot contains 0.12 acres for a total of 0.36 acres. (See Exhibit A—Area Map).

END OF MEMORANDUM

- 1.b. Ordinance 2012-19-15; Authorizing the Acquisition of Lot 5, Block 8, as shown on U.S. Survey 3025 A and B, East Addition, Townsite of Kenai on behalf of the Kenai Peninsula Borough School District, Pursuant to KP B 17.10.040

Memorandum given by Max Best

PC Meeting: 6/11/12

The Relationship between the borough school district and borough is established pursuant to AS 14.14.060. Purchase of subject property was approved at the KPBSD's meeting of May 7, 2012. (See KPBSD minutes). The School District wishes to expand the Aurora Borealis Charter School (ABCS) with the purchase of adjacent land. Over the years the ABCS's playground space has been reduced due to the addition of two portables. Acquisition of adjacent lots would make available much needed space for a playground and a storage building that would be utilized by both the Kenai Alternative School and the ABCS. Pursuant to KP B 17.10.040 acquisition of land shall be by resolution.

Gene L. Herrick is the owner of subject lots and is agreeable to proceed with this sale. The Borough would purchase this lot on behalf of the KP B School District. It is the opinion of the KP B Assessing Department that the current assessed value is \$20,900. The Borough's offer to purchase this lot has been reduce to writing as shown in the attached Purchase Agreement. The attached ordinance would authorize the acquisition of subject property on behalf KP B School Board. The purchase price is not to exceed \$20,900 plus closing costs with funding coming from the KP B School District / ABCS.

The property lies within the Kenai City limits and is zoned as Central Commercial which is appropriate for school purposes. Subject lot contains 0.12 acres. (See Exhibit A—Area Map).

END OF MEMORANDUM

Chairman Bryson opened the meeting for public comment. Seeing and hearing no one wishing to speak, Chairman Bryson closed the public comment period and opened discussion among the Commission.

**MOTION:** Commissioner Tauriainen moved, seconded by Commissioner Lockwood to recommend approval of Ordinances 2012-19-15; authorizing the acquisition of Lots 2, 3, 4 and 5, Block 8, as shown on US Survey 3025 A and B, East Addition, Townsite of Kenai on behalf of the Kenai Peninsula Borough School District, pursuant to KPB 17.10.040.

Chairman Bryson asked if there was justification for the acquisition of the property. Mr. Best indicated the need for additional parking and placement of a playground area.

Commissioner Collins asked if the purchase amount that the school board approved was up to \$90,000. Mr. Best replied that was correct, it is up to \$90,000 which would take care of additional costs of closing, etc.

**VOTE:** The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO ABSENT	COLLINS YES	ECKLUND YES	FOSTER YES	GROSS YES	HOLSTEN YES
ISHAM YES	LOCKWOOD YES	MARTIN YES	RUFFNER YES	TAURIAINEN YES		11 YES 1 ABSENT

**AGENDA ITEM F. PUBLIC HEARING**

**2. Ordinance 2012-23; Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough through Tax Foreclosure Proceedings**

Memorandum given by Max Best

PC Meeting; 6/11/12

Pursuant to KPB 17.10.100(A) and tax foreclosure proceedings pursuant to AS 29.45.290 et seq. the borough has obtained a Clerk’s Deed to the real property listed in the subject ordinance. Notice of sale was sent to the last owner(s) of record by certified mail within five days after the first publication of the hearing on the ordinance as per AS 29.45.460(c).

A preliminary list of parcels proposed for the 2012 auction was sent for review and comment to the Kenai Peninsula Borough School District, all KPB administrative departments, service areas, and cities. Subject ordinance authorizes 49 parcels to be sold by public outcry auction as shown on Exhibit B. The number of parcels to be sold or retained will change if taxes are paid.

There are 21 parcels proposed for retention for a public purpose with recommended classifications as shown on Exhibit A. These parcels include the following:

- 4 parcels have been identified as wetlands and would not serve a practical purpose in private ownership.
- 16 parcels are less than 40,000 sq. ft. Pursuant to KPB 20.20.190 parcels shall meet minimum acreage to provide for well and septic. Parcels less than 40,000 sq. ft. are generally considered to be “substandard” as they are not large enough to provide for both well and septic. These parcels could be proposed for a borough Substandard Lot Sale in the future and offered to the adjacent property owners who wish to combine it with their land.
- Parcel 01316213 would provide access to a water body leading to Bear Lake for recreational purposes. This parcel is subject to a plat note #2 reserving all open space area for lot owners and would not be practical to have in private ownership. The parcel, once retained, would be open to the public.

Please reference the maps / aerial photos of the parcels listed in the ordinance.

The tax foreclosure auction is scheduled for Saturday, October 13, 2012, in the Soldotna High School Auditorium. The KPB Planning Commission will consider this ordinance at its regularly scheduled meeting of



# KENAI PENINSULA BOROUGH

Planning Department • Land Management Division  
144 North Binkley Street • Soldotna, Alaska 99669-7520  
**PHONE:** (907) 714-2200 • **FAX:** (907) 714-2378  
Toll-free within the Borough: 1-800-478-4441, Ext. 2200  
[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
BOROUGH MAYOR

## MEMORANDUM

**TO:** Gary Knopp, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Mike Navarre, Mayor *MN*  
Craig C. Chapman, Director of Finance *C Chapman*  
Max Best, Director of Planning *MB*  
Marcus A. Mueller, Land Management Officer *ma*

**FROM:** Dan Conetta, Land Management Agent *D.C.*

**DATE:** June 7, 2012

**SUBJECT:** Ordinance 2012-19-15, Authorizing the Acquisition of Lots 2, 3, 4, and 5 Block 8, as shown on U.S. Survey 3025 A and B, East Addition, Townsite of Kenai on behalf of the Kenai Peninsula Borough School District and Appropriating Funds for the Acquisition

The relationship between the borough school district and borough is established pursuant to AS 14.14.060. Purchase of subject property was approved at the Kenai Peninsula Borough School District's ("KPBSD") Board of Education meeting of May 7, 2012 (see attached meeting summary). The KPBSD wishes to expand the Aurora Borealis Charter School ("ABCS") with the purchase of adjacent land. Over the years the ABCS's playground space has been reduced due to the addition of two portables. Acquisition of adjacent lots would make available much needed space for a playground and a storage building that would be utilized by both the Kenai Alternative School and the ABCS.

The owners of the subject lots have agreed to proceed with this sale. The borough would purchase these lots on behalf of the KPBSD. The assessing department determined that the current value of each lot is \$20,900. The purchase price is not to exceed \$83,600 plus closing costs with funding coming from the KPBSD / ABCS.

The property lies within the Kenai city limits and is zoned as Central Commercial which is appropriate for school purposes. Each lot contains 0.12 acres for a total of 0.48 acres.

KPBSD wishes to begin converting the land to a school yard during the current construction season, prior to the new school year. As only one assembly meeting is scheduled for July, shortened hearing is respectfully requested. This would allow the land to be put to use during the next school year.

Your consideration of this ordinance is appreciated.

FINANCE DEPARTMENT	
ACCT# FUNDS VERIFIED	
Acct. No.	<u>400.73010.13AUR.48610</u>
Amount	<u>N/A</u>
By:	<u>pc</u> Date: <u>6/7/12</u>

## PURCHASE AGREEMENT

This Agreement is made on this \_\_\_\_ day of \_\_\_\_\_, 2012, by and between VIRGINIA A. POORE, a single person, whose address is 4300 Eagle Rock Drive, Kenai Alaska 99611, (hereinafter referred to as "SELLER") and the KENAI PENINSULA BOROUGH, an Alaska municipal corporation, whose address is 144 North Binkley Street, Soldotna, Alaska 99669 (hereinafter referred to as "KPB").

WHEREAS, SELLER is the owner of that real property located in the Kenai Recording District, Third Judicial District, State of Alaska, and more particularly described as follows:

Lots 2, 3, and 4, Block 8, as shown on U.S. Survey 3025 A and B, East Addition, Townsite of Kenai (Hereinafter "the Property").

(Assessor Parcel No. 04711805, 04711806, and 04711807)

WHEREAS, KPB has offered to buy subject to Assembly authorization and appropriation of funds, and SELLER is willing to sell the Property as evidenced by this Purchase Agreement;

NOW THEREFORE, in consideration of the promises herein contained, SELLER hereby agrees to sell to KPB, and KPB hereby agrees to buy from SELLER, the Property on the terms and conditions as set forth below:

### 1. PURCHASE PRICE

The purchase price of the Property is Sixty Two Thousand Seven Hundred dollars and NO cents (\$62,700.00). The purchase price shall be paid by KPB at time of closing. The purchase of the Property and appropriation for the purchase are subject to borough assembly approval.

### 2. TITLE

Title shall be delivered at time of closing by Statutory Warranty Deed, which shall be issued to KPB. SELLER warrants and covenants that at the time of closing there shall be no liens or judgments recorded against SELLER in the same recording district in which the Property subject to this purchase agreement is situated. Title shall be clear of liens and encumbrances except title is subject to reservations, easements, rights-of-way, covenants, conditions and restrictions of record.

3. ESCROW AND CLOSING COSTS

In addition to the purchase price, KPB agrees to pay for closing costs in connection with this Agreement, including without limitation all escrow fees, title insurance charges, and recording fees up to \$2,000. Property taxes will be prorated. All costs will be paid in full at the time of closing.

4. CLOSING

Unless otherwise agreed in writing, closing will occur within 90 days of execution of the Purchase Agreement. At closing, KPB will pay the balance of the purchase price. Both parties will execute all documents required to complete the Purchase Agreement and, if applicable, establish an escrow account.

5. POSSESSION

Possession shall be delivered to KPB at time of recording.

6. KENAI PENINSULA BOROUGH ASSEMBLY APPROVAL

Purchase of the property by the Kenai Peninsula Borough is subject to authorization by the Kenai Peninsula Borough Assembly and appropriation of funds. If the Kenai Peninsula Borough Assembly fails to authorize the purchase of the subject land and appropriate funds, this agreement shall be terminated without penalty.

7. SITE INSPECTION APPROVAL

Purchase of the property is subject to approval of a site inspection by KPB Risk Management.

8. HAZARDOUS MATERIAL

SELLER covenants to the best of SELLER'S knowledge, that as the date of this agreement, except as specifically identified herein, the Property is free of all contamination from petroleum products or any hazardous substance or hazardous waste, as defined by applicable state or federal law, and there are no underground storage tanks or associated piping on the Property. SELLER agrees that no hazardous substances or wastes shall be located on or stored on the Property, or any adjacent property by seller, owner or contractors, nor shall any such substance be owned, stored, used, or disposed of on the Property or any adjacent property by SELLER, its agents, employees, contractors, or invitee's, prior to KPB'S ownership, possession, or control of the Property.



9. ENTIRE AGREEMENT

This Agreement and the documents referred to herein contain the entire agreement of the parties with respect to the subject matter hereof. Any changes, additions or deletions hereto must be made in writing and signed by both KPB and SELLER or their respective successors in interest. Provisions of this Agreement, unless inapplicable on their face, shall be covenants constituting terms and conditions of the sale, and shall continue in full force and effect until the purchase price is paid in full or this agreement is earlier terminated.

10. BREACH REMEDY

Prior to closing of the sale, in the event that KPB or SELLER fails to make any payment required, or fails to submit or execute any and all documents and papers necessary for closing and transfer of title within the time period specified in this agreement, the SELLER or KPB may terminate this Agreement.

11. MISCELLANEOUS

- A. Time. Time is of the essence in performance of this Agreement.
- B. Cancellation. This Agreement, while in good standing may be canceled in whole or in part, at any time, upon mutual written agreement by SELLER and the KPB mayor. This Purchase Agreement is subject to cancellation in whole or in part if improperly issued through error in procedure or with respect to material facts.
- C. Notice. Any notice or demand, which under the terms of this Agreement or under any statute must be given or made by the parties thereto, shall be in writing, and be given or made by registered or certified mail, addressed to the other party at the address shown on the contract. However, either party may designate in writing such other address to which such notice of demand shall thereafter be so given, made or mailed. A notice given hereunder shall be deemed received when deposited in a U.S. general or branch post office by the addressor.
- D. Interpretation. This Agreement shall be deemed to have been jointly drafted by both parties. It shall be construed according to the fair intent of the language as a whole, not for or against any party. The interpretation and enforcement of this Agreement shall be governed by the laws of the State of Alaska. The titles of sections in this Agreement are not to be construed as limitations of definitions but are for identification purposes only.

E. Personal Property. All personal property, if any, shall be removed by the SELLER prior to closing.

This Agreement has been executed by the parties on the day and year first above written.

KENAI PENINSULA BOROUGH:

SELLER:

\_\_\_\_\_  
Mike Navarre, Mayor

\_\_\_\_\_  
Virginia A. Poore

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

ATTEST:

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
Johni Blankenship,  
Borough Clerk

\_\_\_\_\_  
Holly B Montague,  
Deputy Borough Attorney

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA            )  
  ) ss  
THIRD JUDICIAL DISTRICT    )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by Mike Navarre, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, for and on behalf of the corporation.

\_\_\_\_\_  
Notary Public in and for Alaska  
My commission expires: \_\_\_\_\_

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA                    )  
  ) ss  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by Virginia A. Poore.

\_\_\_\_\_  
Notary Public in and for Alaska  
My commission expires: \_\_\_\_\_

## PURCHASE AGREEMENT

This Agreement is made on this \_\_\_\_ day of \_\_\_\_\_, 2012, by and between GENE L. HERRICK, a single person, whose address is 1206 Portside Dr., Kenai, AK 99611, (hereinafter referred to as "SELLER") and the KENAI PENINSULA BOROUGH, an Alaska municipal corporation, whose address is 144 North Binkley Street, Soldotna, Alaska 99669 (hereinafter referred to as "KPB").

WHEREAS, SELLER is the owner of that real property located in the Kenai Recording District, Third Judicial District, State of Alaska, and more particularly described as follows:

Lot 5, Block 8, as shown on U.S. Survey 3025 A and B, East Addition, Townsite of Kenai (Hereinafter "the Property").

(Assessor Parcel No. 04711804)

WHEREAS, KPB has offered to buy subject to Assembly authorization and appropriation of funds, and SELLER is willing to sell the Property as evidenced by this Purchase Agreement;

NOW THEREFORE, in consideration of the promises herein contained, SELLER hereby agrees to sell to KPB, and KPB hereby agrees to buy from SELLER, the Property on the terms and conditions as set forth below:

### 1. PURCHASE PRICE

The purchase price of the Property is Twenty Thousand Nine Hundred dollars and NO cents (\$20,900.00). The purchase price shall be paid by KPB at time of closing. The purchase of the Property and appropriation for the purchase are subject to borough assembly approval.

### 2. TITLE

Title shall be delivered at time of closing by Statutory Warranty Deed, which shall be issued to KPB. SELLER warrants and covenants that at the time of closing there shall be no liens or judgments recorded against SELLER in the same recording district in which the Property subject to this purchase agreement is situated. Title shall be clear of liens and encumbrances except title is subject to reservations, easements, rights-of-way, covenants, conditions and restrictions of record.

3. ESCROW AND CLOSING COSTS

In addition to the purchase price, KPB agrees to pay for closing costs in connection with this Agreement, including without limitation all escrow fees, title insurance charges, and recording fees up to \$2,000. Property taxes will be prorated. All costs will be paid in full at the time of closing.

4. CLOSING

Unless otherwise agreed in writing, closing will occur within 90 days of execution of the Purchase Agreement. At closing, KPB will pay the balance of the purchase price. Both parties will execute all documents required to complete the Purchase Agreement and, if applicable, establish an escrow account.

5. POSSESSION

Possession shall be delivered to KPB at time of recording.

6. KENAI PENINSULA BOROUGH ASSEMBLY APPROVAL

Purchase of the property by the Kenai Peninsula Borough is subject to authorization by the Kenai Peninsula Borough Assembly and appropriation of funds. If the Kenai Peninsula Borough Assembly fails to authorize the purchase of the subject land and appropriate funds, this agreement shall be terminated without penalty.

7. SITE INSPECTION APPROVAL

Purchase of the property is subject to approval of a site inspection by KPB Risk Management.

8. HAZARDOUS MATERIAL

SELLER covenants to the best of SELLER'S knowledge, that as the date of this agreement, except as specifically identified herein, the Property is free of all contamination from petroleum products or any hazardous substance or hazardous waste, as defined by applicable state or federal law, and there are no underground storage tanks or associated piping on the Property. SELLER agrees that no hazardous substances or wastes shall be located on or stored on the Property, or any adjacent property by seller, owner or contractors, nor shall any such substance be owned, stored, used, or disposed of on the Property or any adjacent property by SELLER, its agents, employees, contractors, or invitee's, prior to KPB'S ownership, possession, or control of the Property.

9. ENTIRE AGREEMENT

This Agreement and the documents referred to herein contain the entire agreement of the parties with respect to the subject matter hereof. Any changes, additions or deletions hereto must be made in writing and signed by both KPB and SELLER or their respective successors in interest. Provisions of this Agreement, unless inapplicable on their face, shall be covenants constituting terms and conditions of the sale, and shall continue in full force and effect until the purchase price is paid in full or this agreement is earlier terminated.

10. BREACH REMEDY

Prior to closing of the sale, in the event that KPB or SELLER fails to make any payment required, or fails to submit or execute any and all documents and papers necessary for closing and transfer of title within the time period specified in this agreement, the SELLER or KPB may terminate this Agreement.

11. MISCELLANEOUS

- A. Time. Time is of the essence in performance of this Agreement.
- B. Cancellation. This Agreement, while in good standing may be canceled in whole or in part, at any time, upon mutual written agreement by SELLER and the KPB mayor. This Purchase Agreement is subject to cancellation in whole or in part if improperly issued through error in procedure or with respect to material facts.
- C. Notice. Any notice or demand, which under the terms of this Agreement or under any statute must be given or made by the parties thereto, shall be in writing, and be given or made by registered or certified mail, addressed to the other party at the address shown on the contract. However, either party may designate in writing such other address to which such notice of demand shall thereafter be so given, made or mailed. A notice given hereunder shall be deemed received when deposited in a U.S. general or branch post office by the addressor.
- D. Interpretation. This Agreement shall be deemed to have been jointly drafted by both parties. It shall be construed according to the fair intent of the language as a whole, not for or against any party. The interpretation and enforcement of this Agreement shall be governed by the laws of the State of Alaska. The titles of sections in this Agreement are not to be construed as limitations of definitions but are for identification purposes only.

E. Personal Property. All personal property, if any, shall be removed by the SELLER prior to closing.

This Agreement has been executed by the parties on the day and year first above written.

KENAI PENINSULA BOROUGH:

SELLER:

\_\_\_\_\_  
Mike Navarre, Mayor

\_\_\_\_\_  
Gene L. Herrick

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

ATTEST:

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
Johni Blankenship,  
Borough Clerk

\_\_\_\_\_  
Holly B. Montague,  
Deputy Borough Attorney

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA            )  
  ) ss  
THIRD JUDICIAL DISTRICT    )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by Mike Navarre, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, for and on behalf of the corporation.

\_\_\_\_\_  
Notary Public in and for Alaska  
My commission expires: \_\_\_\_\_

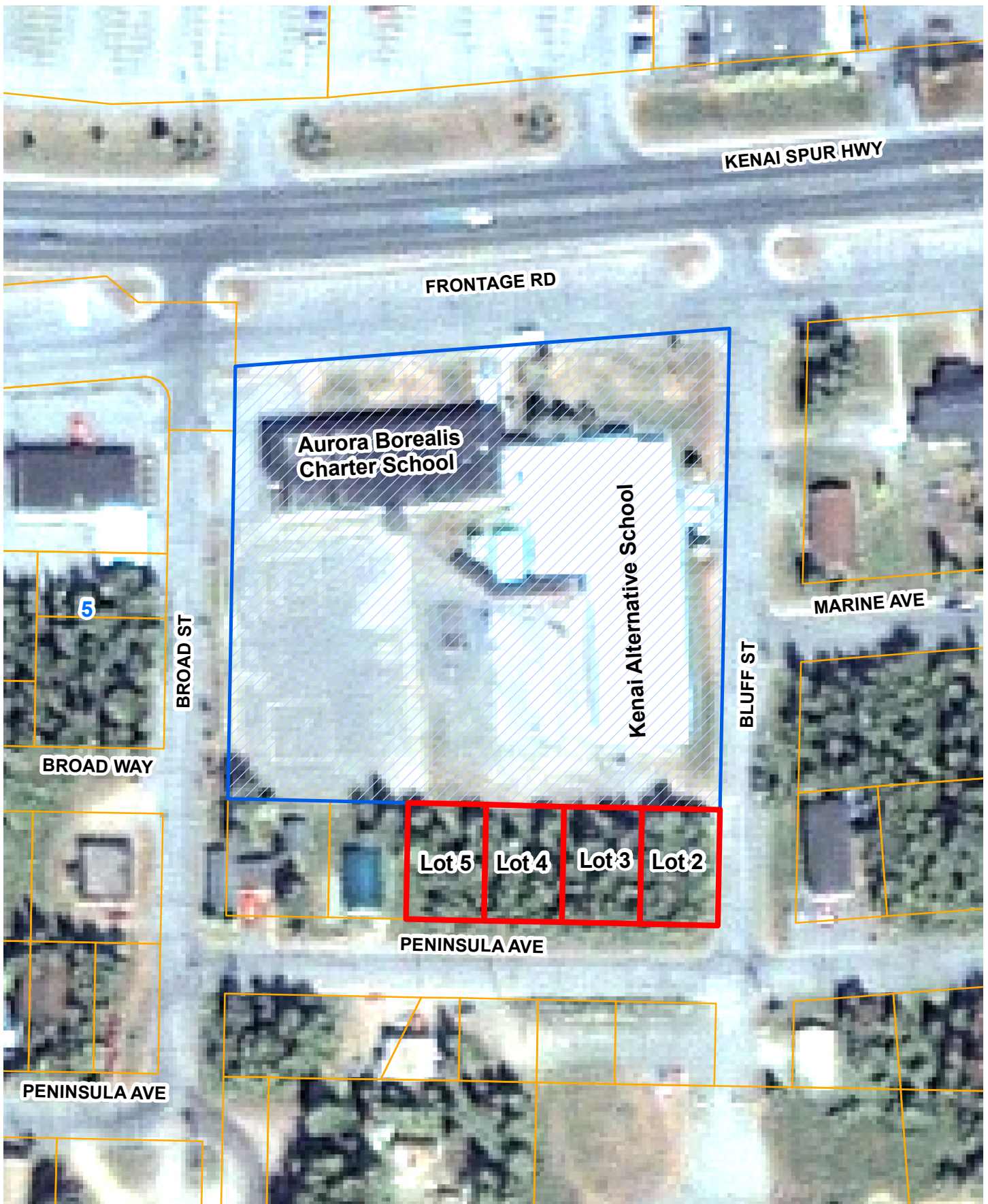
NOTARY ACKNOWLEDGMENT

STATE OF ALASKA                    )  
  ) ss  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by Gene L. Herrick.

\_\_\_\_\_  
Notary Public in and for Alaska  
My commission expires: \_\_\_\_\_





**Exhibit -- Area Map**



## KENAI PENINSULA BOROUGH SCHOOL DISTRICT

### Office of Superintendent

Dr. Steve Atwater, Superintendent of Schools  
148 North Binkley Street Soldotna, Alaska 99669-7553  
Phone (907) 714-8888 Fax (907) 262-9132

May 31, 2012

Mr. Mike Navarre, Borough Mayor  
Kenai Peninsula Borough  
144 N. Binkley St.  
Soldotna, AK 99669

Dear Mr. Navarre:

Due to the addition of two portable classrooms and a need for a storage building, the Academic Policy Committee (APC) of Aurora Borealis Charter School (ABCS) is concerned about the reduction of playground space for their school.

They requested and received approval from the KPBSD Charter School Oversight Committee to pursue the acquisition of property adjacent to the school through the Kenai Peninsula Borough (KPB). With the assistance of Borough Land Management, four lots have been identified and the current owners are interested in selling the land for the current assessed value of \$21,200 per lot.

The Academic Policy Committee has identified and committed funds within their budget for the purchase of the property through the Kenai Peninsula Borough.

The KPBSD Board of Education unanimously approved the purchase of the property by KPB at their May 7, 2012 Board Meeting. With that approval, all KPBSD processes are complete and the district administration is now requesting that the Borough Land Management Department assist with the purchase of the property.

Thank you for your assistance in this matter.

Sincerely,

Steve Atwater, Ph.D.  
Superintendent

cc: Marcus Mueller  
Dave Jones  
Dave Tressler  
Dave Spence

# Agenda 5-7-12

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## Kenai Peninsula Borough School District Board of Education Meeting Agenda

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May 7, 2012- 7:00 p.m.

Borough Administration Building

Regular Meeting

148 N. Binkley, Soldotna, Alaska

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### SCHOOL BOARD MEMBERS:

Mr. Joe Arness, President  
 Mrs. Liz Downing, Vice President  
 Mrs. Penny Vadla, Clerk  
 Ms. Lynn Hohl, Treasurer  
 Mr. Marty Anderson  
 Mrs. Sammy Crawford  
 Mrs. Sunni Hilts  
 Mr. Bill Holt  
 Mr. Tim Navarre  
 Miss Annaleah Ernst, Student Representative

### Worksessions

2:45 p.m. Health Care Internal Service Fund

3:00 p.m. Policy Manual Revisions

3:30 p.m. KPSAA Borough-sponsored Events

4:00 p.m. Board Discussion

### A-G-E-N-D-A

1. **Executive Session - Negotiations, FY13 Budget and Superintendent's Contract** *(beginning at 4:30 p.m.)*
  
2. **Opening Activities**
  - a. Call to Order
  - b. Pledge of Allegiance/National Anthem/ Alaska Flag Song
  - c. District Mission Statement
  - d. Roll Call
  - e. Approval of Agenda
  - f. Approval of Minutes/April 2, 2012
3. **Awards and Presentations - Advocacy**
4. **School Reports - Accountability**
  - a. Aurora Borealis Charter School - Mr. Larry Nauta
5. **Public Presentations** *(3 minutes) (Items not on agenda, 3 minutes per speaker, 30 minutes aggregate)*
6. **Hearing of Delegations** *(5 minutes)*
7. **Communications and Petitions**
8. **Representative selected by the following: Advisory Committee, Site Councils and/or P.T.A., K.P.A.A., K.P.E.A., K.P.E.S.A., Borough Assembly** *(5 minutes)*
9. **Superintendent's Report - Accountability**
10. **Reports - Accountability**
  - a. Finance Report- Mr. Dave Jones
  - b. Quarterly Budget Transfer Report- Mr. Dave Jones
  - c. Board Reports *(Reports where members are officially representing the Board)*
  - d. Board Worksession Report *(Attendance noted)*
11. **Action Items** *(Board member comments should be concise and may be limited to speaking twice on a topic)*
  - a. Consent Agenda
    - (1) Approval of Tentative Nontenured Teacher Contracts 2012-13 - Structure
    - (2) Approval of Contract and Tenure for Nontenured Teachers 2012-13 - Structure
    - (3) Approval of Resignations - Structure
    - (4) Approval of Leave of Absence Request-Certified - Structure

- (5) Approval of Long-term Substitute Contract – Structure
- (6) Approval of New Teacher Contracts 2011-12 – Structure
- (7) Approval of New Teacher Contracts 2012-13 – Structure
- (8) Approval of Budget Transfer – Structure

Instructional Services Support

- b. **Approval of Aurora Borealis Charter School Land Purchase – Structure**
  - c. Approval of Pupil Transportation Contract Award – Structure
  - d. Approval of Health Care Internal Service Fund – Structure
12. **First Reading of Policy Revisions**
  13. **Public Presentations/Comments** (*Individuals are limited to three minutes each on the topic(s) listed below or on any topic.*)
  14. **Board Comments** (*Individual Board member comments are limited to three minutes.*)
  15. **Executive Session** (*If needed*)
  16. **Adjourn**

\*\*\*\*\*

*Copies of agenda items are available just prior to the meeting in the back of the room or visit our website at <http://www.kpbsd.k12.ak.us> . Log on to the District website to listen to School Board meetings live or to find archived meetings. Email [BoardComment@kpbsd.k12.ak.us](mailto:BoardComment@kpbsd.k12.ak.us) to make a comment about any item on the agenda (comments will be reviewed for appropriateness and length) .*

*Persons with disabilities who need accommodations to participate should contact Sally Tachick at 907-714-8836, or e-mail [stachick@kpbsd.k12.ak.us](mailto:stachick@kpbsd.k12.ak.us) no later than three business days before the meeting date.*

# KENAI PENINSULA BOROUGH SCHOOL DISTRICT

148 North Binkley Street Soldotna, Alaska 99669-7553  
Phone (907) 714-8888 Fax (907) 262-9132  
[www.kpbsd.k12.ak.us](http://www.kpbsd.k12.ak.us)

## SCHOOL BOARD COMMUNICATION

Title: Approval of ABCS Land Purchase

Date: April 6, 2012

Item Number: 11b.

Administrator: Dave Jones, Assistant Superintendent



Attachments: Request for Approval of ABCS Land Purchase

Action Needed     For Discussion     Information     Other: \_\_\_\_\_

## BACKGROUND INFORMATION

The usable ABCS playground space has been reduced over the years due to the addition of two portables. There are six lots that adjoin the playground (04711802-04711807). Four of the lots do not have structures (04711804-04711807) and the owners have indicated an interest in the sale of the four at the current assessed value of \$21,200 per lot, for a total of \$84,800. The owners of the two lots that have structures were sent letters inquiring as to their interest in trading for borough property of equal value. They have not responded.

Acquisition of the four lots would make available much needed space for both playground and an area to put a storage building that would be utilized by both the Kenai Alternative School and Aurora Borealis Charter School (ABCS).

ABCS has funds available in account number 100-65-4600-0000-5101 to purchase the four lots. The Academic Policy Committee of ABCS requested approval from the Charter School Oversight Committee to pursue purchase or trade for the property through the Kenai Peninsula Borough. Permission was granted.

## ADMINISTRATIVE RECOMMENDATION

It is the recommendation of administration that the purchase of the lots by the Kenai Peninsula Borough be approved.

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# Kenai Peninsula Borough School District

## Board of Education Meeting News In Brief

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May 7, 2012 – 7:00 p.m.  
Dr. Steve Atwater, Superintendent

Seward High School  
2100 Swetmann, Seward, Alaska

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**WORKSESSION REPORT:** The Board held several worksessions prior to the formal business meeting which included the proposed Health Care Internal Service Fund, Policy Manual revisions and KPSAA Borough-sponsored Events.

**SCHOOL REPORT:** Mr. Larry Nauta, Aurora Borealis Charter School administrator, introduced Miss Katie Delker and Miss Hannah Delker who sang, *Anything You Can Do I Can Do Better*, and Miss Olivia Brewer sang *O Mio Caro*.

**SUPERINTENDENT'S REPORT:** Dr. Atwater announced that the bids for roofing projects came in lower than expected and as a result, more schools were added. May 8 is National Teacher Appreciation Day and he thanked districtwide teachers for their hard work. He urged those present to post a message on Facebook or tweet a thank you. He commended Kenai Middle School students for competing in the national Math Counts and the national Future Problem Solving teams. He announced that Spring Creek High School will relocate to the Anchorage School District and thanked the school staff and the correctional center superintendent, Mr. Craig Turnbull, for their work. He thanked Mrs. Sally Tachick for her years of service and welcomed Mrs. Debbie Tressler, her replacement.

**FINANCIAL REPORT:** Mr. Jones presented the financial report of the District for the period ending April 30, 2012.

**QUARTERLY BUDGET REPORT:** Mr. Jones reported on budget transfers Numbers 529 through 1043 for various schools and departments within the District.

**TENTATIVE NONTENURED TEACHER CONTRACTS 2012-13:** The Board unanimously approved tentative nontenured teacher contracts for the 2012-13 school year for Jennifer Riddall, teacher/regular, Aurora Borealis Charter School; Jon Kulhanek, teacher/regular, Fireweed Academy; Mark Putney, teacher/regular, Homer High School; Darcy Mueller, teacher/regular, Homer Middle School; Hannah Toporek, teacher/federal, K-12/Assessment; Ryan Miller, teacher/regular (temporary), Kachemak Selo School; Kendra Rupp, speech therapist, Kaleidoscope Charter; Darcy Marcou, teacher/regular, K-Beach Elementary School; Joseph Pazar, teacher/regular, K-Beach Elementary School; Laura Fournier, guidance counselor, Kenai Central High School; John Marquez, teacher/regular, Kenai Central High School; Meredith McCullough, teacher/regular, Kenai Central High School; John Morton, teacher/regular, Kenai Central High School; Lacey Wisniewski, teacher/regular, Kenai Middle School; Corise Story, teacher/regular, McNeil Canyon Elementary School; Kathrine Abraham, teacher/regular (temporary), Moose Pass School; Kevin Hilton, teacher/regular, Mountain View Elementary School; Shannon Hoffbeck, teacher/regular, Mountain View Elementary School; Shawna Vlasak, teacher/regular (temporary), Mountain View Elementary School; Valerie Verdries, teacher/regular, Mountain View Elementary School; Elizabeth Wallin, teacher/regular, Mountain View Elementary School; Jacob Doth, teacher/regular, Nikiski Middle/High School; Jake Eveland, teacher/regular (.50 FTE), Nikiski Middle/High School; Christine Snow, guidance counselor, Nikiski Middle/High School; Anna Widman, teacher/regular, Nikiski Middle/High School; Michelle Green, teacher/regular, Nikiski North Star Elementary School; Katy Settlemyer, teacher/regular (.50 FTE), Nikiski North Star Elementary School; Thor Jones, teacher/regular, Nikiski North Star Elementary School; Emily Mayberry, teacher/regular, Nikiski North Star Elementary School; Brianna Redfern,

teacher/regular, Nikiski North Star Elementary School; Jennifer Olson, teacher/regular, Paul Banks Elementary School; Michelle Fournier, teacher/regular (perm .50 FTE/temp .50 FTE), Razdolna School; Liviu Rizea, teacher/regular, Razdolna School; Stephanie Belger, teacher/regular, Redoubt Elementary School; Bethany Epplin, teacher/regular, Redoubt Elementary School; Carol Hutto, teacher/regular (temporary), River City Academy; Deanne Pearson, teacher/regular, River City Academy; Denyse Hurst, teacher/regular, Secondary Ed/Student Activities; Helen Lindemuth, librarian (.50 FTE), Seward Elementary School; Jenna Fabian, teacher/regular, Seward Elementary School; Leigh Ray, teacher/regular, Seward Elementary School; Wesley Andrews, guidance counselor, Skyview High School; Karen Hamlow, librarian (.50 FTE), Skyview High School; Deborah Jacobson, teacher/regular, Skyview High School; Kyle McFall, teacher/regular, Skyview High School; Gary Wertz, guidance counselor, Skyview High School; Elizabeth Edwards, teacher/regular, Soldotna Elementary; Holly Davis, teacher/regular, Soldotna Elementary School; Bristol Whitmore, teacher/regular, Soldotna High School; James Harris, teacher/regular, Soldotna High School; Brian Dandliker, teacher/vocational education, Soldotna Middle School; Jeffrey Vincent, teacher/regular, Soldotna Middle School; Stephanie Dennis Blair, teacher/regular, Soldotna Middle School; Thomas Cavanaugh, teacher/regular, Sterling Elementary School; Tiffany Gray, teacher/regular, Sterling Elementary School; Justin Derks, teacher/regular (temporary), Susan B. English School; Christina Granger, teacher/regular (temporary), Tustumena Elementary School; Amanda Painter, teacher/regular, Tustumena Elementary School; Isaiah White, teacher/regular, Voznesenka School; and Emily Putney, teacher/regular, West Homer Elementary School.

**CONTRACT AND TENURE FOR NONTENURED TEACHERS 2012-13:** The Board unanimously approved contract and tenure for nontenured teachers for the 2012-13 school year for Mary Simondsen, teacher/regular, Chapman School; Heidi Stokes, teacher/regular, Chapman School; Christopher Brown, teacher/regular, Homer Flex School; Connie Akers, librarian (.50 FTE), Homer High School; Amy Christianson, teacher/regular, Homer High School; Anna Fisher, teacher/regular (temporary), Homer High School; Jennifer Booz, teacher/regular, Homer Middle School; Patricia Truesdell, teacher/regular, Hope School; Kimberly Fields, teacher/regular, Kaleidoscope Charter; Marianne Kasch, teacher/regular, Kaleidoscope Charter; Patricia Haywood, teacher/regular, K-Beach Elementary School; Douglas Armstrong, teacher/regular, Kenai Central High School; Krista Christensen, teacher/regular, Kenai Central High School; Lenore Swanson, teacher/regular, McNeil Canyon Elementary School; Renee Christensen, teacher/regular, Mountain View Elementary; Nicole Cunningham, teacher/regular, Mountain View Elementary School; Summer Dallman, teacher/regular, Mountain View Elementary School; Tammy Farrell, librarian, Mountain View Elementary School; Cynthia McKibben, teacher/regular, Mountain View Elementary School; Jesse Bjorkman, teacher/regular, Nikiski Middle/High School; Holly Boyle, teacher/regular, Nikiski Middle/High School; Laura Niemczyk, teacher/regular, Nikiski Middle/High School; Rose Armstrong, teacher/regular, Nikiski North Star Elementary School; Karen Pala, teacher/regular (temporary), Nikiski North Star Elementary School; Kimberly Trammell, teacher/regular, Nikiski North Star Elementary School; Eric Simondsen, teacher/regular, Ninilchik School; Seanna Gunn, teacher/regular, Paul Banks Elementary School; Kjersten Syth, teacher/regular, Paul Banks Elementary School; Amy Ware, teacher/regular (temporary), Paul Banks Elementary School; Jennifer Keil, teacher/regular, Razdolna School; Carolyn Farmer, teacher/regular, Redoubt Elementary School; Amanda Adams, teacher/regular, Secondary Ed/Student Activities; Steve Cothran, teacher/regular, Secondary Ed/Student Activities; Emanuela Meriggi, teacher/regular, Secondary Ed/Student Activities; Bethany Waggoner, teacher/regular, Seward High School; Jesse Settlemyer, teacher/regular, Skyview High School; Erin Neisinger, guidance counselor, Soldotna High School; Eric Dahl, teacher/regular, Soldotna Middle School; and Cynthia Ussing, teacher/regular, Sterling Elementary School.

**RESIGNATIONS:** The Board unanimously approved resignations effective at the end of the 2011-12 school year from Amy Balsinger, special education resource teacher, Kenai Middle School; Kathryn Baum-Fjelstad, language arts/social studies/physical education, Ninilchik School; Jeffrey Clay, kindergarten - 6th grade teacher, Moose Pass School; Connie Courmier, K-12 intervention specialist, Elementary Education/Curriculum; Laurie Cowgill, librarian/science teacher, Kaleidoscope Charter; Lana Esposito, special education resource teacher, Seward Elementary School; Candice Goldstein, 1st grade teacher, Redoubt Elementary School; Jonathan Horbacz, math/science teacher, Kenai Middle School; Rochelle Horbacz, science teacher, Kenai Middle School; Callie Hruby, special education resource teacher, Nikiski Middle/High School; Aaron Lohmeyer, music teacher, Soldotna Elementary/Soldotna Montessori; Timothy McFarland, music teacher, Mt. View Elementary School; Garrett McMullen, special education resource teacher/Title I teacher, Tebughna School; Mary Meconi, intermediate grade teacher, Tebughna School; Melissa Morckel, math teacher, Kenai Central High School; Jessica Pena, interventionist teacher, Nikiski North Star Elementary; Dena Pettijohn, 5th grade teacher, Soldotna Elementary School; Mark Robinson, choir teacher, Homer High School; Melody Spangler-Hatch, speech language pathologist, Seward Elementary School; Benjamin Stephens, (currently on leave of absence), West Homer Elementary; Linda Kay Thompson, special education intensive needs teacher, Homer High School; and Teresa Zinck, 3rd grade teacher, Nikiski North Star Elementary School.

**LEAVE OF ABSENCE REQUEST-CERTIFIED:** The Board unanimously approved leave of absence requests from Mick Audette, music teacher, Sterling Elementary School/Tustumena Elementary School (effective for the 2012-13 school year) and Joanne Frey, special education intensive needs teacher, Seward Elementary School (effective for the remainder of the 2011-12 school year).

**LONG-TERM SUBSTITUTE CONTRACT:** The Board unanimously approved long-term substitute contracts for Holly Alston, Chapman School; Wanda Rochelle Brenner, Mt. View Elementary School; Carol Conant, Seward Elementary School; Polly Crawford, Soldotna Middle; Mark Larson, Soldotna High School; and Jill Wagner, Redoubt Elementary School.

**NEW TEACHER CONTRACTS 2011-12:** The Board unanimously approved a new teacher contract for Tammy Taylor, (temporary) Kindergarten - 2nd Grade teacher, Nikolaevsk School for the 2011-12 school year.

**NEW TEACHER CONTRACTS 2012-13:** The Board unanimously approved new teacher contracts for Nick Gilbertson, 2nd/3rd multi-grade teacher, Sterling Elementary; Katy Journey Scrivo, 4th through 8th grade teacher, Moose Pass School; Amy Maguire, 1st - 4th grade teacher, Kaleidoscope School of Arts and Science; and AnnMarie Rudstrom, Kindergarten/1st multi-grade teacher, Sterling Elementary for the 2012-13 school year.

**BUDGET TRANSFER:** The Board unanimously approved budget transfer Number 1077, for \$690,907 to pay for upgrades and modifications of existing buildings to accommodate changes in CTE programs offered at Seward High, Nanwalek, Kenai Central High and Skyview High; Number 1101 for \$104,500 to pay for replacement of CRT monitors with LCD displays; Number 1162 for \$150,822 to pay for fuel at locations that have exceeded their original heating budgets; and Number 1165 for \$90,000 to pay for the purchase of land adjoining the Aurora Borealis Charter School campus.

**AURORA BOREALIS CHARTER SCHOOL LAND PURCHASE:** The Board unanimously approved the purchase of four lots adjoining the Aurora Borealis Charter School by the Kenai Peninsula Borough.



Introduced by: Mayor  
Date: 06/05/12  
Hearing: 07/03/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-20**

**AN ORDINANCE APPROVING WIDGEON WOODS R-1, SINGLE-RESIDENTIAL  
LOCAL OPTION ZONING DISTRICT, AND AMENDING KPB 21.46.040**

1 **WHEREAS**, KPB Chapter 21.44 provides owners of property within the rural district an  
2 opportunity to petition the assembly for the formation of a local option zoning  
3 district (LOZ), in order to place greater restrictions on land than is otherwise  
4 provided by borough code; and

5  
6 **WHEREAS**, KPB 21.44.030(C) provides that an LOZ may be proposed at the time of  
7 preliminary or final plat approval; and

8 **WHEREAS**, on August 21, 2007, the KPB assembly adopted Resolution 2007-053, which  
9 classified as residential the parent parcel on which the Widgeon Woods  
10 Subdivision was developed; and

11 **WHEREAS**, the Widgeon Woods Subdivision plat, KPB File Number 2008-254, was \_\_\_\_\_  
12 by the KPB plat committee and filed in the Kenai recording district on \_\_\_\_\_  
13 \_\_\_\_\_; and

14 **WHEREAS**, the Kenai Peninsula Borough and Cook Inlet Region, Inc. (CIRI) are the current  
15 and sole owners of the subject property and the developers of the Widgeon  
16 Woods Subdivision; and

17 **WHEREAS**, the KPB land management division and CIRI have submitted a petition for the  
18 formation of an R-1, Single-Family Residential LOZ within Widgeon Woods  
19 Subdivision; and

1 **WHEREAS**, Goal 6.5, Objective 1, of the 2005 KPB Comprehensive Plan is “to ensure that  
2 land use regulations adopted by the Borough are necessary to control public and  
3 private land uses that affect public health and safety, address adverse impacts on  
4 the rights of adjacent property owners, or further the goals and objectives of the  
5 Comprehensive Plan;” and

6 **WHEREAS**, public notice of the proposed LOZ was distributed to all property owners within  
7 300 feet of the boundaries of the proposed district, pursuant to KPB 21.44.050;  
8 and

9 **WHEREAS**, the Kenai Peninsula Borough Planning Commission held a public hearing on June  
10 11, 2012, and recommended \_\_\_\_\_;

11 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
12 **PENINSULA BOROUGH:**

13 **SECTION 1.** That the Assembly finds the adoption of the Widgeon Woods local option zoning  
14 district (LOZ) to be consistent with surrounding land uses and the KPB  
15 Comprehensive Plan.

16 **SECTION 2.** That KPB 21.46.040 is hereby amended as follows:

17 **21.46.040. Single-Family Residential (R-1) Districts.**

18 A. The following Single-Family Residential (R-1) districts and official maps are  
19 hereby adopted:

- 20 1. Ten Mar Ranch, described as a subdivision of the S ½ NE ¼, S ½ NW ¼,  
21 N ½ SW ¼, and W ½ SE ¼ including Gov't. Lots 3 and 6, Mary Miller  
22 Subdivision (Plat No. 97-90 KRD) excluding Hollingsworth Subdivision.

1 Located within Section 18, T5N, R9W, S.M., Kenai Recording District,  
2 Kenai Peninsula Borough Alaska. Containing 311.893 acres.

3 2. Grande View Heights One, described as Grande View Heights  
4 Subdivision Phase 1, Plat 2004-68, Kenai Recording District, Kenai  
5 Peninsula Borough, Alaska, containing 56.912 acres.

6 a. The local option zoning applies to any further replats of Grande View  
7 Heights Phase 1 Subdivision.

8 3. Funny River Grove, described as Funny River Grove Subdivision, KPB  
9 File No. 2007-294, located within the SW ¼ of Section 24, T5N, R9W,  
10 Seward Meridian, Kenai Recording District, State of Alaska, containing  
11 52.622 acres.

12 a. The local option zoning applies to any further replats of Funny River  
13 Grove Subdivision.

14 4. Widgeon Woods, described as Widgeon Woods Phase Two Subdivision,  
15 located within the SE1/4 of Section 13 T5N, R11W S.M., Kenai  
16 Recording District, Kenai Peninsula Borough, Alaska, KPB File No.  
17 2008-254, excluding Lot 14 Block 4, and Tract B.

18  
19 a. The local option zoning applies to any further replats of Widgeon  
20 Woods Subdivision, except Lot 14 Block 4, and Tract B.

21 **SECTION 3.** That this LOZ shall be recorded in the Kenai recording district.

22 **SECTION 4.** That this ordinance takes effect immediately upon its enactment.

1 ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \*  
2 DAY OF \* 2012.

---

Gary Knopp, Assembly President

ATTEST:

---

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



## **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

**PHONE:** (907) 714-2200 • **FAX:** (907) 714-2378

*Toll-free within the Borough: 1-800-478-4441, Ext. 2200*

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Gary Knopp, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Mike Navarre, Borough Mayor *MN*

**FROM:** Max Best, Planning Director *MB*

**DATE:** June 13, 2012

**SUBJECT:** Ordinance 2012-20; An Ordinance approving Widgeon Woods R-1, Single Residential Local Option Zoning District and amending KPB Chapter 21.46.030.

The Planning Commission reviewed the subject Ordinance during their regularly scheduled June 11, 2012 meeting. A motion passed by unanimous consent to recommend adoption of the ordinance.

In the ordinance, please make the following amendment to the last WHEREAS:

*WHEREAS, the Planning Commission conducted a public hearing on June 11, 2012 and recommended approval by unanimous consent.*

Attached are the unapproved minutes of the subject portion of the meeting.

AGENDA ITEM F. PUBLIC HEARINGS

4. Ordinance 2012-20; An Ordinance approving Widgeon Woods R-1, Single Residential Local Option Zoning District and amending KPB Chapter 21.46.030.

Memorandum given by Crista Cady

PC Meeting: 6/11/12

This ordinance would approve the formation of a Single Family Residential (R-1) Local Option Zoning District (LOZ). The sole landowners of the subject property are the Kenai Peninsula Borough (KPB) and Cook Inlet Region, Inc. (CIRI). The proposed LOZ is currently described as: Widgeon Woods Phase Two Subdivision located within the SE1/4 of Section 13 T5N, R11W S.M., Kenai Recording District, Kenai Peninsula Borough, Alaska, KPB File No. 2008-254, excluding lot 14 Block 4, and Tract B.

Pursuant to KPB 21.44.010, property owners may petition the assembly for greater restriction on land use that otherwise provided in Title 21 of the KPB Code. Furthermore, the proposed LOZ is consistent with Goal 6.5 of the 2005 KPB Comprehensive Plan which is to maintain the freedom of property owners in rural areas of the borough to make decisions and control use of their private land.

The LOZ petition was submitted by the KPB Land Management division and CIRI. Also submitted was a map showing the vicinity of the proposed R-1 LOZ district, the plat depicting lots in the LOZ boundary, and a definition of R-1, Single-Family Residential according to KPB code.

On June 11, 2012, the KPB Planning Commission will hold a public hearing and make a recommendation regarding the formation of the R-1 district. That recommendation will be reported to the Assembly on July 7, 2012.

Thank you for your consideration of this ordinance.

END OF MEMORANDUM

Chairman Bryson opened the meeting for public comment. Seeing and hearing no one wishing to speak, Chairman Bryson closed the public comment period and opened discussion among the Commission.

**MOTION:** Commissioner Collins moved, seconded by Commissioner Holsten to recommend approval of Ordinance 2012-20; an ordinance approving Widgeon Woods R-1, Single Residential Local Option Zoning District and amending KPB Chapter 21.46.030.

Commissioner Tauriainen asked if this ordinance included Tract B. Mr. Cady replied no it does not included Lot 14 or Tract B.

Commissioner Collins asked if this LOZ will be in place before the sealed bid auction. Ms. Cady replied yes, it will.

Commissioner Tauriainen asked what the plans were for Tract B. Mr. Best replied he was not quite sure but that was where they opened up an area for gravel to build the roads. Right now it is an open space for a park like setting. He stated it is kind of a low area, not necessarily classified as a wetland. It doesn't hold any water but there is a possibility that the high water table could reach that so they are going to monitor that until they decide how to develop it in the future. Commissioner Tauriainen asked if it was suitable for any gravel mining at this point. Mr. Best replied no, it has already been mined off for gravel.

Commissioner Ecklund asked if the Ten Mar Ranch, Grandview Heights One and Funny River Grove LOZ's were owned by the Borough when they were deemed Residential R1. Ms. Cady replied no, those are private property owners who came forward to zone themselves.

Commissioner Ecklund referred to Goal 6.5 of the 2005 KPB Comprehensive Plan which is to maintain the freedom of property owners in rural areas of the borough to make decisions and control use of their private land. She stated that it seemed that CIRI and the Borough were more public than private. Ms. Cady replied yes, that was a comprehensive plan reference. In making that reference she wanted to make a point that

because there is no zoning in the Borough, the Borough Assembly adopted an ordinance to make it so that people could if they were the sole landowner or landowners getting together with other landowners that they could impose those restrictions on their own property. It may not be an appropriate use of that goal.

Commissioner Ecklund asked if the Borough has zoned property in this manner before. Ms. Cady replied yes, there is the Percy Hope & Discovery Park Subdivisions in Hope, the Russian Gap and the Birch & Grouse Ridge Subdivision in Cooper Landing.

Commissioner Holsten noted that it was interesting to know that those lots in the Russian Gap Subdivision and Birch & Grouse Ridge Subdivision are worth more now with zoning restrictions than the privately owned lots adjacent to them who are not included in the R1 zoning.

There being no further questions or comments, the commission proceeded to vote.

**VOTE:** The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO ABSENT	COLLINS YES	ECKLUND YES	FOSTER YES	GROSS YES	HOLSTEN YES
ISHAM YES	LOCKWOOD YES	MARTIN YES	RUFFNER YES	TAURIAINEN YES		11 YES 1 ABSENT

**AGENDA ITEM F. PUBLIC HEARINGS**

- Resolution 2012-17; Public notice is hereby given that a conditional land use permit application has been received for sand and gravel extraction on a parcel in the Industrial Avenue area of Nikiski. Applicant: Hugh Chumley & Randy Chumley; Landowner: Hugh Chumley; Location: KPB Tax Parcel ID#: 015-050-16, 10 acres; SE ¼ NW ¼ NE ¼, Section 27, T7N R12W, Seward Meridian, Alaska

Staff Report given by Crista Cady

PC MEETING: June 11, 2012

**APPLICANT** Hugh Chumley and Randy Chumley  
P.O. Box 1371  
Sterling, AK 99672

**OWNER:** Chumley's, Inc.  
P. O. Box 753  
Sterling, AK 99672

**LOCATION:** KPB Tax Parcel ID#: 015-050-16, 10 acres  
SE ¼ NW ¼ NE ¼, Section 27, T7N R12W, Seward Meridian, Alaska

**BACKGROUND INFORMATION:** The applicant wishes to obtain a permit for gravel and sand extraction on approximately 8.5 acres of the subject parcel. A copy of the application is included as **Attachment A**. An aerial map is included as **Attachment B**.

Initial ingress and egress at the material site will be from Industrial Avenue, along the southern parcel boundary. The site plan indicates a phased development of the material site. Phase I includes the excavation of approximately 4.2 acres on the westerly portion of the property with an anticipated lifespan of 10 years. Phase II includes the excavation of approximately 3 acres on the easterly portion of the property, with an anticipated lifespan of 15 years. Clearing of the parcel has already commenced. The site plan shows a proposed buffer zone combination of 6-foot earthen berms and 50 feet of undisturbed, natural vegetation between the excavation perimeter and all parcel boundaries. Photos from a staff site visit are included as **Attachment C**.

The applicant has indicated that the approximate annual quantity to be extracted is less than 50,000 cubic yards, and that materials will be processed on-site. The life expectancy of the material site is 25 years. Excavation depth will be approximately 30 feet below existing grade and shall remain the required 2 feet



**M E M O R A N D U M**

To: Gary Knopp, Assembly President  
Members of the Kenai Peninsula Borough Assembly

Thru: Mike Navarre, Borough Mayor *MN*

Thru: Max Best, Planning Director *MB*

From: Crista Cady, Planner *CC*

Date: May 24, 2012

Re: ORDINANCE 2012-<sup>20</sup> AN ORDINANCE APPROVING WIDGEON WOODS R-1,  
SINGLE-RESIDENTIAL LOCAL OPTION ZONING DISTRICT, AND AMENDING KPB  
CHAPTER 21.46.030

This ordinance would approve the formation of a Single Family Residential (R-1) Local Option Zoning District (LOZ). The sole landowners of the subject property are the Kenai Peninsula Borough (KPB) and Cook Inlet Region, Inc. (CIRI). The proposed LOZ is currently described as: Widgeon Woods Phase Two Subdivision, located within the SE1/4 of Section 13 T5N, R11W S.M., Kenai Recording District, Kenai Peninsula Borough, Alaska, KPB File No. 2008-254, excluding lot 14 Block 4, and Tract B.

Pursuant to KPB 21.44.010, property owners may petition the assembly for greater restriction on land use that otherwise provided in Title 21 of the KPB Code. Furthermore, the proposed LOZ is consistent with Goal 6.5 of the 2005 KPB Comprehensive Plan which is to maintain the freedom of property owners in rural areas of the borough to make decisions and control use of their private land.

Attached is the LOZ petition form submitted by the KPB and CIRI. Also attached are a map showing the vicinity of the proposed R-1 LOZ district, the plat depicting lots in the LOZ boundary, and a definition of R-1, Single-Family Residential according to KPB code.

On June 11, 2012, the KPB Planning Commission will hold a public hearing and make a recommendation regarding the formation of the R-1 district. That recommendation will be reported to the Assembly.

Thank you for your consideration of this ordinance.



# Local Option Zoning Petition

**DATE:** May 17, 2012

**TO:** Gary Knopp, Assembly President  
Kenai Peninsula Borough Assembly Members

**FROM:** Marcus Mueller, Land Management Officer, Kenai Peninsula Borough  
Dara Glass, Land Manager, Cook Inlet Region, Inc.

**SUBJECT:** Petition to the Kenai Peninsula Borough to Zone an Area as  
R-1, Single-Family Residential

The undersigned petitioners represent the sole owners of property within the proposed Widgeon Woods Local Option Zoning District (LOZ), located in the Kalifornsky Beach/ Ciechanski Road area, described as Widgeon Woods Phase Two Subdivision, located within the SE1/4 of Section 13 T5N, R11W S.M., Kenai Recording District, Kenai Peninsula Borough, Alaska, KPB File No. 2008-254, excluding lot 14 Block 4, and Tract B. This petition is a formal request that the Kenai Peninsula Borough Assembly approve said LOZ, as being zoned R-1, Single-Family Residential.

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The requirements of KPB Chapter 21.44, Local Option Zoning, have been followed in the development of this request, with notice of public hearings to be mailed to property owners within 300 feet of the proposed LOZ. The definition of R-1, Single-Family Residential Local Option Zoning District and a map are attached.



Marcus Mueller,  
Land Management Officer, Kenai Peninsula Borough

5.18.2012

Date

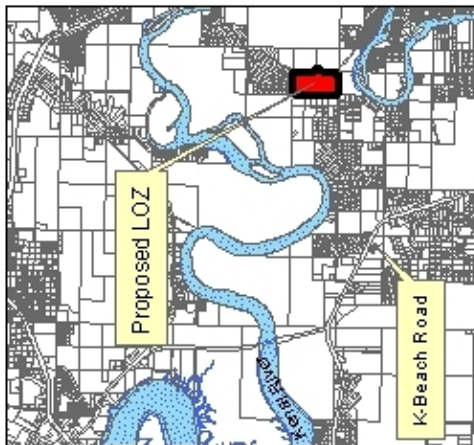
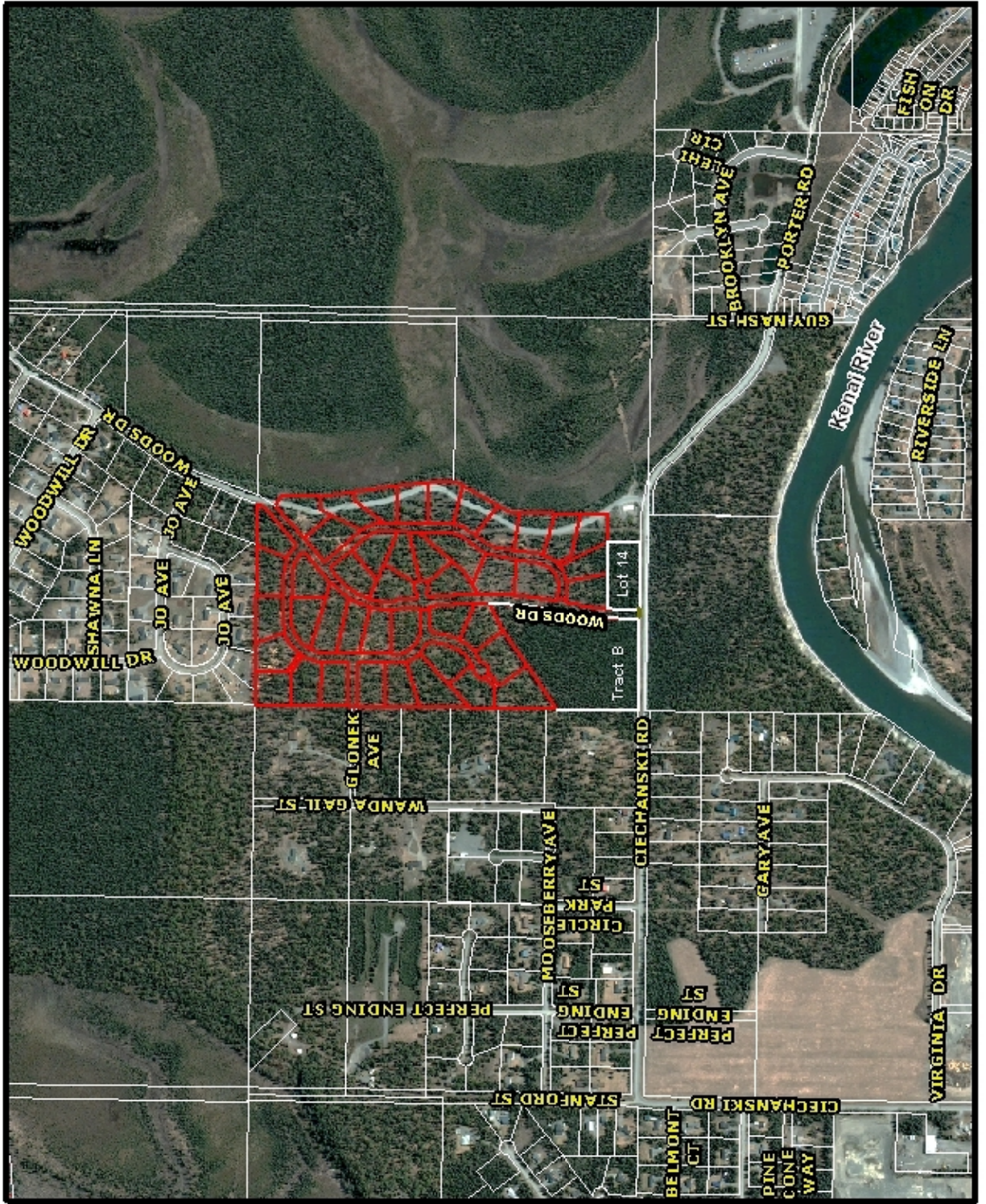


Dara Glass  
Land Manager, Cook Inlet Region, Inc.



5.18.2012


Date


**Proposed  
"WIDGEON WOODS"  
R-1, Single-Family Residential Local Option Zoning District**



**Legend**

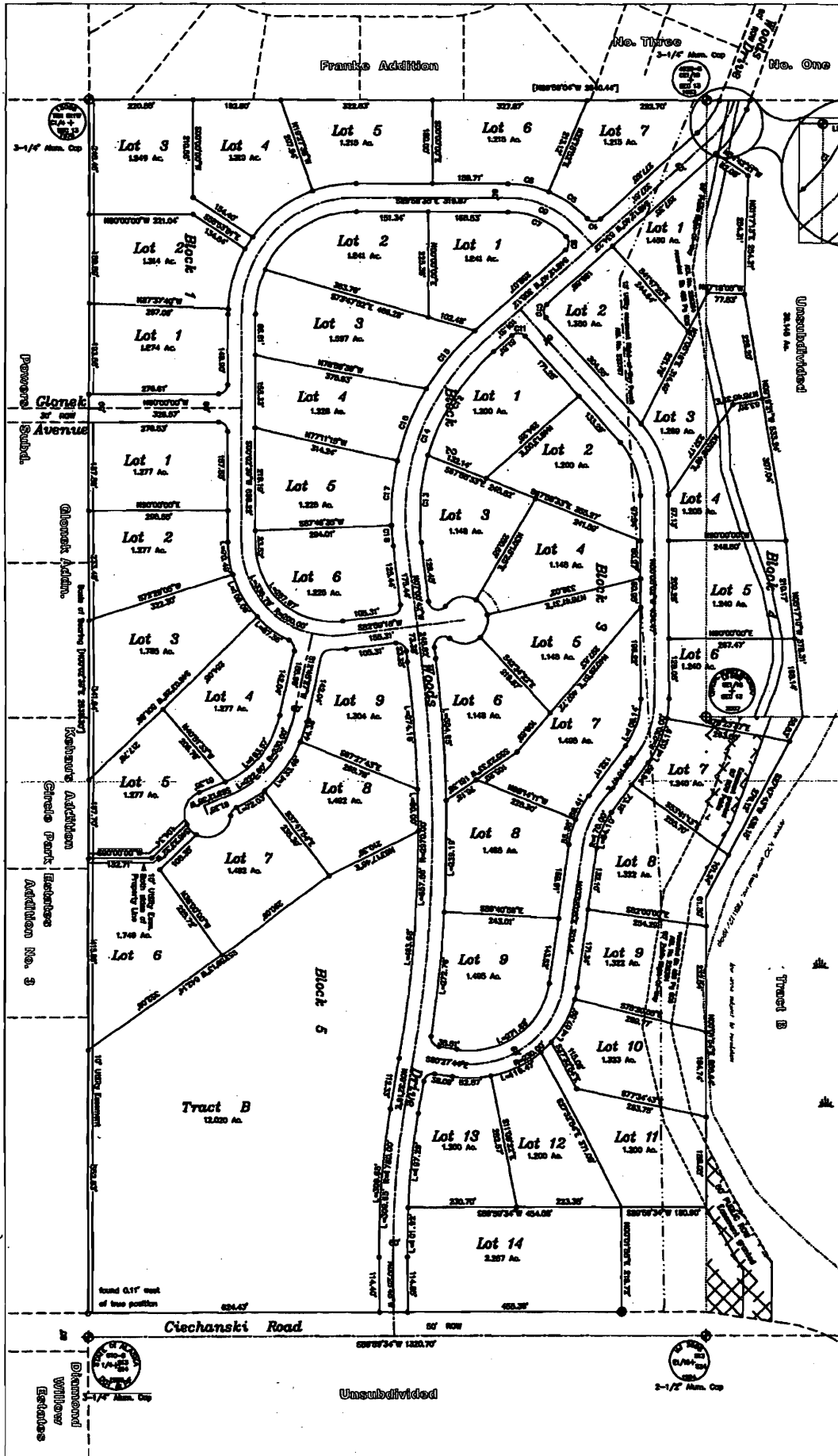
-  TAX PARCELS
-  PROPOSED LOZ PARCELS





The information depicted hereon is a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map. Created 5/15/12

A



**CERTIFICATE OF OWNERSHIP  
and DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS(S) OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY APPROVE THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

David R. Conry, Mayor  
Kenai Peninsula Borough  
144 N. Bridley Street  
Soldotna, Alaska 99601  
(Tract A)

Leah Manger  
Cook Inlet Region, Inc.  
P. O. Box 93330  
Anchorage, Alaska 99509  
(NE 1/4 SE 1/4 Sec. 13)

**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SWORN BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2012 FOR \_\_\_\_\_

NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES \_\_\_\_\_

**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SWORN BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2012 FOR \_\_\_\_\_

NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES \_\_\_\_\_

**NOTES:**

- 1) Proposed land uses are recreational, residential, agricultural, and commercial.
- 2) Building Setback - A setback of 20 feet is required from all street right-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- 3) No private access to State maintained ROW's permitted unless approved by the State of Alaska Department of Transportation.
- 4) Front 10 ft. of the building setback adjacent to right-of-way is also a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a Utility to use the easement.
- 5) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the road maintenance program.
- 6) WASTEWATER DISPOSAL: Tract B Block 5 is at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.
- 7) A 15 ft. side strip pipeline easement is recorded in Book 448 Page 552. This easement is located within the SE 1/4 SE 1/4 Section 13 west of the existing traveled way commonly known as Woods Drive.
- 8) There is a 25 ft. building setback from the right-of-way within Lot 4 Block 3, as shown.
- 9) No structures are permitted within the peninsula portion of the flag lot(s).

**LEGEND:**

- ⊗ 2-1/2" Brass Cap Old Monument (found)
- ⊕ Monument (found)
- ⊙ 2-1/2" Alum. Cap Monument (set)
- 5/8" Rebar (found)
- 5/8" Rebar (set)
- ⚡ Witness Corner Marker Corner  
5/8" Rebar (set)
- [ ] Record Datum
- ..... Former Lot Line
- ⊗ Pipeline Easement: Book 448, Page 552

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL \_\_\_\_\_

RECORDED	REC. DIST.
DATE: _____	TIME: _____
REQUESTED BY: INTEGRITY SURVEYS 8185 KENDAL SPUR HWY KENAI, ALASKA 99601	

KPB FILE No. 2008-254

**Widgeon Woods  
Phase Two**

A subdivision of Tract A, Widgeon Woods - Phase One, Plat No. 2007-84, S. M., Kenai Recording District, Kenai Peninsula Borough, Alaska.  
Located within the SE 1/4 of Section 13, T9N, R11W, S. M., Kenai Recording District, Kenai Peninsula Borough, Alaska.

Containing 82.321 Acres

*Integrity Surveys, Inc.*

8185 Kendal Spur Hwy  
Kenai, Alaska 99601-8902  
SURVEYORS  
PLANNERS

JOB NO:	28163	DRAWN:	21 March, 2012	CB
SURVEYED:	77	SCALE:	1" = 100'	
FIELD BK:	77	DISK:	Widgeon Woods	

**21.44.160 - Single-family residential district (R-1).**

- A. *Allowed Principal Use.* Only single-family residential (R-1) dwelling units are allowed in this district.
- B. *Allowed Secondary Uses.* Secondary uses allowed in the R-1 zone are parks, playgrounds, schools, community centers, libraries, churches, and home occupations.
- C. *Development Standards.* Development standards apply to principle and accessory structures.
  - 1. *Setbacks.* Setbacks shall be 30 feet from the front yard line, 20 feet from the rear yard line, 15 feet from the side yard lines, and 50 feet from the shore and where applicable subject to the provisions of KPB 21.18
  - 2. *Maximum building height.* Maximum building height shall be 2½ stories above ground or 35 feet above average grade, whichever is less
  - 3. *Minimum lot size.* Minimum lot size shall be 40,000 square feet.
  - 4. *Drainage Ways.* Existing natural drainage ways shall be retained.
  - 5. *Buffers.* A forested buffer of at least 20 feet shall be retained between the building site and the roadway. Dead and diseased trees which are a safety hazard or which threaten structures may be removed. This section does not require revegetation of a buffer area that was cleared before the formation date of the local option zoning district.
  - 6. *Accessory structures.* Accessory structures commonly associated with residential dwellings, i.e., garages, storage sheds, greenhouses, workshops, and a single, noncommercial guesthouse per parcel, are allowed within the district.
  - 7. *Dog Lots:* Dog lots and kennels are prohibited.

(Ord. No. 2010-23, § 8, 6-22-10; Ord. No. 2001-12, § 1, 5-15-01; Ord. No. 2000-02, § 2, 5-16-00)

Introduced by: Mayor  
Date: 06/05/12  
Hearing: 07/03/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-21**

**AN ORDINANCE REPEALING KPB 5.04.110 AND KPB 16.16.085 WHICH REQUIRE  
VOTER APPROVAL FOR CERTAIN MAJOR CAPITAL IMPROVEMENT PROJECTS**

1 **WHEREAS**, in 2004 the North Peninsula Recreation Service Area (NPRSA) voters approved  
2 an initiative requiring NPRSA voter approval for all major capital improvement  
3 projects to be constructed for the NPRSA costing more than \$500,000, which was  
4 codified at KPB 16.16.085; and

5 **WHEREAS**, in 2005 the borough voters approved initiative Ordinance No. 2005-01 which  
6 required 60 percent prior voter approval for borough capital improvement projects  
7 to be constructed or acquired by the borough with a total cost of more than  
8 \$1,000,000, which was codified at KPB 5.04.110; and

9 **WHEREAS**, in 2006 the Alliance of Concerned Taxpayers, Inc. (ACT) filed a lawsuit against  
10 the Kenai Peninsula Borough which among other things claimed that the borough  
11 had violated KPB 5.04.110 by not requiring prior voter approval for certain  
12 capital improvement projects costing more than \$1,000,000 and requesting that  
13 the court enjoin the borough from approving any such projects without prior voter  
14 approval; and

15 **WHEREAS**, the borough claimed it had not violated the initiative and that the initiative was  
16 legally invalid as it required an unconstitutional referendum on the appropriation  
17 of public assets; and

1 **WHEREAS**, the superior court granted summary judgment in favor of the borough on this  
2 issue ruling that the prior voter approval requirement violated the Alaska  
3 Constitution by improperly restricting the assembly's appropriation powers; and

4 **WHEREAS**, ACT appealed the superior court's decision to the Alaska Supreme Court; and

5 **WHEREAS**, on April 6, 2012, the Alaska Supreme Court entered a final decision in favor of  
6 the borough and concluded that allowing voters to veto capital improvement  
7 projects has the effect of diluting the borough assembly's exclusive control over  
8 the budget and is therefore an impermissible appropriation in violation of the  
9 Alaska Constitution; and

10 **WHEREAS**, as both KPB 05.04.110 and 16.16.085 enable the voters to veto capital  
11 improvement projects they are not legal provisions and should be removed from  
12 the borough code;

13 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
14 **PENINSULA BOROUGH:**

15 **SECTION 1.** KPB 05.04.110, Major capital improvement projects – Referendum required, is  
16 hereby repealed.

17 **SECTION 2.** KPB 16.16.085, Mayor capital improvement projects – Referendum required, is  
18 hereby repealed.

19 **SECTION 3.** That this ordinance takes effect immediately upon its enactment.

1 ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \*  
2 DAY OF \* 2012.

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Gary Knopp, Assembly President

ATTEST:

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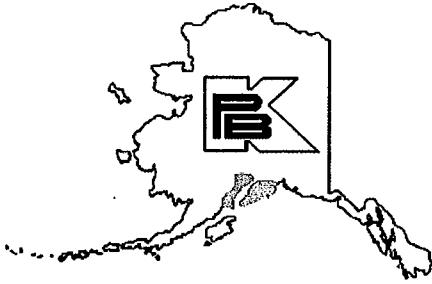
Johi Blankenship, Borough Clerk

Yes:

No:

Absent:





## **KENAI PENINSULA BOROUGH**

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441

**PHONE:** (907) 262-4441 • **FAX:** (907) 262-1892

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE  
BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Gary Knopp, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Mayor *MN*

**FROM:** Colette Thompson, Borough Attorney *CT*  
Holly Montague, Deputy Borough Attorney *HM*

**DATE:** May 24, 2012

**SUBJECT:** Ordinance 2012-21, repealing KPB 5.04.110 and KPB 16.16.085 requiring voter approval for certain major capital improvement projects

This ordinance repeals two provisions in the borough code requiring voter approval before the assembly may appropriate funds for major capital improvement projects. In 2004 the North Peninsula Recreation Service Area (NPRSA) voters approved an initiative requiring the assembly to obtain voter approval before constructing any capital improvement projects costing in excess of \$500,000. In 2005 the voters throughout the borough approved an initiative requiring 60 percent voter approval of any borough capital improvement project costing more than \$1,000,000. The Alliance of Concerned Taxpayers, Inc. (ACT) sued the Kenai Peninsula Borough in 2006 asking the court to enjoin the borough from violating the 2005 initiative. The borough responded stating that it had not violated the initiative and claimed that the initiative was not legal as it constituted an illegal appropriation of public funds because it diluted the borough assembly's exclusive control over the budget. The superior court ruled in favor of the borough on this issue and ACT appealed. The Alaska Supreme court ruled in favor of the borough on April 6, 2012, finding that this provision had the effect of diluting the borough assembly's exclusive control over the budget and is therefore an impermissible appropriation in violation of the constitution. As both sections of the code contain the same prior voter approval requirement both constitute an impermissible appropriation and should be repealed. The assembly's approval of this ordinance is respectfully requested.

Introduced by: Mayor  
Date: 06/05/12  
Hearing: 07/03/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-22**

**AN ORDINANCE AMENDING KPB 16.04.080 ADMINISTRATIVE EMPLOYEES—  
APPOINTMENT, QUALIFICATIONS, AND REMOVAL TO CLARIFY THAT ALL  
SERVICE AREA DIRECTORS INCLUDING FIRE CHIEFS, WHETHER EMPLOYEES  
OR VOLUNTEERS, ARE APPOINTED BY THE MAYOR**

1 **WHEREAS**, KPB 16.04.080 currently provides in relevant part that except as may otherwise  
2 be provided for a specific service area, the director of a service area shall be  
3 appointed by the mayor from a list of recommended names from the service area  
4 board; and

5 **WHEREAS**, as referenced in KPB 16.04.080, pursuant to KPB 3.04.070 a director is defined as  
6 a full-time paid staff; and

7 **WHEREAS**, KPB code is silent as to the appointment of other administrative heads of service  
8 areas that are not full-time paid staff; and

9 **WHEREAS**, at least one service area, Bear Creek Fire Service Area, does not currently have a  
10 paid director or fire chief; and

11 **WHEREAS**, amending KPB 16.04.080 to provide for mayoral appointment for the heads of  
12 service areas, whether paid or volunteer, provides for uniformity amongst the  
13 service areas and enables the mayor to exercise his responsibilities;

14 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
15 **PENINSULA BOROUGH:**

1    **SECTION 1.** KPB 16.04.080 is amended as follows:

2                   **16.04.080. Administrative employees—Appointment, qualifications, and**  
3                   **removal.**

4                   A.    Service area directors. Except as may otherwise be provided for a specific  
5                   service area, the director of a service area, whether a paid employee or  
6                   volunteer [AS DETERMINED NECESSARY BY THE ASSEMBLY  
7                   AND AS DEFINED BY KPB 3.04.070] shall be appointed by the mayor  
8                   from a list of recommended names from the service area board. Except for  
9                   the road service area director, whose board consists of appointed  
10                  members, and as otherwise provided below, all other service area directors  
11                  may be removed by the mayor with a concurrent recommendation from  
12                  the applicable board. Such action by the service area board shall require a  
13                  majority vote of the board membership. In the event that the service area  
14                  board and the mayor are unable to agree within 30 days of the date the  
15                  action is recommended, then the mayor and the service area board shall  
16                  communicate to attempt to resolve the impasse. Such communication shall  
17                  occur no more than 60 days after the date of the initial recommendation  
18                  for removal. Following such communication, the mayor shall have the  
19                  final authority to determine whether or not to remove the director.

20                  B.    Other administrative employees. Other administrative employees  
21                  serve at the pleasure of the mayor who may suspend or discharge  
22                  such employees in his or her sole discretion. The service area  
23                  board may independently make a recommendation to the mayor  
24                  regarding the suspension or discharge of other administrative  
25                  employees; however, such suspension or discharge remains within  
26                  the sole discretion of the mayor.

1                           C.   Definition of service area director. For purposes of this section  
2   “service area director” means the appointed administrative director  
3   or chief of a service area.

4   **SECTION 2.** That this ordinance takes effect immediately upon its enactment.

5   **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
6   **DAY OF \* 2012.**

\_\_\_\_\_  
Gary Knopp, Assembly President

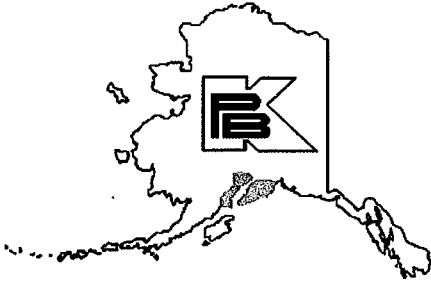
ATTEST:

\_\_\_\_\_  
Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



## **KENAI PENINSULA BOROUGH**

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**MIKE NAVARRE**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Gary Knopp, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Mayor *MN*

**FROM:** Mark Dixon, Director of General Services *MD*

**DATE:** May 24, 2012

**SUBJECT:** Ordinance 2012-22, amending KPB 16.04.080 Administrative employees—  
Appointment, qualifications, and removal, to clarify that all service area directors  
including fire chiefs, whether employees or volunteers, are appointed by the  
mayor

Full-time paid service area directors are appointed by the mayor from a list of recommended names provided by the service area board and are generally subject to removal by the mayor with a concurrent recommendation from the applicable service area board. However borough code is silent as to whether service area directors who are not full-time paid staff are appointed and removed by the mayor. The proposed ordinance would amend KPB 16.04.080 to clarify that all service area directors including fire and emergency service area chiefs, whether paid or volunteer, are appointed and subject to removal by the mayor. There is no proposed change as to the role of service area boards with regard to appointing or terminating service area directors.

The reason for the proposed change is to provide clarity as to roles and responsibilities, uniformity amongst the service areas and enable the mayor to efficiently exercise his responsibilities with regard to service area administration.

Introduced by: Mayor  
Date: 06/05/12  
Hearing: 07/03/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-23**

**AN ORDINANCE AUTHORIZING RETENTION OR SALE OF CERTAIN REAL  
PROPERTY OBTAINED BY THE KENAI PENINSULA BOROUGH THROUGH TAX  
FORECLOSURE PROCEEDINGS**

- 1 **WHEREAS**, certain real property has been deeded to the borough through tax foreclosure  
2 proceedings pursuant to AS 29.45.290 et seq. for delinquent payment of taxes;  
3 and
- 4 **WHEREAS**, the real property listed in this ordinance has been certified by the finance  
5 department as foreclosed parcels; and
- 6 **WHEREAS**, these parcels have been reviewed by the Kenai Peninsula Borough School  
7 District, all Kenai Peninsula Borough administrative departments, service areas,  
8 cities, and the Kenai Peninsula Borough Planning Commission; and
- 9 **WHEREAS**, the administration recommends certain parcels be retained for the public purpose  
10 noted; and
- 11 **WHEREAS**, notice of hearing of this ordinance was sent by certified mail to the former owners  
12 of record of the real properties which are subject to this ordinance; and
- 13 **WHEREAS**, the notice was mailed within five (5) days of the first publication of the hearing  
14 on this ordinance and is sufficient if mailed to the last record real property owner  
15 as the name appears on the borough assessment records; and

1 **WHEREAS**, Parcel 012-220-09 was acquired by Clerk’s Deed in 2004 and has been included  
2 in three foreclosure sales without being sold and the accrued taxes, penalties, and  
3 interest now exceed the assessed value of the parcel; and

4 **WHEREAS**, the best interest of the borough would be served by allowing Parcel 012-220-09 to  
5 be sold for less than the full amount owed to return it to private ownership and  
6 place it on the tax rolls again; and

7 **WHEREAS**, the Planning Commission conducted a public hearing on June 11, 2012 and  
8 recommended \_\_\_\_\_;

9 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
10 **PENINSULA BOROUGH:**

11 **SECTION 1.** That the following real property as shown in Exhibit A is approved, accepted and  
12 hereby designated as foreclosed parcels retained for public purpose with a  
13 recommended applicable classification, pursuant to KPB 5.12.310.

14 **SECTION 2.** It is hereby determined that a public need for the real properties listed in Exhibit  
15 B does not exist and they are hereby designated as foreclosed parcels for sale and  
16 may be sold by outcry auction.

17 **SECTION 3.** That except as provided below in Section 7 for Parcel 012-220-09, the Mayor is  
18 hereby authorized to sell the real property designated as foreclosed parcels for  
19 sale for an amount not less than the judgment amount for taxes, plus penalties,  
20 interest and other related costs as certified by the finance department, for cash at a  
21 public outcry auction. All real property to be sold is subject to any and all  
22 restrictions of record, zoning ordinances, and any and all plat requirements and  
23 covenants.

1 **SECTION 4.** In the event that any of the parcels are sold for more than the amount of taxes,  
2 penalties, interest and other related costs, the borough Director of Finance shall  
3 provide written notice to the former record owner of the real property advising of  
4 the amount of excess and the manner in which a claim for the balance of the  
5 proceeds may be submitted. Notice is sufficient if mailed to the former record  
6 owner at his/her last address of record. Upon presentation of a proper claim, the  
7 borough shall remit the excess to the former record of owner. A claim for the  
8 excess which is filed after six (6) months of the date of the sale is forever barred.

9 **SECTION 5.** That the Assembly authorizes the Mayor to conduct an outcry auction of the tax  
10 foreclosed real property listed in Exhibit B to be held on October 13, 2012, in the  
11 Soldotna High School Auditorium, Soldotna, Alaska, and to cause a public notice  
12 to be published in a newspaper of general circulation in the borough not less than  
13 thirty (30) days before the date of the sale and posted within that time in at least  
14 three public places in the borough.

15 **SECTION 6.** That the Mayor will execute and deliver to the buyer of any of the sale parcels a  
16 tax foreclosure deed without warranty or representation, which will convey any  
17 and all interest the borough, might have in the real property. Prospective buyers  
18 shall be put on notice by this ordinance and by other means of publication in the  
19 public notice of the sale that the borough does not vouch for its rights, title or  
20 interest in any of the properties to be sold; and the prospective buyers are put on  
21 notice that the borough shall be held harmless from any and all claims regarding  
22 title or possession to any of the properties on the list of real property to be sold.  
23 The prospective buyers shall also be advised in the public notice that the borough  
24 reserves the right to withdraw any or all of the parcels listed for sale and that,  
25 pursuant to law, any or all of the real property listed for sale may be repurchased  
26 by the record owners, or their assigns or heirs, at any time before the sale.



1 **SECTION 7.** That the Mayor is authorized to offer Parcel 012-220-09, as shown on Exhibit B,  
2 for sale at a minimum bid of \$5,500. In the event that said property sells for less  
3 than the full amount of taxes, penalties, interest and other related costs due to the  
4 property on the date of sale, the Mayor is authorized to carry out such financial  
5 procedures that are necessary and prudent to dispose of any account shortfall or  
6 liability specific to said parcel.

7 **SECTION 8.** That this ordinance takes effect immediately upon its enactment.

8 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
9 **DAY OF \* 2012.**

---

Gary Knopp, Assembly President

ATTEST:

---

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



## **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

**PHONE:** (907) 714-2200 • **FAX:** (907) 714-2378

*Toll-free within the Borough: 1-800-478-4441, Ext. 2200*

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE  
BOROUGH MAYOR**

### **M E M O R A N D U M**

**TO:** Gary Knopp, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Mike Navarre, Borough Mayor *MN*

**FROM:** Max Best, Planning Director *mb*

**DATE:** June 13, 2012

**SUBJECT:** Ordinance 2012-23; Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough through Tax Foreclosure Proceedings

The Planning Commission reviewed the subject Ordinance during their regularly scheduled June 11, 2012 meeting. A motion passed by unanimous consent to recommend adoption of the ordinance.

In the ordinance, please make the following amendment to the last WHEREAS:

*WHEREAS, the Planning Commission conducted a public hearing on June 11, 2012 and recommended approval by unanimous consent.*

Attached are the unapproved minutes of the subject portion of the meeting.

AGENDA ITEM F. PUBLIC HEARINGS

2. Ordinance 2012-23; Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough through Tax Foreclosure Proceedings

Memorandum given by Max Best

PC Meeting; 6/11/12

Pursuant to KPB 17.10.100(A) and tax foreclosure proceedings pursuant to AS 29.45.290 et seq. the borough has obtained a Clerk's Deed to the real property listed in the subject ordinance. Notice of sale was sent to the last owner(s) of record by certified mail within five days after the first publication of the hearing on the ordinance as per AS 29.45.460(c).

A preliminary list of parcels proposed for the 2012 auction was sent for review and comment to the Kenai Peninsula Borough School District, all KPB administrative departments, service areas, and cities. Subject ordinance authorizes 49 parcels to be sold by public outcry auction as shown on Exhibit B. The number of parcels to be sold or retained will change if taxes are paid.

There are 21 parcels proposed for retention for a public purpose with recommended classifications as shown on Exhibit A. These parcels include the following:

- 4 parcels have been identified as wetlands and would not serve a practical purpose in private ownership.
- 16 parcels are less than 40,000 sq. ft. Pursuant to KPB 20.20.190 parcels shall meet minimum acreage to provide for well and septic. Parcels less than 40,000 sq. ft. are generally considered to be "substandard" as they are not large enough to provide for both well and septic. These parcels could be proposed for a borough Substandard Lot Sale in the future and offered to the adjacent property owners who wish to combine it with their land.
- Parcel 01316213 would provide access to a water body leading to Bear Lake for recreational purposes. This parcel is subject to a plat note #2 reserving all open space area for lot owners and would not be practical to have in private ownership. The parcel, once retained, would be open to the public.

Please reference the maps / aerial photos of the parcels listed in the ordinance.

The tax foreclosure auction is scheduled for Saturday, October 13, 2012, in the Soldotna High School Auditorium. The KPB Planning Commission will consider this ordinance at its regularly scheduled meeting of June 11, 2012, and the action taken will be reported to the Assembly.

END OF MEMORANDUM

Chairman Bryson opened the meeting for public comment. Seeing and hearing no one wishing to speak, Chairman Bryson closed the public comment period and opened discussion among the Commission.

**MOTION:** Commissioner Lockwood moved, seconded by Commissioner Isham to recommend approval of Ordinance 2012-23; authorizing the retention or sale of certain real property obtained by the Kenai Peninsula Borough (KPB) through Tax Foreclosure Proceedings.

**VOTE:** The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO ABSENT	COLLINS YES	ECKLUND YES	FOSTER YES	GROSS YES	HOLSTEN YES
ISHAM YES	LOCKWOOD YES	MARTIN YES	RUFFNER YES	TAURIAINEN YES		11 YES 1 ABSENT

AGENDA ITEM F. PUBLIC HEARING



## **KENAI PENINSULA BOROUGH**

Planning Department • Land Management Division  
144 North Binkley Street • Soldotna, Alaska 99669-7520  
**PHONE:** (907) 714-2200 • **FAX:** (907) 714-2378  
Toll-free within the Borough: 1-800-478-4441, Ext. 2200  
[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

MIKE NAVARRE  
BOROUGH MAYOR

### **MEMORANDUM**

**TO:** Gary Knopp, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Mike Navarre, Kenai Peninsula Borough Mayor *MN*  
Craig Chapman, Director of Finance *C Chapman*  
Max Best, Director of Planning *MB*  
Marcus Mueller, Land Management Officer *MM*

**FROM:** Dan Conetta, Land Management Agent *DC*

**DATE:** May 24, 2012

**SUBJECT:** Ordinance 2012-23, Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough (KPB) through Tax Foreclosure Proceedings

Pursuant to KPB 17.10.100(A) and tax foreclosure proceedings pursuant to AS 29.45.290 et seq. the borough has obtained a Clerk's Deed to the real property listed in the subject ordinance. Notice of sale was sent to the last owner(s) of record by certified mail within five days after the first publication of the hearing on the ordinance as per AS 29.45.460(c).

A preliminary list of parcels proposed for the 2012 auction was sent for review and comment to the Kenai Peninsula Borough School District, all KPB administrative departments, service areas, and cities. Subject ordinance authorizes 49 parcels to be sold by public outcry auction as shown on Exhibit B. The number of parcels to be sold or retained will change if taxes are paid.

There are 21 parcels proposed for retention for a public purpose with recommended classifications as shown on Exhibit A. These parcels include the following:

- 4 parcels have been identified as wetlands and would not serve a practical purpose in private ownership.

- 16 parcels are less than 40,000 s.f. Pursuant to KPB 20.20.190 parcels shall meet minimum acreage to provide for well and septic. Parcels less than 40,000 s.f. are generally considered to be "substandard" as they are not large enough to provide for both well and septic. These parcels could be proposed for a borough Substandard Lot Sale in the future and offered to the adjacent property owners who wish to combine it with their land.
- Parcel 01316213 would provide access to a water body leading to Bear Lake for recreational purposes. This parcel is subject to a plat note #2 reserving all open space area for lot owners and would not be practical to have in private ownership. The parcel, once retained, would be open to the public.

Please reference the attached maps / aerial photos of the parcels listed in the ordinance.

The tax foreclosure auction is scheduled for Saturday, October 13, 2012, in the Soldotna High School Auditorium. The KPB Planning Commission will consider this ordinance at its regularly scheduled meeting of June 11, 2012, and the action taken will be reported to the Assembly.



## **KENAI PENINSULA BOROUGH**

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**MIKE NAVARRE**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Gary Knopp, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Mike Navarre, Mayor *MN*

**FROM:** Craig Chapman, Director of Finance *C Chapman*  
Marcus Mueller, Land Management Officer *Mueller*

**DATE:** May 24, 2012

**SUBJECT:** Ordinance 2012- 23, Recommended procedures for sale of Tax Foreclosure Parcel No. 012-220-09

Parcel 012-220-09 was acquired by the borough by Clerk's Deed in 2003 and did not sell when it was first offered in the 2005 tax foreclosure sale. Subsequently this parcel was offered again in both the 2007 and 2009 tax foreclosure sales and received a bid but was then later forfeited. Going into this year's auction the accrued taxes owed, together with penalties, are estimated to be approximately \$9,400 which exceeds the current assessed value of \$9,100.

Because the amount owed exceeds the assessed value recapturing the full amount owed is not probable. Furthermore, setting the minimum bid price at the full amount is a likely barrier to selling this otherwise saleable property. Tax foreclosure buyers are typically motivated by price.

Designating a minimum bid amount for this parcel that is less than the amount of taxes, penalties, interest and fees is intended to capture what the market will bear and subsequently return this property to the tax roll. \$5,500 is the minimum amount recommended to encourage the sale of this property. In the event that property sells for less than the full amount owed against the property, the Finance Department would take appropriate measures in the borough's accounting system to account for the loss and Land Management would forego its fees. Section 6 of the proposed ordinance is intended to provide for this recommended action.

**EXHIBIT A  
PROPERTIES TO BE RETAINED FOR A PUBLIC PURPOSE**

<b>Parcel No.</b>	<b>Legal Description</b>	<b>General Location</b>	<b>Acres</b>	<b>Last Owner of Record</b>	<b>Reason for Retention</b>	<b>Recommended Applicable Classification</b>
01316213	Lake and Reserved Use Area, Georgine Lake Subdivision Add'n No. 1, as shown on Plat No. 75-81, Kenai Recording District	Nikiski	6.87	Steib Georgine	Plat note #2 was intended to reserve all open space area for lot owners. This parcel provides access to a water body leading to a larger lake (Bear Lake) for recreational purposes.	Government
03903404	Lot 4, Block 4, Black Gold Estates Subdivision Amended, as shown on Plat No. 1399, Kenai Recording District	Kenai	0.17	Gonzalez Ismael	Less than 40,000 s.f.	Government
03903424	Lot 24, Block 4, Black Gold Estates Subdivision Amended, as shown on Plat No. 1399, Kenai Recording District	Kenai	0.17	Dahl Homes Inc	Less than 40,000 s.f.	Government
03903425	Lot 25, Block 4, Black Gold Estates Subdivision Amended, as shown on Plat No. 1399, Kenai Recording District	Kenai	0.17	Dahl Homes Inc	Less than 40,000 s.f.	Government
03903426	Lot 26, Block 4, Black Gold Estates Subdivision Amended, as shown on Plat No. 1399, Kenai Recording District	Kenai	0.17	Dahl Homes Inc	Less than 40,000 s.f.	Government
03910330	Lot 14, Block 11, Replat of Mommsens Subdivision Addition No. 1 & 2, Addition No. 2, as shown on Plat No. 1355, Kenai Recording District.	Kenai	0.34	Johnson J C & Blanche	Less than 40,000 s.f.	Government

<b>Parcel No.</b>	<b>Legal Description</b>	<b>General Location</b>	<b>Acres</b>	<b>Last Owner of Record</b>	<b>Reason for Retention</b>	<b>Recommended Applicable Classification</b>
03913116	Lot 2, Block 3, Replat of Mommsens Subdivision Addition No. 1 & 2, Addition No. 2, as shown on Plat No. 1355, Kenai Recording District.	Kenai	0.26	Barnell Joel O & Corrine A, Thompson Harold D & Carol H, Snyder Ken D & Charlotta A	Less than 40,000 s.f.	Government
04916071	That portion of Government Lot 3, Section 4, T5N, R11W, S.M., Alaska lying east of Lot 3, Bailey Estates Amended as shown on Plat No. 97-33, Kenai Recording District, and west of Inlet View Subdivision as shown on Plat No. 1434, Kenai Recording District and lying north of Inlet View Subdivision First Revision as shown on Plat No. 1515, Kenai Recording District	Kenai	0.33	McKeever T A & Springer E D	Less than 40,000 s.f.	Government
05753015	Lot 1, Block 2-A, Irons Subdivision Block 2-A, and a Portion of Block 3-A, Amended, as shown on Plat No. 75-4, Kenai Recording District	Ridgeway	0.34	Waln Paul D & Sheryl E	Less than 40,000 s.f.	Government
13132031	Lot 13, Journeys End Subdivision No. 4, as shown on Plat No. 76-24, Kenai Recording District	Kalifornsky	0.90	Henry Delbert Leroy & Norma Louise	Less than 40,000 s.f.	Government
13132032	Lot 37, Journeys End Subdivision No. 4, as shown on Plat No. 76-24, Kenai Recording District	Kalifornsky	0.90	Henry Delbert Leroy & Norma Louise	Less than 40,000 s.f.	Government



Parcel No.	Legal Description	General Location	Acres	Last Owner of Record	Reason for Retention	Recommended Applicable Classification
13315009	Lot 8, Block 13, U.S. Survey 3564 Townsite of Kasilof, as shown on Plat No. 3564, Kenai Recording District	Kasilof	0.26	Quan La Lay Woo	Less than 40,000 s.f.	Government
13315010	Lot 7, Block 13, U.S. Survey 3564 Townsite of Kasilof, as shown on Plat No. 3564, Kenai Recording District	Kasilof	0.26	Quan La Lay Woo	Less than 40,000 s.f.	Government
13315011	Lot 6, Block 13, U.S. Survey 3564 Townsite of Kasilof, as shown on Plat No. 3564, Kenai Recording District	Kasilof	0.26	Quan La Lay Woo	Less than 40,000 s.f.	Government
14509201	West 200 feet of the south 440 feet of Government Lot 5, Section 35, T1N, R1W, S.M., Alaska	Seward	2.02	Kowalski Martin N & Donna Estates of & Radde Edward	Wetland	Preservation
15912018	Tract 32, Happy Creek Homesites Subdivision, as shown on Plat No. 62- 711, Homer Recording District	Happy Valley	5.00	Tagala Florence E & Esequel M	Wetland	Preservation
16539032	Tract 32, Birch Haven Estates Subdivision, as shown on Plat No. 74- 2193, Homer Recording District	Anchor Point	7.97	Sellers Richard V	Wetland	Preservation
16540001	Tract 33, Birch Haven Estates Subdivision, as shown on Plat No. 74- 2193, Homer Recording District	Anchor Point	7.97	Taylor Robert L	Wetland	Preservation

<b>Parcel No.</b>	<b>Legal Description</b>	<b>General Location</b>	<b>Acres</b>	<b>Last Owner of Record</b>	<b>Reason for Retention</b>	<b>Recommended Applicable Classification</b>
16929232	Lot 32, Silver King Camp Unit III, as shown on Plat No. 85-45, Homer Recording District	Anchor Point	0.07	Flagg Earnest	Less than 40,000 s.f.	Government
17427007	Lot 10, Seaview Subdivision, as shown on Plat No. 69-641, Homer Recording District	Kachemak City	0.58	Semans Scott	Less than 40,000 s.f.	Government
18921307	Lot 7, Block 3, Martin Subdivision No. 1, as shown on Plat No. 30, Seward Recording District	Lowell Point	0.32	Brown Nathaniel	Less than 40,000 s.f.	Government

**EXHIBIT B  
PROPERTIES TO BE SOLD BY OUTCRY AUCTION**

<b>Parcel</b>	<b>Legal Description</b>	<b>General Location</b>	<b>Acres</b>	<b>Last Owner of Record</b>
01205039	Lot 15, Block 6, Aurora Heights Sub Blocks 5, 6, 7, 8, 12, 13, and 14, as shown on Plat No. 1510, Kenai Recording District	Nikiski	0.17	Betz David Alexander
01210019	Lot 1, Block 4, Nikishka Subdivision No. 5, as shown on Plat No. 1437, Kenai Recording District	Nikiski	1.17	Smith Thomas & Riley Marvin
01213132	Lot 2, Wik Bluff Subdivision, as shown on Plat No. 82-54, Kenai Recording District	Nikiski	4.51	Andrews Johney C
01222009	Lot 7, Block 2, Field Subdivision No 1, as shown on Plat No. 529, Kenai Recording District	Nikiski	2.02	Preblich Evalyn L
01314118	Lot 3, Block 2, Agate Beach Subdivision Amended, as shown on Plat No. 84-202, Kenai Recording District	Nikiski	1.01	Laplante Glenn & Melissa
01321430	Lot 7, Block 5, Don's Place Subdivision Amended, as shown on Plat No. 83-44, Kenai Recording District	Nikiski	0.92	Andrews Johney C
01321547	Lot 7, Block 7, Don's Place Subdivision Amended, as shown on Plat No. 83-44, Kenai Recording District	Nikiski	0.92	Andrews Johney C
01360008	Lot 1, Block 1, Snowland Estates, Subdivision Part 2, as shown on Plat No. 81-94, Kenai Recording District	Nikiski	0.96	Voss Robert J
01423016	Lot 14, Block 2, Wooded Shores Subdivision No 2, as shown on Plat No. 83-251, Kenai Recording District	Nikiski	0.95	Andrews Johney C Living Trust
01423017	Lot 15, Block 2, Wooded Shores Subdivision No 2, as shown on Plat No. 83-251, Kenai Recording District	Nikiski	0.94	Andrews Johney C Living Trust
01431022	Lot 9, Block 4, Miller's Hide-Away Subdivision Amended, as shown on Plat No. 2003-1, Kenai Recording District	Nikiski	2.23	Gonzalez Ismael
01517302	Lot 2, Far West Subdivision, as shown on Plat No. 80-106, Kenai Recording District	Nikiski	1.91	Aguirre Jay S

<b>Parcel</b>	<b>Legal Description</b>	<b>General Location</b>	<b>Acres</b>	<b>Last Owner of Record</b>
01524066	Tract F-3, Northwood Acres Subdivision Arctic Storm Addition, as shown on Plat No. 2002-92, Kenai Recording District	Nikiski	1.05	Szwed Ethan A
01714012	Government Lot 31, Section 14, T6N, R12W, S.M., Alaska	Salamatof	2.00	Herring Edward Barnes & Cooke William
01726037	E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 14, T6N, R12W, S.M., Alaska	Salamatof	20.00	Neve James K, Danny, Adam
01732807	Tract 34, Konovalof Lake Subdivision Amended, as shown on Plat No. 86-203, Kenai Recording District	Nikiski	36.94	Sacaloff Paul
04307003	That portion of Government Lot 57 beginning at the southwest corner of said lot, thence north 128 feet, thence east 320 feet, thence south 128 feet, thence west 320 feet to the point of beginning, Section 31, T6N, R11W, S.M., Alaska	Kenai	0.97	Neve James K, Danny, Adam
05522116	Lot 9, Block 2, Kenai River Bridge Subdivision Amended, as shown on Plat No. 75-28, Kenai Recording District	Kalifornsky	2.85	Hill James R & Erline
05542101	Lot 1, J & P Subdivision, as shown on Plat No. 82-96, Kenai Recording District	Kalifornsky	1.48	Gibbs James E & Patricia
06301701	Lot 1, Block 2, Sterling Crystal Estates Subdivision, as shown on Plat No. 86-40, Kenai Recording District	Sterling	1.03	Markwith Paul C
06301725	Lot 7, Block 3, Sterling Crystal Estates Subdivision, as shown on Plat No. 86-40, Kenai Recording District	Sterling	1.01	Nebraska T California
06301726	Lot 9, Block 3, Sterling Crystal Estates Subdivision, as shown on Plat No. 86-40, Kenai Recording District	Sterling	0.95	Nebraska T California
06301733	Lot 8, Block 3, Sterling Crystal Estates Subdivision, as shown on Plat No. 86-40, Kenai Recording District	Sterling	0.92	Kahn Edwin
06301804	Lot 4, Block 1, Inglebrook Subdivision, as shown on Plat No. 86-50, Kenai Recording District	Sterling	0.93	Matthews Del

<b>Parcel</b>	<b>Legal Description</b>	<b>General Location</b>	<b>Acres</b>	<b>Last Owner of Record</b>
06301805	Lot 5, Block 1, Inglebrook Subdivision, as shown on Plat No. 86-50, Kenai Recording District	Sterling	1.18	Matthews Del
06301807	Lot 7, Block 1, Inglebrook Subdivision, as shown on Plat No. 86-50, Kenai Recording District	Sterling	0.92	Matthews Del
06301808	Lot 8, Block 1, Inglebrook Subdivision, as shown on Plat No. 86-50, Kenai Recording District	Sterling	0.92	Matthews Del
06370003	Lot 2, Block 2, Sprucewood Terrace Subdivision, as shown on Plat No. 79-19, Kenai Recording District	Sterling	1.53	Passe Bruce E
06388013	Lot 15, Block Two, Naff Subdivision Part Two, as shown on Plat No. 84-275, Kenai Recording District	Sterling	0.93	Daiker Gary
06644358	Lot 8A, Block C, Lupine Subdivision No. 2, as shown on Plat No. 84-296, Kenai Recording District	Funny River	1.08	Hill Mike S & Angela E
13353063	Tract 5, Tri Estates Sub 1986 Addition, as shown on Plat No. 86-64, Kenai Recording District	Cohoe	4.03	Wardas John
13725051	Tract D3, Cohoe Industrial Park Subdivision Butler Addition, as shown on Plat No. 86-220, Kenai Recording District	Cohoe	1.06	Perpetuality Inc
13725052	Tract D2, Cohoe Industrial Park Sub Butler Addition, as shown on Plat No. 86-220, Kenai Recording District	Cohoe	1.06	Perpetuality Inc
13725053	Tract D1, Cohoe Industrial Park Sub Butler Addition, as shown on Plat No. 86-220, Kenai Recording District	Cohoe	5.50	Perpetuality Inc
13727148	Lot 23, North Ridge Estates Subdivision as shown on Plat No. 86-133, Kenai Recording District	Cohoe	1.02	Mackey Jason & Lisa L
13918002	Lot 4, Block 1, Clammers Haven Subdivision Addition No 2, as shown on Plat No. 78-26, Homer Recording District	Clam Gulch	4.54	Andrews Richard B & Klug Daniel J
14805003	Lot 29, Block 27, Original Townsite of Seward, as shown on Plat No. 1, Seward Recording District	Seward	0.07	Goresen Martin L Estate of & Goresen Betty A Estate of.

<b>Parcel</b>	<b>Legal Description</b>	<b>General Location</b>	<b>Acres</b>	<b>Last Owner of Record</b>
14805004	Lots 30, 31, and 32, Block 27, Original Townsite of Seward, as shown on Plat No. 1, Seward Recording District	Seward	0.21	Goresen Martin L Estate of & Goresen Betty A Estate of.
15706218	N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 26, T1S, R14W, S.M., Alaska	Ninilchik	1.25	German William A
15912013	Tract 4, Happy Creek Homesites Subdivision, as shown on Plat No. 62-711, Homer Recording District	Happy Valley	5.00	Low Beatrice A
15912014	Tract 3, Happy Creek Homesites Subdivision, as shown on Plat No. 62-711, Homer Recording District	Happy Valley	5.00	Low Beatrice A
15931006	Parcel 2-D, J. Booth Recreational Subdivision Plat of Parcels A-1, A-2, B-1, B-2, C-1, D-1, & D-2, as shown on Plat No. 75-49, Homer Recording District	Happy Valley	2.13	Smith William D Estate of
15946010	Lot 4, Block 3, Sportsmans Glen Subdivision Unit 2, as shown on Plat No. 81-49, Homer Recording District	Happy Valley	5.21	Crego Frank Erwin & Weeks Wayne
16525037	Lot 14, Block 3, Williams North Fork Subdivision 1976 Addition, as shown on Plat No. 76-86, Homer Recording District	Anchor Point	1.09	Walters Tracy & Tomberlin Joey
16908311	Lot 11, Block 1, Anchor Estates Subdivision No 2, as shown on Plat No. 83-77, Homer Recording District	Anchor Point	1.05	Arrington Timothy
17102420	Lot 2, Sterling Acres Sub Unit 1, as shown on Plat No. 86-70, Homer Recording District	Anchor Point	2.03	Allen Christopher M
17102421	Lot 3, Sterling Acres Unit 1 Subdivision, as shown on Plat No. 86-70, Homer Recording District	Anchor Point	3.85	Allen Christopher M
17363001	Lot 1, Block 6, Diamond Cape Unit 2 Subdivision, as shown on Plat No. 77-79, Homer Recording District	Diamond Ridge	1.56	Ransom Anita E & Warnick Forrest James
19139005	Lot 20, Block 19, Barabara Heights Subdivision, as shown on Plat No. 79-6, Seldovia Recording District	Seldovia	3.14	Moonin Tianna Lee

**PARCEL MAPS**

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-23**

**AUTHORIZING RETENTION OR SALE OF CERTAIN REAL PROPERTY OBTAINED BY  
THE KENAI PENINSULA BOROUGH THROUGH TAX FORECLOSURE PROCEEDINGS**

The Parcel Maps may be viewed on our website:

<http://www2.borough.kenai.ak.us/AssemblyClerk/Assembly/Ordinances/2012/O2012-23%20Parcel%20Maps.pdf>

**ASSEMBLY MEMBERS AND ADMINISTRATION:**

In accordance with KPB Energy Policy Guide,  
the parcel maps have been bound separately and accompany this packet.

Please bring your bound copy of the parcel maps  
to public hearing on 07/03/12.



## **KENAI PENINSULA BOROUGH**

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**MIKE NAVARRE  
BOROUGH MAYOR**

\_\_\_\_\_, 2012

Dear Adjacent Land Owner:

### **Notice of Tax Foreclosure Sale**

This courtesy notice is being sent to you because the Borough is selling land that is near your property. Ordinance 2012-23 authorized the sale of certain parcels of Borough land by outcry auction to the general public. The auction is scheduled for October 13, 2012 at the Soldotna High School auditorium. If you are interested in further details our Tax Foreclosure Sale Brochure will delineate the parcels and explain the auction procedures. This brochure is available on the Borough's Land Management website at

**<http://www.borough.kenai.ak.us/LandManagement>**

For further information contact Dan Conetta, Land Management Division at 907-714-2211, or toll free within the Borough 1-800-478-4441, ext. 2211.



Introduced by: Mayor  
Date: 06/05/12  
Hearing: 07/03/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-24**

**AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PARCELS OF  
BOROUGH LAND IN WIDGEON WOODS PHASE TWO SUBDIVISION IN THE  
CIECHANSKI AREA BY SEALED BID PROCEDURES**

- 1 **WHEREAS**, the borough has developed Widgeon Woods Subdivision Phase Two Subdivision  
2 for disposal of lots to the general public; and
- 3 **WHEREAS**, the subdivided lots were independently appraised on November 16, 2009, by  
4 Derry and Associates; and
- 5 **WHEREAS**, Widgeon Woods Subdivision contains 29 lots with similar size, characteristics,  
6 and value which could be eligible for sale at this time, and
- 7 **WHEREAS**, it is the intent of the borough to sell the lots over a period of several years, by  
8 offering up to eight lots per year; and
- 9 **WHEREAS**, offering eight lots in a “Bidder’s Choice Sealed Bid Land Sale” affords potential  
10 buyers flexibility and encourages market exposure of all the 29 eligible lots, and
- 11 **WHEREAS**, for the purpose of this sale a single minimum bid value, \$33,000, which is  
12 reflective of the general market value of the lots within the subdivision, can be  
13 applied to any of the lots within the pool of lots eligible for sale; and
- 14 **WHEREAS**, the 2012 Widgeon Woods Bidder’s Choice Sealed Bid Land Sale would sell up to  
15 eight lots to the eight highest bids with the opportunity for the bidders, to choose  
16 from the pool of 29 eligible lots, and

1 **WHEREAS**, the Planning Commission at its regularly scheduled meeting of June 11, 2012,  
2 recommended \_\_\_\_\_;

3 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
4 **PENINSULA BOROUGH:**

5 **SECTION 1.** The lots listed below are authorized for sale with a minimum bid set at \$33,000.

<b>WIDGEON WOODS</b>		
<b>PHASE TWO</b>		
<b>SUBDIVISION</b>		
<b>(Ciechanski Area)</b>		
<b>LOT</b>	<b>BLOCK</b>	<b>ACRES</b>
Lot 1	Block 1	1.274
Lot 2	Block 1	1.314
Lot 3	Block 1	1.349
Lot 4	Block 1	1.310
Lot 5	Block 1	1.215
Lot 6	Block 1	1.215

Lot 1	Block 2	1.241
Lot 2	Block 2	1.241
Lot 3	Block 2	1.597
Lot 4	Block 2	1.228
Lot 5	Block 2	1.225
Lot 6	Block 2	1.225

Lot 1	Block 3	1.200
Lot 3	Block 3	1.148
Lot 6	Block 3	1.148
Lot 7	Block 3	1.495
Lot 8	Block 3	1.495
Lot 9	Block 3	1.495

Lot 12	Block 4	1.200
Lot 13	Block 4	1.200

Lot 1	Block 5	1.277
Lot 2	Block 5	1.277
Lot 3	Block 5	1.785
Lot 4	Block 5	1.277
Lot 5	Block 5	1.277
Lot 6	Block 5	1.749
Lot 7	Block 5	1.492
Lot 8	Block 5	1.492
Lot 9	Block 5	1.304

1 **SECTION 2.** The method of disposal shall be by sealed bid pursuant to KPB 17.10.100(F).  
2 The date of the sale shall be September 20, 2012. Bids shall be accepted at the  
3 Kenai Peninsula Borough Administration building located at 144 N. Binkley St.,  
4 Soldotna, Alaska 99669, by no later than, 2:00 pm, September 20, 2012.

5 **SECTION 3.** All parcels will be conveyed by Quitclaim Deed. Either title insurance or another  
6 similar report must be obtained for all borough-financed sales, at the Buyer's  
7 expense, showing the condition of title and that there are no unsatisfied judgments  
8 or liens against the Buyer at the time of closing, the latter of which shall also be  
9 verified by the Buyer. In the event a title report showing a reasonably acceptable  
10 condition of title cannot be obtained, then either the Buyer or the KPB may elect

1 to terminate the purchase contract, in which case all monies on deposit will be  
2 refunded to the Buyer. For borough-financed sales Buyers must execute a release  
3 authorizing the borough to obtain a credit report on the Buyers.

4 **SECTION 4.** Upon successfully bidding or entering into a Purchase Agreement to acquire the  
5 land, a down payment of ten percent (10%) of the sale price shall be made and the  
6 applicable terms and provisions of KPB 17.10.120 and KPB 17.10.130 shall  
7 apply.

8 **SECTION 5.** Parcels that do not sell as set forth herein shall be returned to the land bank.

9 **SECTION 6.** The mayor is authorized to sign any documents necessary to effectuate this  
10 ordinance.

11 **SECTION 7.** This ordinance shall become effective immediately upon enactment.

12 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
13 **DAY OF \* 2012.**

---

Gary Knopp, Assembly President

ATTEST:

---

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



## **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

**PHONE:** (907) 714-2200 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2200

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Gary Knopp, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Mike Navarre, Borough Mayor *MN*

**FROM:** Max Best, Planning Director *MB*

**DATE:** June 13, 2012

**SUBJECT:** Ordinance 2012-24; Authorizing the Sale of Certain Parcels of Borough Land in the Widgeon Woods Phase Two Subdivision by Sealed Bid Procedures

The Planning Commission reviewed the subject Ordinance during their regularly scheduled June 11, 2012 meeting. A motion passed by unanimous consent to recommend adoption of the ordinance.

In the ordinance, please make the following amendment to the last WHEREAS:

*WHEREAS, the Planning Commission conducted a public hearing on June 11, 2012 and recommended approval by unanimous consent.*

Attached are the unapproved minutes of the subject portion of the meeting.

AGENDA ITEM F. PUBLIC HEARINGS

3. Ordinance 2012-24; Authorizing the Sale of Certain Parcels of Borough Land In the Widgeon Woods Phase Two Subdivision By Sealed Bid Procedures

Memorandum given by Max Best

PC Meeting: 6/11/12

The Widgeon Woods Subdivision Project is an 80 acre subdivision that is owned by the Borough and nearly completed. All roads are constructed and electric and gas utilities are installed. Twenty-nine lots are available to be marketed. Thirteen additional lots will be available after easements have been vacated.

As an approach to achieve multiple goals with the sale of lots within Widgeon Woods Subdivision, a sealed bid land sale offering eight lots from the pool of twenty-nine available lots is recommended and proposed. This sale approach would establish a single minimum bid of \$33,000 per lot for the sale. Bidders would bid on the pool of available lots and the choice of lot would go to the bidders, in high bid order, until eight lots are sold.

The lots along the bluff are not currently for sale due to an easement vacation process that they are going through with the State of Alaska.

The bid opening is proposed for September 20, 2012. A sale brochure will be prepared which will delineate the parcels and explain the sealed bid procedures. Notice of the land sale will be published in accordance with KPB 17.10.110 and the brochure will be made available on the borough's land management website.

Consideration of this ordinance is appreciated.

END OF MEMORANDUM

Chairman Bryson opened the meeting for public comment. Seeing and hearing no one wishing to speak, Chairman Bryson closed the public comment period and opened discussion among the Commission.

**MOTION:** Commissioner Ruffner moved, seconded by Commissioner Martin to recommend approval of Ordinance 2012-24; authorizing the sale of certain parcels of Borough land in the Widgeon Woods Phase Two Subdivision by sealed bid procedures.

Commissioner Tauriainen drove down the nice, well built road and was glad that it was getting paved.

Commissioner Holsten asked if walkways were included connecting trails along the road. Mr. Best replied there were no walkways or trails associated with the road construction. Commissioner Holsten asked if there was an easement providing for walkways. Mr. Best replied no.

Commissioner Ruffner asked for clarification regarding the easement in Block 4 that is being worked out with the State with those lots eventually being put up for sale. Mr. Best replied that the power line was moved over and buried along Woods Dr in addition to obliterating the road and restoring it back to its natural condition. Commissioner Ruffner asked what the hang up was with the easement. Mr. Best replied that when the property was conveyed to the Borough, the condition was that they have an ADL or Alaska Division of Lands easement associated with the conveyance so they were subject to the easement as established by the State. They have to go through the State process to extinguish that easement which can take quite some time. Commissioner Ruffner asked if staff expects that to happen. Mr. Best replied yes and that they will eventually sale those properties.

Commissioner Tauriainen was surprised that there wasn't any kind of bike or path along the road. He asked what the shoulder would be on that road. Mr. Best believed that it was a 22 foot pavement top with 1 foot shoulders; it is 24 foot travel surface right now. Commissioner Tauriainen asked why they didn't get the two foot shoulders. It would be nice for the residents in a residential area. Mr. Best believed when they started this subdivision that the road standards were not as stringent as they are now. He stated that staff had already designed a road that was of a width that wasn't quite wide enough for pavement which is why they ended up with a little less of a shoulder. Commissioner Tauriainen asked if there was a way that could be

fixed at this point. Mr. Best replied that there is a possibility that they could add some material to the shoulders to widen it out which could create drainage issues.

Commissioner Holsten stated that everything that she has read and looked at shows that property values increase at a minimum of 10% if they are connected by a neighborhood trail. It will be difficult to go in later and ask property owners to give up property to create walkways. She urged staff to keep those walkways and bike paths in mind when the subdivisions are being developed.

Commissioner Tauriainen agreed that it would help the sale of the land if there was a marked bike path. He felt this is something that should be looked at. If it can be done reasonably then potentially they may be able to make some money back in property values.

There being no further comments or questions, the commission proceeded to vote.

**VOTE:** The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO ABSENT	COLLINS YES	ECKLUND YES	FOSTER YES	GROSS YES	HOLSTEN YES
ISHAM YES	LOCKWOOD YES	MARTIN YES	RUFFNER YES	TAURIAINEN YES		11 YES 1 ABSENT

**AGENDA ITEM F. PUBLIC HEARINGS**

4. Ordinance 2012-20; An Ordinance approving Widgeon Woods R-1, Single Residential Local Option Zoning District and amending KPB Chapter 21.46.030.

Memorandum given by Crista Cady

PC Meeting: 6/11/12

This ordinance would approve the formation of a Single Family Residential (R-1) Local Option Zoning District (LOZ). The sole landowners of the subject property are the Kenai Peninsula Borough (KPB) and Cook Inlet Region, Inc. (CIRI). The proposed LOZ is currently described as: Widgeon Woods Phase Two Subdivision located within the SE1/4 of Section 13 T5N, R11W S.M., Kenai Recording District, Kenai Peninsula Borough, Alaska, KPB File No. 2008-254, excluding lot 14 Block 4, and Tract B.

Pursuant to KPB 21.44.010, property owners may petition the assembly for greater restriction on land use that otherwise provided in Title 21 of the KPB Code. Furthermore, the proposed LOZ is consistent with Goal 6.5 of the 2005 KPB Comprehensive Plan which is to maintain the freedom of property owners in rural areas of the borough to make decisions and control use of their private land.

The LOZ petition was submitted by the KPB Land Management division and CIRI. Also submitted was a map showing the vicinity of the proposed R-1 LOZ district, the plat depicting lots in the LOZ boundary, and a definition of R-1, Single-Family Residential according to KPB code.

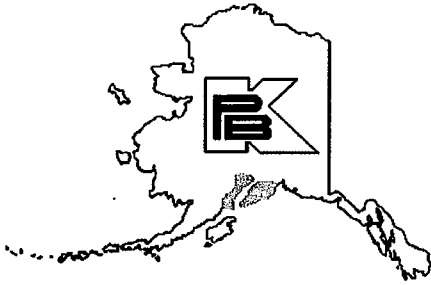
On June 11, 2012, the KPB Planning Commission will hold a public hearing and make a recommendation regarding the formation of the R-1 district. That recommendation will be reported to the Assembly on July 7, 2012.

Thank you for your consideration of this ordinance.

END OF MEMORANDUM

Chairman Bryson opened the meeting for public comment. Seeing and hearing no one wishing to speak, Chairman Bryson closed the public comment period and opened discussion among the Commission.

**MOTION:** Commissioner Collins moved, seconded by Commissioner Holsten to recommend approval of Ordinance 2012-20; an ordinance approving Widgeon Woods R-1, Single Residential Local Option Zoning District and amending KPB Chapter 21.46.030.



## **KENAI PENINSULA BOROUGH**

**Planning Department • Land Management Division**  
144 North Binkley Street • Soldotna, Alaska 99669-7520  
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**MIKE NAVARRE**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Gary Knopp, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Mike Navarre, Mayor *MN*  
Max Best, Director of Planning *MB*

**FROM:** Marcus A Mueller, Land Management Officer *MAM*

**DATE:** May 24, 2012

**SUBJECT:** Ordinance 2012-24, Authorizing the Sale of Certain Parcels of Borough Land in the Widgeon Woods Phase Two Subdivision by Sealed Bid Procedures

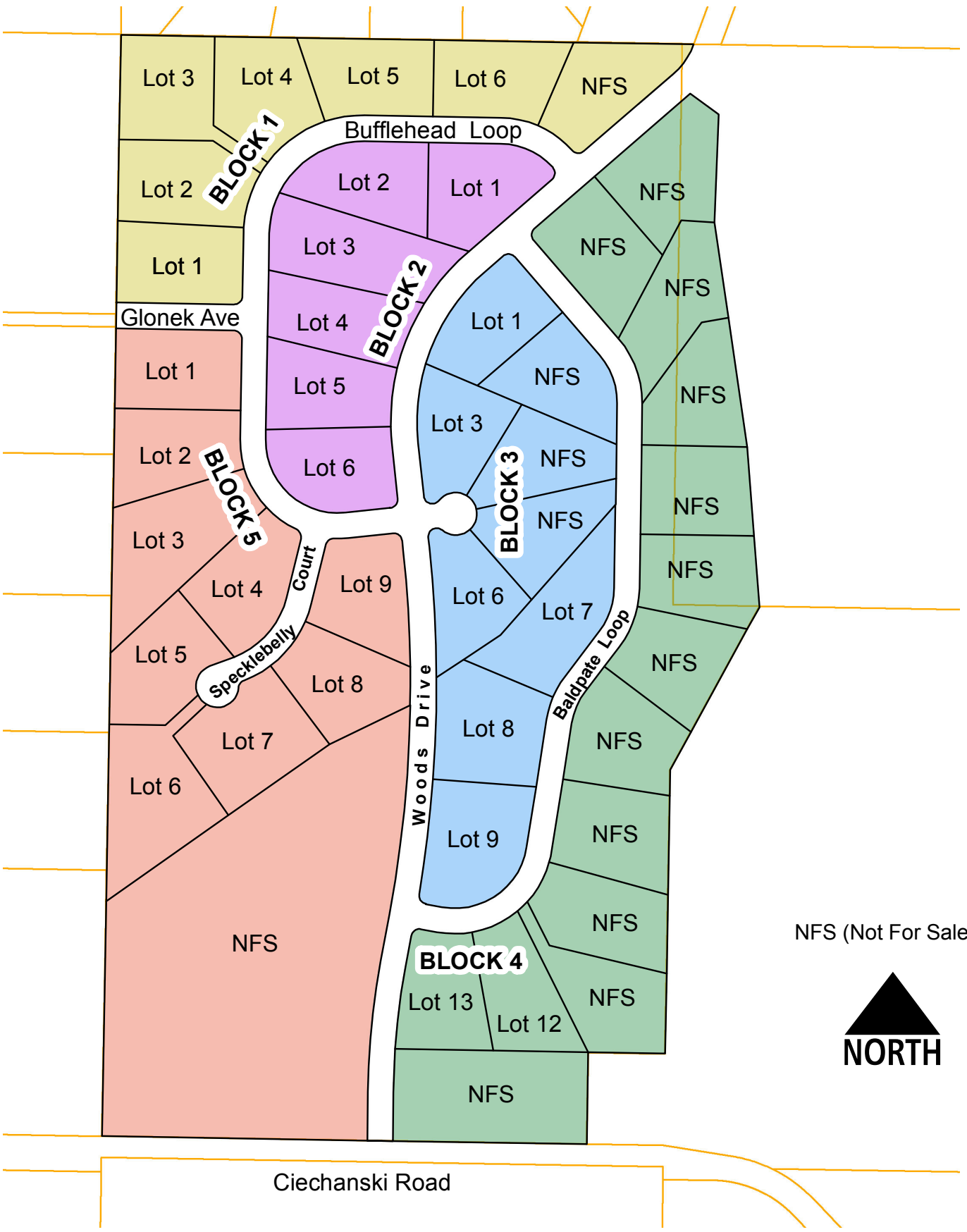
The Widgeon Woods Subdivision Project is nearly completed. All roads are constructed and electric and gas utilities are installed. Twenty-nine lots are available to be marketed. Thirteen additional lots will be available after easements have been vacated.

As an approach to achieve multiple goals with the sale of lots within Widgeon Woods Subdivision, a sealed bid land sale offering eight lots from the pool of twenty-nine available lots is recommended and proposed. This sale approach would establish a single minimum bid of \$33,000 per lot for the sale. Bidders would bid on the pool of available lots and the choice of lot would go to the bidders, in high bid order, until eight lots are sold.

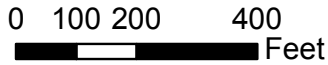
The bid opening is proposed for September 20, 2012. A sale brochure will be prepared which will delineate the parcels and explain the sealed bid procedures. Notice of the land sale will be published in accordance with KP.B 17.10.110 and the brochure will be made available on the borough's land management website.

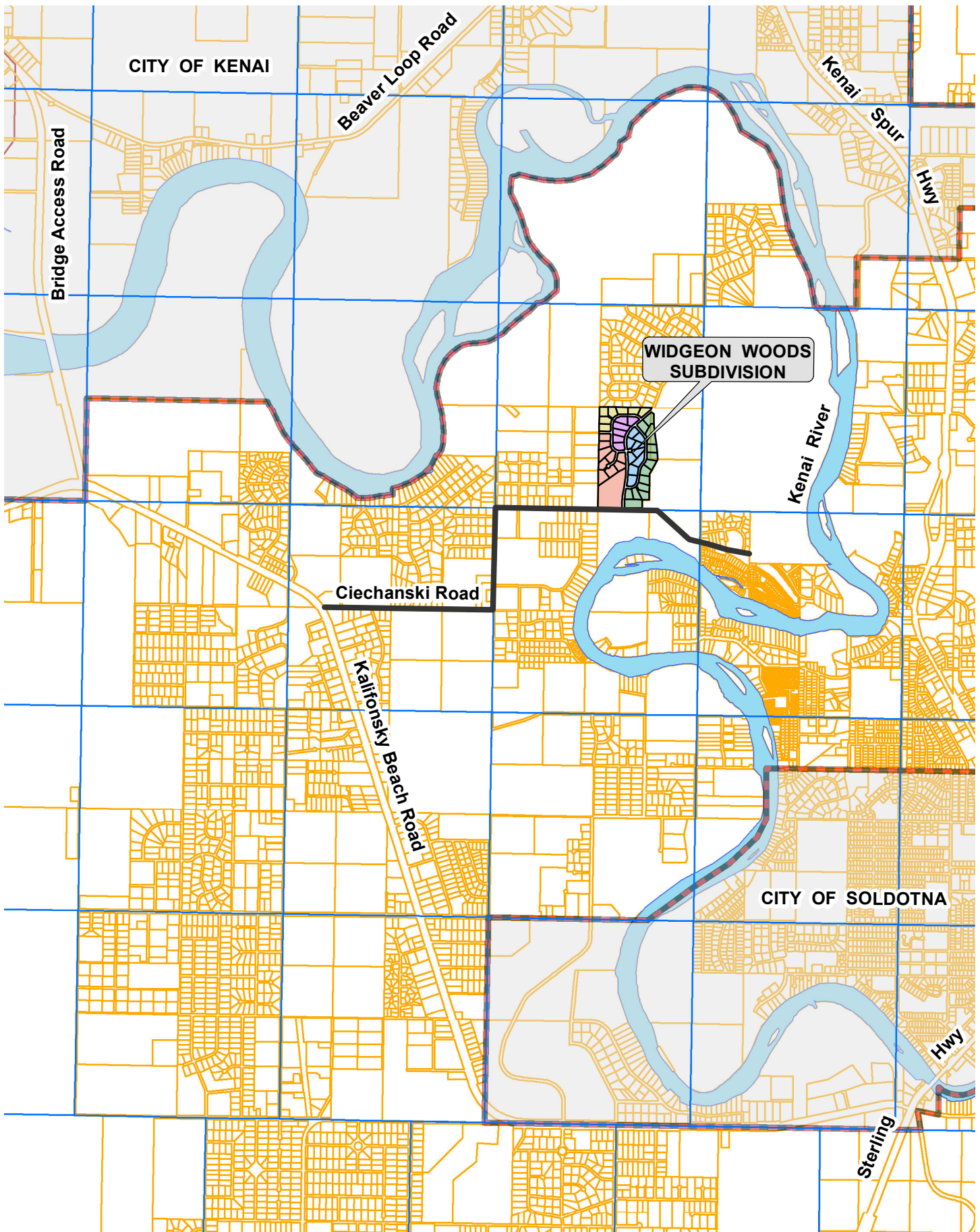
Your consideration of this ordinance is appreciated.



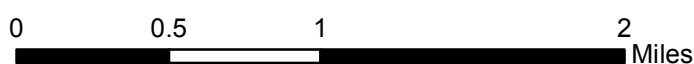


**SUBDIVISION PARCEL MAP**





# VICINITY MAP



**Market Value Conclusion, Widgeon Woods S/D, Phase Two**

Legal Description	Size (acres)	Comparative features (to Key Lot)	Elements of Comparison (applied to Key Lot value/acre)				View amenity	Conclusion	
			Size	Topography	Attributes	Shape			
Key Lot Lt.5, Blk.2	1.225	Very gradual east slope down, partial cleared	1.225	gradual slope	typical	irreg. typcl.	double frntage	none	\$30,000
<b>Block 1</b>									
Lot 1	1.274	Very gradual north slope down, similar tree cover					corner		\$31,000
Lot 2	1.314	Very gradual north slope down, similar tree cover							\$30,000
Lot 3	1.349	Level, similar tree cover							\$30,000
Lot 4	1.310	Mostly level, similar tree cover							\$30,000
Lot 5	1.215	Mostly level, similar tree cover							\$29,000
Lot 6	1.215	Gradual west slope down, similar tree cover							\$29,000
Lot 7	1.215	Very gradual west slope down, similar tree cover					corner		\$30,000
<b>Block 2</b>									
Lot 1	1.241	Very gradual rolling, SE slope down, similar trees							\$30,500
Lot 2	1.241	Very gradual rolling, SE slope down, similar trees							\$30,000
Lot 3	1.597	Very gradual rolling, SE slope down, similar trees							\$31,500
Lot 4	1.225	Very gradual east slope down, similar trees							\$30,000
Lot Key 5	1.225	<b>Key lot</b>							\$30,000
Lot 6	1.225	Very gradual east slope down, similar trees					corner		\$30,000
<b>Block 3</b>									
Lot 1	1.200	Gradual northwest slope down, similar tree cover							\$29,500
Lot 2	1.200	Ridge along east, southeast slope down to ridge toe							\$32,000
Lot 3	1.148	Mostly level, similar tree cover							\$30,000
Lot 4	1.148	Ridge along east, southeast slope down to ridge toe							\$32,500
Lot 5	1.148	Ridge along east, top of ridge at southeast							\$34,000
Lot 6	1.148	Very gradual SE slope, top of ridge at SE lot bndry.							\$34,500
Lot 7	1.495	Includes ridge, toe of slope at road frontage & bndry.							\$34,000
Lot 8	1.495	Ridge intersects NW corner, mostly level							\$31,000
Lot 9	1.495	Includes small knoll, slopes west, south, east down							\$33,000



Market Value Conclusion, Widgeon Woods S/D, Phase Two

Legal Description	Size (acres)	Comparative features (to Key Lot)	Elements of Comparison (applied to Key Lot value/acre)				Lot Value Conclusion		
			Size	Topography	Attributes	Shape		Road frontage	View amenity
Key Lot Lt.5, Blk.2	1.225	Very gradual east slope down, partial cleared	1.225	gradual slope	typical	irreg. typcl.	double frontage	none	\$30,000
<b>Block 4</b>									
Lot 1	1.450	Gradual SE ridge slope, top of slope at east lt boundary	--	+				+++	\$39,000
Lot 2	1.350	Gradual SE ridge slope, top of slope at SE lot boundary	--	+			corner	++	\$35,000
Lot 3	1.269	Gradual SE ridge slope, mid ridge along NW boundary						+	\$34,000
Lot 4	1.205	Very gradl. SE slope, includes slope to wetlands along east bndry.						+	\$32,500
Lot 5	1.240	Very gradl. SE slope, includes slope to wetlands along east bndry.						+	\$33,500
Lot 6	1.240	Very gradl. SE slope, includes slope to wetlands along east bndry.						++	\$36,500
Lot 7	1.240	Mostly level, includes slope to wetlands along SE boundary						++	\$35,000
Lot 8	1.322	Very gradl. SE slope, includes slope to wetlands along SE bndry.						++	\$35,000
Lot 9	1.322	Mostly level, includes all slope to wetlands along east bndry.						+	\$32,000
Lot 10	1.323	Mostly level, includes all slope to wetlands along east bndry.						+	\$32,000
Lot 11	1.200	Level, includes slope to wetlands along east bndry. & NE corner	+				-(flag lot)	+	\$29,500
Lot 12	1.200	Mostly level, similar tree cover	+						\$30,000
Lot 13	1.200	Very gradual SE slope down, similar tree cover	+				corner		\$30,000
Lot 14	2.267	Mostly level, very gradual east slope down	--				corner		\$50,000
<b>Block 5</b>									
Lot 1	1.277	Mostly level, similar tree cover					corner		\$31,000
Lot 2	1.277	Mostly level, similar tree cover							\$30,000
Lot 3	1.785	Mostly level, similar tree cover	--						\$32,000
Lot 4	1.277	Very gradual northwest slope down, similar tree cover					corner		\$31,500
Lot 5	1.277	Very gradual northwest slope down, similar tree cover							\$30,500
Lot 6	1.749	Gradual SE slope, includes ridge, top & toe of slope along SE	--						\$37,000
Lot 7	1.495	Gradual SE slope, includes ridge, top & toe of slope along SE	--				-(flag lot)		\$35,000
Lot 8	1.495	Gradual SE slope, includes ridge along SE lot boundary	--						\$35,000
Lot 9	1.304	Very gradual northeast slope down, similar tree cover					corner		\$30,500



DERRY & ASSOCIATES, INC.



## **KENAI PENINSULA BOROUGH**

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**MIKE NAVARRE  
BOROUGH MAYOR**

May 30, 2012

Dear Adjacent Land Owner:

### **Notice of Public Meetings for Proposed Land Sale**

This courtesy notice is being sent to you because the Borough is proposing to sell land that is near your property. Ordinance 2012-24 is scheduled for a public meeting and would authorize the sale of certain parcels of Borough land in the Widgeon Woods Phase Two Subdivision by sealed bid to the general public.

**Public Meeting Schedule:** The public is invited to comment and give testimony on Ordinance 2012-24 at the following public meetings as shown below unless otherwise advertised.

KPB Planning Commission Public Hearing: June 11, 2012, 7:30 p.m.

KPB Assembly Meeting: July 3, 2012, 7:00 p.m.

Meetings are scheduled to be held at the KPB Administration Building, 144 N. Binkley Street, Soldotna, AK 99669, unless otherwise advertised.

You can view Ordinance 2012-24, supplemental information, and a map at

**<http://www.borough.kenai.ak.us/AssemblyClerk>**

**Then click on “Ordinances / Resolutions”**

**Then click on “2012”**

**Then navigate to Ordinance 2012-24**

The land sale bid opening is proposed for September 20, 2012. If you are interested in further details our land sale brochure will delineate the parcels and explain the sealed bid procedures. This brochure will be available after **July 5<sup>th</sup>** on the Borough’s Land Management website at

**<http://www.borough.kenai.ak.us/LandManagement>**

**Additional Information:** For further information contact Marcus Mueller or Dan Conetta, Land Management Division at 907-714-2211 or toll free within the Borough at 1-800-478-4441, ext. 2211. The Kenai Peninsula Borough reserves the right to waive technical defects in this publication.

Introduced by: Mayor  
Date: 06/19/12  
Shortened Hearing: 07/03/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-25**

**AN ORDINANCE AMENDING KPB 16.06.030(A) TO EXTEND THE DEADLINE FOR  
SERVICE AREAS TO OBTAIN AN ENERGY AUDIT**

- 1 **WHEREAS**, Ordinance 2011-30, enacted September 6, 2011, implemented an energy  
2 conservation program for all Kenai Peninsula Borough service areas; and
- 3 **WHEREAS**, since enactment of that ordinance the administration submitted the required  
4 Energy Policy Guide to the assembly which was approved on February 14, 2012,  
5 in Ordinance 2012-01; and
- 6 **WHEREAS**, funds for the energy audits were appropriated in the FY2013 budget and will not  
7 be available until July 1, 2012; and
- 8 **WHEREAS**, the capital projects department expects to be prepared to issue a request for  
9 proposals to conduct the required energy audits in July 2012; and
- 10 **WHEREAS**, the code requires that these audits be completed by September 6, 2012; and
- 11 **WHEREAS**, most energy audits include infrared photography to identify heat loss on the  
12 building envelope which is best completed in the winter; and
- 13 **WHEREAS**, to conduct the audits the auditors will need to gather data for all service area sites  
14 and input it into the energy model, complete site visits, find recommended  
15 upgrades, complete the return and investment analysis, and issue draft and final  
16 reports; and

1 **WHEREAS**, additional time is needed to complete the initial energy audits in a manner that  
2 will provide the best data;

3 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
4 **PENINSULA BOROUGH:**

5 **SECTION 1.** That KPB 16.06.030(A) is hereby amended as follows:

6 **16.06.030. Energy Audits.**

7 A. Requirement to Obtain Energy Audits. Subject to assembly appropriation  
8 and availability of funds, every service area shall obtain an energy audit of  
9 their respective operations and owned facilities within 12 months of  
10 enactment of this chapter unless otherwise approved by the assembly by  
11 resolution or ordinance. Service areas formed after enactment of this  
12 chapter shall obtain an energy audit within 12 months of the service area  
13 establishment unless otherwise approved by the assembly by resolution or  
14 ordinance. Additional energy audits shall be conducted approximately  
15 once every ten years and an audit of any new facility shall be conducted  
16 within 12 months of its acquisition or construction unless otherwise  
17 approved by the assembly by resolution or ordinance.

18 **SECTION 2.** That the deadline of September 6, 2012 for existing service areas and October 4,  
19 2012 for the Seldovia Recreational Service Area to obtain an initial energy audit  
20 is extended to January 31, 2013.

21 **SECTION 3.** That this ordinance takes effect immediately upon its enactment.  
22

1 ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \*  
2 DAY OF \* 2012.

---

Gary Knopp, Assembly President

ATTEST:

---

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:





## **KENAI PENINSULA BOROUGH**

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**MIKE NAVARRE**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Gary Knopp, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Mayor *MN*

**FROM:** Kevin Lyon, Capital Projects Director *KL*

**DATE:** June 7, 2012

**SUBJECT:** Ordinance 2012-25, amending KPB 16.06.030(A) to extend the deadline for services areas to obtain an energy audit

Following enactment of ordinance 2011-30 on September 6, 2011, which implemented an energy conservation program for the Kenai Peninsula Borough service areas, the administration has taken steps to comply with the requirements. It prepared and submitted the energy policy guide to the assembly which was approved on February 14, 2012. Additionally, the capital projects department has worked on a request for proposals to conduct the required energy audits the estimated funding for which was included in the FY2013 budget. Currently the code requires that these audits be completed by September 6, 2012.

The capital projects department expects to be ready to issue a request for proposals to conduct the required energy audits in July 2012. However, it has been determined that most energy audits include infrared photography which identifies heat loss on the building envelope, and these are best completed in the winter. Also, a significant amount of work is required to conduct the audits, including data gathering, site visits, finding the recommended upgrades, completing a return on investment analysis, and issuing the draft and final reports.

Given this information the administration respectfully requests the assembly authorize an extension of time until January 31, 2013, to complete the energy audits. It anticipates this will result in audits based on more complete data and would contain a more thorough analysis. The January 31, 2013, deadline also provides the service area boards with time to consider the information and decide how much funds to request for the energy conservation measures they choose to request. Shortened hearing is requested as the next assembly meeting is August 7, 2012, and the administration needs to know before then whether the additional time is approved. Your approval of this ordinance is respectfully requested.

Introduced by: Mayor  
Date: 06/19/12  
Shortened Hearing: 07/03/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-26**

**AN ORDINANCE REPEALING THE JUNE 30, 2012 EXPIRATION DATE IN  
ORDINANCE 2011-19-66, WHICH APPROPRIATED \$240,000 IN UNAPPROPRIATED  
INTEREST INCOME FROM THE ENVIRONMENTAL PROTECTION FUND FOR  
ADDITIONAL FUNDING OF THE SPRUCE BARK BEETLE PROGRAM**

1 **WHEREAS**, Ordinance 2011-19-66 appropriated \$240,000 in interest income from the  
2 Environmental Protection Fund for the Spruce Bark Beetle (SBB) Program; and

3 **WHEREAS**, Ordinance 2011-19-66 provided funding for the SBB program through June 30,  
4 2012, which was based on the expectation that the SBB program would either  
5 terminate by that date or that additional funds would be received; and

6 **WHEREAS**, due to weather conditions including heavy snow and an accelerated spring thaw, a  
7 number of projects could not be completed by June 30, 2012; and

8 **WHEREAS**, it is anticipated that a majority of the remaining projects will be completed by  
9 September 1, 2012;

10 **WHEREAS**, the expiration clause should be repealed to allow sufficient time for completion of  
11 the projects; and

12 **WHEREAS**, to ensure continuous operations this ordinance should be effective retroactively on  
13 June 30, 2012;

14 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
15 **PENINSULA BOROUGH:**

1 **SECTION 1.** That the expiration date of June 30, 2012, in Ordinance 2011-19-66 is hereby  
2 repealed.

3 **SECTION 2.** That this ordinance takes effect retroactively on June 30, 2012.

4 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
5 **DAY OF \* 2012.**

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Gary Knopp, Assembly President

ATTEST:

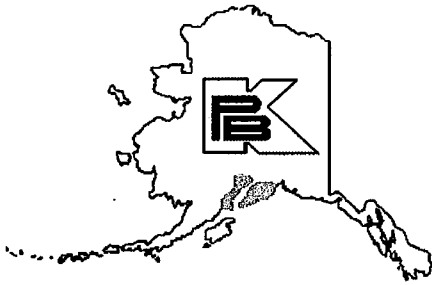
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Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



## **KENAI PENINSULA BOROUGH**

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**MIKE NAVARRE**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Gary Knopp, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Mayor *MN*  
Craig Chapman, Director of Finance *C Chapman*

**FROM:** Max Best, Director of Planning *MB for MB*

**DATE:** June 18, 2012

**SUBJECT:** Ordinance 2012-26, repealing the June 30, 2012 expiration date in ordinance 2011-19-66

In February 2012 the assembly appropriated \$240,000 of the unappropriated interest income from the Environmental Protection Fund for additional funding of the Spruce Bark Beetle (SBB) program. The ordinance has an expiration date of June 30, 2012, for project funding.

Currently SBB is utilizing the interest income for salaries to facilitate the expenditure of the remaining grant funds. Several projects were suspended due to an accelerated spring thaw and are scheduled to continue into this fall. The SBB program currently has one full-time and one 30-hour employee.

Based on current projections and contractual obligations most projects will be completed by September 1, 2012. Hearing on shortened time is requested as the next hearing after July 3, 2012 is August 7, and the programs would not be completed timely with that delay.

Introduced by: Mayor  
Date: 01/17/12  
Hearing: 02/14/12  
Action: Enacted  
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2011-19-66**

**AN ORDINANCE APPROPRIATING \$240,000 IN UNAPPROPRIATED INTEREST  
INCOME FROM THE ENVIRONMENTAL PROTECTION FUND FOR ADDITIONAL  
FUNDING OF THE SPRUCE BARK BEETLE PROGRAM**

**WHEREAS**, since 1998, the borough has received grant funding of almost \$20,000,000 for the Spruce Bark Beetle (SBB) Program; and

**WHEREAS**, funding provided by the SBB program has been used for wildland mitigation, hazardous tree removal, and other projects to minimize the devastation caused by the spruce bark beetle; and

**WHEREAS**, based upon current projections, the grant funds received for the Spruce Bark Beetle Program will be expended by the end of March 2012; and

**WHEREAS**, there are more projects the SBB program would like to complete prior to June 30, 2012; and

**WHEREAS**, since its inception, the SBB program has earned interest income of \$1,864,000 of which \$1,276,000 has been previously appropriated; and

**WHEREAS**, the administration is requesting that \$240,000 of the unappropriated interest income be appropriated allowing for these projects to be completed; and

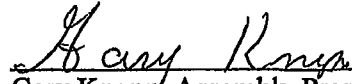
**WHEREAS**, appropriation of the interest income will allow the SBB program to continue until June 30, 2012 at which time the program will sunset unless additional funding is received;

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That \$240,000 in interest income earned by the SBB program is appropriated from the Environmental Protection Fund, fund balance to account no. 262.21320.12INT.49999 to provide funding for the SBB program through June 30, 2012.

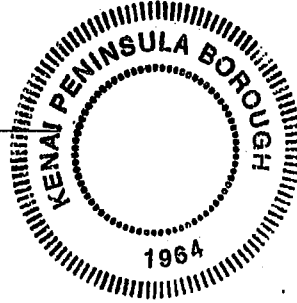
**SECTION 2.** That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS  
14TH DAY OF FEBRUARY, 2012.

  
\_\_\_\_\_  
Gary Knopp, Assembly President

ATTEST:

  
\_\_\_\_\_  
John Blankenship, Borough Clerk



Yes: Haggerty, Johnson, McClure, Pierce, Smalley, Smith, Tauriainen, Knopp  
No: None  
Absent: Murphy

Introduced by:

Mayor

Date:

07/03/12

Hearing:

Action:

Vote:

**KENAI PENINSULA BOROUGH  
RESOLUTION 2012-056**

**A RESOLUTION AUTHORIZING ROAD SERVICE AREA CAPITAL  
IMPROVEMENT PROJECT: MAYONI STREET #C4MAY CONTRACT AWARD AND  
ALLOCATION**

1 **WHEREAS**, the Kenai Peninsula Borough Road Service Area (RSA) annually prioritizes a list  
2 of capital improvement projects that includes the estimated total cost for each  
3 project; and

4 **WHEREAS**, the total project cost including design services, contract services, inter-  
5 departmental charges, and contingencies is to be allocated to the project; and

6 **WHEREAS**, at its regular meeting of August 10, 2010, the Road Service Area Board  
7 recommended by unanimous vote approval of Road Service Area Resolution  
8 2010-10, Approving Additional Road Projects Be Included As Fiscal Year 2011  
9 Capital Improvement Projects; and

10 **WHEREAS**, total project cost funds are available from the following:

- 11 • 434.33950.11252.49999  
12 • 434.33950.9STIP.49999

13 **WHEREAS**, the RSA has solicited and received \_\_\_\_\_ ( ) bids for the RSA Capital  
14 Improvement Project: Mayoni Street #C4MAY; and

15 **WHEREAS**, the bids have been reviewed by the RSA and the low responsive bid was  
16 submitted by \_\_\_\_\_;

1 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**  
2 **PENINSULA BOROUGH:**

3 **SECTION 1.** That the mayor is authorized to award a contract to \_\_\_\_\_ to  
4 perform the work for RSA Capital Improvement Project: Mayoni Street #C4MAY  
5 for the bid amount of \$\_\_\_\_\_.

6 **SECTION 2.** That the mayor is authorized to allocate project cost, \$\_\_\_\_\_, to account  
7 number 434.33950.C4MAY.49999.

8 **SECTION 3.** That the mayor is authorized to execute all documents and make all agreements  
9 deemed necessary to complete this project in accordance with this resolution and  
10 contract documents.

11 **SECTION 4.** That this resolution shall take effect immediately upon its adoption.

12 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD**  
13 **DAY OF JULY, 2012.**

\_\_\_\_\_  
Gary Knopp, Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, Borough Clerk

Yes:

No:

Absent:





# KENAI PENINSULA BOROUGH

## Road Service Area

47140 E. Poppy Lane • Soldotna, Alaska 99669  
Toll-free within the Borough: 1-800-478-4427  
PHONE: (907) 262-4427 • FAX: (907) 262-6090  
www.borough.kenai.ak.us

**MIKE NAVARRE**  
**BOROUGH MAYOR**

### MEMORANDUM

**TO:** Gary Knopp, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Kenai Peninsula Borough Mayor *MN*  
Craig Chapman, Director of Finance *C Chapman*  
Mark Fowler, Purchasing & Contracting Director *M Fowler*

**FROM:** Doug Schoessler, Road Service Area Director *D Schoessler*

**DATE:** June 20, 2012

**SUBJECT:** Resolution 2012- 056, Road Service Area Capital Improvement Project:  
Mayoni Street #C4MAY Contract Award and Allocation

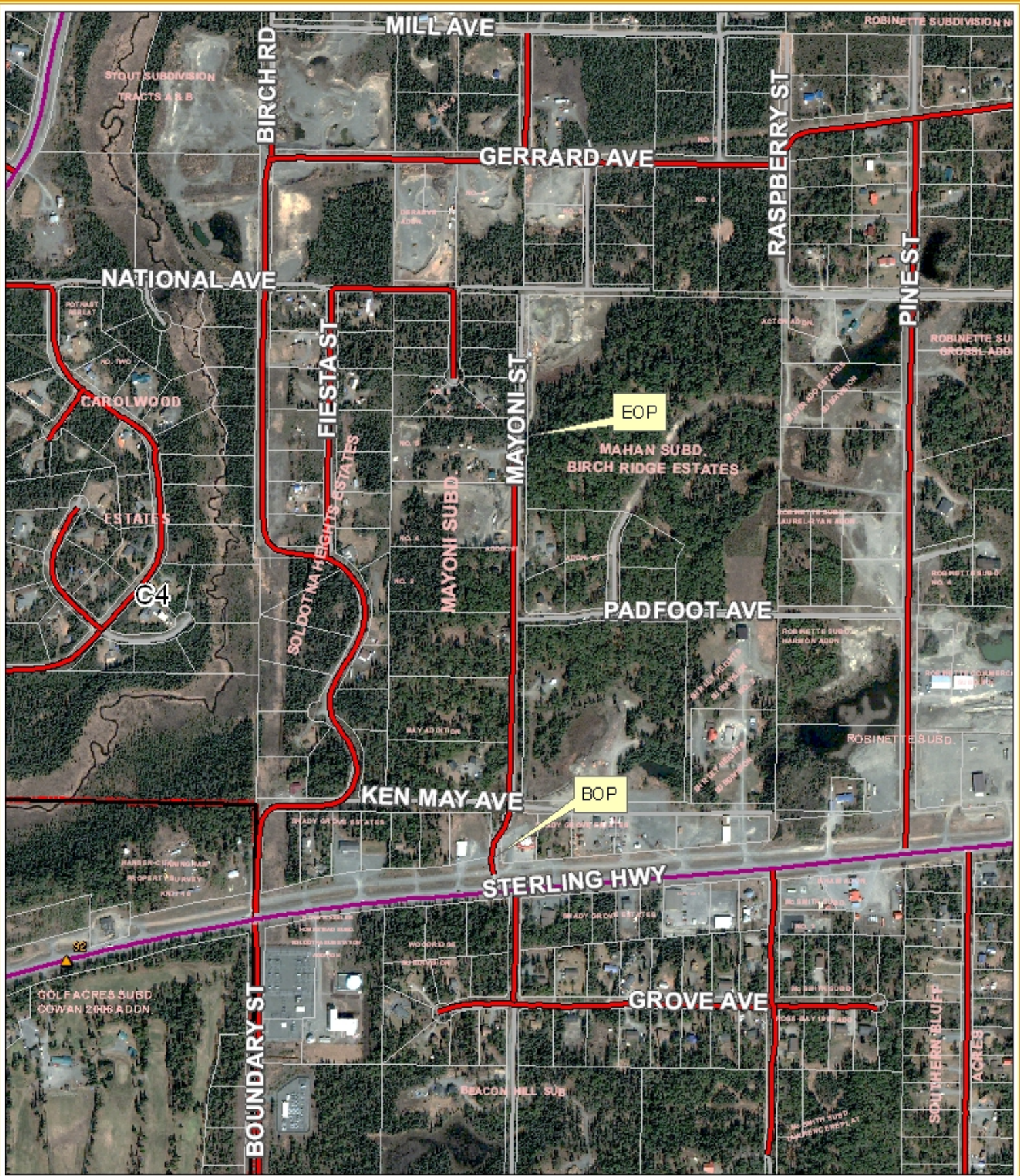
On June 18, 2012, the Kenai Peninsula Borough Road Service Area solicited bids for Mayoni Street Capital Improvement Project #C4MAY for completion in summer 2012. The invitation to bid was advertised in the Peninsula Clarion on June 19, 20 & 21, 2012.

The project award is submitted to the assembly for approval because the funds for CIPs have only been appropriated by the assembly but not yet allocated. This project has been approved through Road Service Area Resolution 2010-10, Approving Additional Road Projects Be Included As FY2011 Capital Improvement Projects.

This resolution authorizes the project to proceed, allocates funds to the project, and awards the project to the lowest, qualified, responsive, and responsible contractor.

As authorized by KPB 22.40.050(E) this resolution is being submitted in blank because the bids are due June 28, 2012, after packet closure for the July 3, 2012 assembly meeting. The information to be inserted will be provided to the assembly prior to the July 3, 2012 meeting.

<b>FINANCE DEPARTMENT FUNDS VERIFIED</b>	
Acct. #434.33950.9STIP.49999 #434.33950.11252.49999	
Amount \$ <u>Pending Bid Opening</u>	
By: <u>pe</u>	Date: <u>6/21/12</u>



The information depicted here is only for a graphical representation of best available sources. The local jurisdictional authority assumes no responsibility for any errors on this map.

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# MAYONI ST



Introduced by:

Mayor

Date:

07/03/12

Action:

Vote:

**KENAI PENINSULA BOROUGH  
RESOLUTION 2012-057**

**A RESOLUTION AUTHORIZING ROAD SERVICE AREA CAPITAL  
IMPROVEMENT PROJECT: NORTH KOBUK STREET, SPRUCE AVENUE, VIEW  
LANE, MARY AVENUE, CENTRAL AVENUE, SPINAKE DRIVE, EVERWELL  
PLACE, MARSHALL DRIVE AND SUNSET PARK STREET #C5NOR CONTRACT  
AWARD AND ALLOCATION**

1 **WHEREAS**, the Kenai Peninsula Borough Road Service Area (RSA) annually prioritizes a list  
2 of capital improvement projects that includes the estimated total cost for each  
3 project; and

4 **WHEREAS**, the total project cost including design services, contract services, inter-  
5 departmental charges, and contingencies is to be allocated to the project; and

6 **WHEREAS**, at its regular meeting of August 10, 2010, the Road Service Area Board  
7 recommended by unanimous vote approval of Road Service Area Resolution  
8 2010-10, Approving Additional Road Projects Be Included As Fiscal Year 2011  
9 Capital Improvement Projects; and

10 **WHEREAS**, at its regular meeting of February 8, 2011, the RSA Board added Spruce Avenue  
11 to the project; and

12 **WHEREAS**, total project cost funds are available from the following:

- 13
- 434.33950.11252.49999

1 **WHEREAS**, the RSA has solicited and received \_\_\_\_\_ ( ) bids for the RSA Capital  
2 Improvement Project: North Kobuk Street, Spruce Avenue, View Lane, Mary  
3 Avenue, Central Avenue, Spinaker Drive, Everwell Place, Marshall Drive and  
4 Sunset Park Street #C5NOR; and

5 **WHEREAS**, the bids have been reviewed by the RSA and the low responsive bid was  
6 submitted by \_\_\_\_\_;

7 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**  
8 **PENINSULA BOROUGH:**

9 **SECTION 1.** That the mayor is authorized to award a contract to \_\_\_\_\_ to  
10 perform the work for RSA Capital Improvement Project: North Kobuk Street,  
11 Spruce Avenue, View Lane, Mary Avenue, Central Avenue, Spinaker Drive,  
12 Everwell Place, Marshall Drive and Sunset Park Street #C5NOR for the bid  
13 amount of \$\_\_\_\_\_.

14 **SECTION 2.** That the mayor is authorized to allocate project cost, \$\_\_\_\_\_, to account  
15 number 434.33950.C5NOR.49999.

16 **SECTION 3.** That the mayor is authorized to execute all documents and make all agreements  
17 deemed necessary to complete this project in accordance with this resolution and  
18 contract documents.

19 **SECTION 4.** That this resolution shall take effect immediately upon its adoption.

1 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD**  
2 **DAY OF JULY, 2012.**

\_\_\_\_\_  
Gary Knopp, Assembly President

ATTEST:

\_\_\_\_\_  
Johmi Blankenship, Borough Clerk

Yes:

No:

Absent:



# KENAI PENINSULA BOROUGH

Road Service Area

47140 E. Poppy Lane • Soldotna, Alaska 99669

Toll-free within the Borough: 1-800-478-4427

PHONE: (907) 262-4427 • FAX: (907) 262-6090

www.borough.kenai.ak.us

**MIKE NAVARRE**  
**BOROUGH MAYOR**

## MEMORANDUM

**TO:** Gary Knopp, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Kenai Peninsula Borough Mayor *MN*  
Craig Chapman, Director of Finance *C Chapman*  
Mark Fowler, Purchasing & Contracting Director *M Fowler*

**FROM:** Doug Schoessler, Road Service Area Director *D Schoessler*

**DATE:** June 20, 2012

**SUBJECT:** Resolution 2012- 057, Road Service Area Capital Improvement Project: North Kobuk Street, Spruce Avenue, View Lane, Mary Avenue, Central Avenue, Spinaker Drive, Everwell Place, Marshall Drive and Sunset Park Street #C5NOR Contract Award and Allocation

On June 18, 2012, the Kenai Peninsula Borough Road Service Area (RSA) solicited bids for the North Kobuk Street, Spruce Avenue, View Lane, Mary Avenue, Central Avenue, Spinaker Drive, Everwell Place, Marshall Drive and Sunset Park Street Capital Improvement Project #C5NOR for completion in summer 2012. The invitation to bid was advertised in the Peninsula Clarion on June 19, 20 & 21, 2012.

The project award is submitted to the assembly for approval because the funds for CIPs have only been appropriated by the assembly but not yet allocated. This project has been approved through Road Service Area Resolution 2010-10, Approving Additional Road Projects Be Included As FY2011 Capital Improvement Projects. While Spruce Avenue was not initially included in the project, it was added by motion at the RSA's February 8, 2011, meeting.

This resolution authorizes the project to proceed, allocates funds to the project, and awards the project to the lowest, qualified, responsive, and responsible contractor.

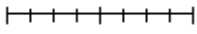
As authorized by KPB 22.40.050(E) this resolution is being submitted in blank because the bids are due June 28, 2012, after packet closure for the July 3, 2012 assembly meeting. The information to be inserted will be provided to the assembly prior to the July 3, 2012 meeting.

<b>FINANCE DEPARTMENT FUNDS</b>	
<b>VERIFIED</b>	
Acct. #434.33950.11252.49999	Amount \$ <u>Pending</u> <u>Bid Opening</u>
By: <u>foe</u>	Date: <u>6/21/12</u>



The information depicted here is only for a graphical representation of the best available sources. The Hazelton Borough assumes no responsibility for any errors on this map.

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**KOBUK ST, SPRUCE AVE, VIEW LN, MARY AVE  
CENTRAL AVE, SPINAKER DR, EVERWELL PL.  
MARSHALL DR, SUNSET PARK ST**



Introduced by: Smalley  
Date: 07/03/12  
Hearing: 08/07/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-27**

**AN ORDINANCE ENACTING KPB 5.12.101 TO CLASSIFY AND EXEMPT FROM  
REAL PROPERTY TAXATION RESIDENTIAL RENEWABLE ENERGY SYSTEMS  
USED TO DEVELOP MEANS OF ENERGY PRODUCTION USING ENERGY  
SOURCES OTHER THAN FOSSIL OR NUCLEAR FUELS**

1 **WHEREAS**, on June 16, 2010, Alaska Senate Bill 220 was enacted and provided in part for an  
2 optional municipal real property tax exemption for residential renewable energy  
3 systems; and

4 **WHEREAS**, AS 29.45.050(b)(1)(E) now provides that a municipality may by ordinance  
5 classify and exempt from taxation a residential renewable energy system that is  
6 used to develop means of energy production using energy sources other than  
7 fossil or nuclear fuel, including windmills and water and solar energy devices  
8 located in a municipality; and

9 **WHEREAS**, exempting residential renewable energy systems from real property taxation may  
10 encourage the use and development of such systems which may reduce  
11 consumption of fossil fuels and also reduce the emission of carbon dioxide and  
12 pollutants;

13 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
14 **PENINSULA BOROUGH:**

15 **SECTION 1.** That KPB 5.12.101 is hereby enacted as follows:



1           **5.12.101. Real property tax—Exemptions—Residential renewable energy**  
2           **systems.**

3           A.     Residential renewable energy systems that are used to develop means of  
4                   energy production using energy sources other than fossil or nuclear fuel,  
5                   including, but not limited to windmills and water and solar energy devices  
6                   located in the borough are exempt from taxation under this chapter.

7           B.     No exemption under this section may be granted except upon written  
8                   application on a form prescribed by the assessor. The applicant/owner  
9                   must file the application no later than January 15 of the tax year for which  
10                  the exemption is sought.

11          C.     The assessor may require such information as is reasonably necessary to  
12                  determine the type and/or nature of the renewable energy system, and the  
13                  improvements or components that make up that system. The exemption in  
14                  this section will not be approved unless the required information is  
15                  provided to the assessor.

16          D.     Definitions.

17               1.     For purposes of this section “*renewable energy*” means energy  
18                   which comes from natural resources such as sunlight, wind, rain,  
19                   tides, geothermal heat, or other natural movements and  
20                   mechanisms of the environment, or other sources that are  
21                   renewable and naturally replenished in a short amount of time.  
22                   Renewable energy does not include energy derived from fossil  
23                   fuels.

1                   2.     For purposes of this section “*renewable energy system*” means any  
2                   residential real property improvement that produces renewable  
3                   energy on site to provide all or a portion of the electricity, heating,  
4                   cooling or other energy needs of the property.

5                   3.     For purposes of this section “*fossil fuel*” means a carbon or  
6                   hydrocarbon source such as coal, petroleum, or natural gas, derived  
7                   from living matter of a previous geologic time and used for fuel.

8                   4.     Notwithstanding any other provision of this section, “*renewable*  
9                   *energy*” and “*renewable energy systems*” specifically do not  
10                  include any heating or other energy producing system utilizing  
11                  wood as a fuel source.

12   **SECTION 4.** That this ordinance takes effect immediately upon its enactment.

13   **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
14   **DAY OF \* 2012.**

\_\_\_\_\_  
Gary Knopp, Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, Borough Clerk

Yes:

No:

Absent:

# KENAI PENINSULA BOROUGH

## Kenai Peninsula Borough Assembly

144 North Binkley Street  
Soldotna, AK 99669  
Phone 907-714-2160  
Fax 907-714-2388

Gary Knopp, Assembly President  
Charlie Pierce, Vice President

---

### MEMORANDUM

**TO:** Gary Knopp, Assembly President  
Kenai Peninsula Borough Assembly Members

**FROM:** Hal Smalley, Assembly Member *JB for H.S.*

**DATE:** July 3, 2012

**RE:** Ordinance 2012-27, enacting KPB 5.12.101 to classify and exempt from real property taxation residential renewable energy systems used to develop means of energy production using energy sources other than fossil or nuclear fuels

---

This ordinance exempts residential renewable energy systems from real property taxation for the purpose of encouraging the use of such systems and thereby reducing pollutant emissions and the consumption of non-renewable resources. In 2010 Senate Bill 220 was enacted which amended AS 29.45.050 to provide that a municipality may by ordinance classify and exempt from taxation residential renewable energy systems. The most common exempted systems would likely be windmills, solar panels or small hydroelectric projects. As state statute does not define some of the key terms in the ordinance such as "renewable energy" or "fossil fuel" the legal department drafted a definitions section based on outside sources including other governmental and internet resources.

Specifically excluded from the exemption are energy systems that utilize fossil, nuclear or wood fuels. The exemption is further limited to energy systems that are for residential use and on site.

Introduced by: McClure  
Date: 07/03/12  
Hearing: 08/07/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-28**

**AN ORDINANCE AMENDING KPB 16.50.030 TO PROVIDE THAT ALL SEATS OF  
THE SEWARD-BEAR CREEK FLOOD SERVICE AREA BOARD SHALL BE FILLED  
BY RESIDENTS OF THE SERVICE AREA AND ELIMINATING THE  
REQUIREMENT THAT FOUR OF THE SEATS BE RESIDENTS OF THE CITY OF  
SEWARD AND THREE BE RESIDENTS OF THE REST OF THE SERVICE AREA**

1 **WHEREAS**, the Seward-Bear Creek Flood Service Area (“SBCFSA”) was established in  
2 Ordinance 2003-30 and approved by the service area voters in the October 2003  
3 regular election; and

4 **WHEREAS**, as enacted the code provides for four of the seven board members to be residents  
5 of the City of Seward and three to be residents of the area outside the city; and

6 **WHEREAS**, the SBCFSA board has experienced difficulties in filling all of the seats  
7 particularly those seats from City of Seward residents; and

8 **WHEREAS**, the service area includes the city and surrounding area and the service area board  
9 is required to represent the interests of the entire service area; and

10 **WHEREAS**, the best interests of the borough and service area support converting this to an  
11 area wide board and eliminating the two election districts in order to expand the  
12 pool of eligible board members; and

13 **WHEREAS**, at its meeting of June 18, 2012, the SBCFSA board approved recommending a  
14 service area wide board by a vote of 4 - 1; and

1 **WHEREAS**, the Seward City Council at its meeting of \_\_\_\_\_ recommended.  
2 \_\_\_\_\_;

3 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
4 **PENINSULA BOROUGH:**

5 **SECTION 1.** That KPB 16.50.030 is amended as follows:

6 **16.50.030. Board of directors.**

7 There is established a board of directors for oversight of the operations of the  
8 Seward-Bear Creek Flood Service Area composed of seven members who shall  
9 be elected by the qualified voters of the service area in the manner provided in the  
10 borough election code and KPB 16.04.065 as now enacted or may be hereinafter  
11 amended. Board seats to be filled at the first election of board members shall be  
12 staggered as follows: Seats A and D for one year; seats B and E for two years; and  
13 seats C, F, and G for three years. [SEATS A, B, C, AND F SHALL BE FILLED BY  
14 RESIDENTS OF THE CITY OF SEWARD, AND SEATS D, E, AND G SHALL BE FILLED BY  
15 RESIDENTS OF THE AREA OUTSIDE THE CITY LIMITS OF THE CITY OF SEWARD AND  
16 INSIDE THE SERVICE AREA BOUNDARIES.] Notwithstanding provisions of KPB  
17 16.04.060, the first board shall be appointed by the mayor and confirmed by the  
18 assembly for one-year terms.

19 **SECTION 2.** That this ordinance takes effect immediately upon its enactment.

1 ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \*  
2 DAY OF \* 2012.

---

Gary Knopp, Assembly President

ATTEST:

---

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:

# KENAI PENINSULA BOROUGH

## Kenai Peninsula Borough Assembly

144 North Binkley Street  
Soldotna, AK 99669  
Phone 907-714-2160  
Fax 907-714-2388

Gary Knopp, Assembly President  
Charlie Pierce, Vice President

---

### MEMORANDUM

**TO:** Gary Knopp, Assembly President  
Kenai Peninsula Borough Assembly Members

**FROM:** Sue McClure, Assembly Member *B. for S.M.*

**DATE:** July 3, 2012

**RE:** Ordinance 2012-28, amending KPB 16.50.030 to provide that all seats of the Seward-Bear Creek Flood Service Area Board shall be areawide seats

---

The Seward-Bear Creek Flood Service Area Board ("SBCFSAB") includes seven seats, of which four must be city residents and three must be elected from the residents of the area outside the city of Seward but within the service area boundary. These requirements were intended to ensure both areas were represented on the board. However, two of the four city seats have been vacant since the October 2011 election and the majority of previous board vacancies were for the city seats. Having two vacancies on a seven member board creates a challenge as four members of the board must vote to approve any item and frequently not all five seated members are able to attend board meetings. Additionally, the service area board members are intended to represent the interests of the entire service area, not just the city or the area outside of the city. Converting this board into a board that is elected areawide would best serve the interests of the borough by expanding the available pool of candidates for all seven seats. Your favorable consideration of this ordinance would be appreciated.

Introduced by: Mayor  
Date: 07/03/12  
Hearing: 08/07/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-29**

**AN ORDINANCE AMENDING KPB 3.04.115 DELETING THE REQUIREMENT THAT  
ALL ADMINISTRATIVE POSITION VACANCIES BE ADVERTISED FOR TWO  
WEEKS**

1 **WHEREAS**, KPB 3.04.115(C) requires the mayor’s office to advertise for person to fill  
2 vacancies in administrative positions other than the chief of staff and the special  
3 assistant to the mayor for a minimum of two weeks; and

4 **WHEREAS**, administrative positions include full-time paid staff who are department heads,  
5 administrative assistants to the mayor, and other administrative, professional,  
6 sensitive or confidential positions not in the classified or legislative service; and

7 **WHEREAS**, requiring the mayor to advertise for two weeks prior to hiring an administrative  
8 employee may delay the hiring process; and

9 **WHEREAS**, repealing this provision does not preclude advertising, but gives the mayor more  
10 flexibility; and

11 **WHEREAS**, KPB 2.20.030 requires the assembly to review and confirm appointments to  
12 executive offices which provides an opportunity for the assembly to ensure  
13 directors are qualified;

14 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
15 **PENINSULA BOROUGH:**



1    **SECTION 1.** That KPB 3.04.115 is hereby amended as follows:

2                   **3.04.115 – Administrative positions of employment – Job descriptions and**  
3                   **advertising.**

4                   A.    The assembly shall authorize, either through the borough's approved  
5                   annual budget, or by resolution, all positions of employment in the  
6                   administrative service. The mayor or any administrative officer designated  
7                   by the mayor shall make each appointment in the administrative service  
8                   from among the top candidates who have qualified for that appointment  
9                   and who have met minimum qualifications. A list of all approved  
10                  administrative positions shall be maintained in the borough office of  
11                  human resources including the job description for each such position.  
12                  Prior to inclusion in that list, the borough assembly shall first approve by  
13                  resolution the minimum qualifications for each such position. This  
14                  requirement does not apply to the chief of staff and the special assistant to  
15                  the mayor.

16                  B.    The job descriptions and the qualifications for all administrative positions  
17                  must be approved by the assembly by resolution.

18                  [C.    WHEN A VACANCY OCCURS OR IS EXPECTED TO OCCUR IN AN  
19                  ADMINISTRATIVE POSITION, THE MAYOR’S OFFICE SHALL ADVERTISE FOR  
20                  PERSONS TO FILL THE POSITION FOR A MINIMUM PERIOD OF TWO WEEKS IN  
21                  ANY APPROPRIATE MEDIUM GENERALLY ACCESSIBLE TO THE RESIDENTS OF  
22                  THE KENAI PENINSULA BOROUGH, ON THE BOROUGH WEBSITE, AND  
23                  THROUGH ANY AND ALL OTHER MEANS REASONABLY DEEMED BY THE  
24                  MAYOR TO SOLICIT QUALIFIED APPLICANTS.]

1 **SECTION 2.** That this ordinance takes effect immediately upon its enactment.

2 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
3 **DAY OF \* 2012.**

\_\_\_\_\_  
Gary Knopp, Assembly President

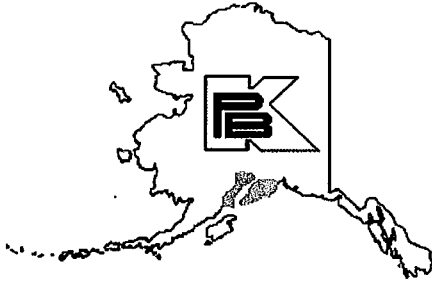
ATTEST:

\_\_\_\_\_  
Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



## **KENAI PENINSULA BOROUGH**

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441

**PHONE:** (907) 262-4441 • **FAX:** (907) 262-1892

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE  
BOROUGH MAYOR**

### MEMORANDUM

**TO:** Gary Knopp, Assembly President  
Members, Kenai Peninsula Borough Assembly

**FROM:** Mike Navarre, Mayor *MN*

**DATE:** June 21, 2012

**SUBJECT:** Ordinance 2012-29, amending KPB 3.04.115 deleting the requirement that all administrative position vacancies be advertised for two weeks

It has recently come to my attention that the borough code was changed in 2009 to require that vacancies in administrative positions be advertised for a minimum of two weeks in the borough. Administrative positions include directors, managerial staff and other non-union administrative, professional, sensitive or confidential positions. These positions work directly or through their director with the mayor's office. At times the mayor may decide it is most appropriate to hire from within the work force given the knowledge and qualifications of available personnel, or to hire other known qualified personnel. Deleting this advertising requirement does not preclude the mayor from advertising; it provides more flexibility for the mayor to promptly fill vacancies. I respectfully request that the assembly repeal this provision.

# KENAI PENINSULA BOROUGH

## Office of the Borough Clerk

144 North Binkley Street  
Soldotna, AK 99669  
Phone 907-714-2160  
Fax 907-714-2388

Johni Blankenship, MMC  
Borough Clerk

---

### MEMORANDUM

**To:** Gary Knopp, Assembly President  
Members of the Assembly

**Thru:** Johni Blankenship, Borough Clerk *B*

**From:** Katie Ring, Borough Clerk Secretary *KR*

**Date:** July 3, 2012

**RE:** New Liquor License – **Alaska Legends Kenai River Lodge**

---

Kenai Peninsula Borough Code 7.10.010 provides for mandatory Assembly review of all applications for new liquor licenses located within the Borough. Accordingly, the attached application filed by Clark and Paula Shen dba Alaska Legends Kenai River Lodge is being submitted to you for review and action.

The Borough Finance Department has reviewed the application and has no objection to the new license based on unpaid taxes. The Planning Department has reviewed the application for proximity to churches and/or schools and has no objection to the new license based on location.

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**RECOMMENDATION:** That the Assembly authorize a letter of non-objection to the issuance of the new liquor license as requested by **Clark and Paula Shen dba Alaska Legends Kenai River Lodge.**

cc: Clark and Paula Shen  
dba Alaska Legends Kenai River Lodge  
1308 Saint Gotthard  
Anchorage, AK 99508

State of Alaska  
**Alcoholic Beverage Control Board**

**RECEIVED**

JUN 12 2012

Date of Notice: June 12, 2012

KPB - Clerks Office

Application Type: **NEW** X

- TRANSFER**
- Ownership
- Location
- Name Change

Governing Body: **Kenai Peninsula Borough**  
 Community Councils: None

License #: 5172  
 License Type: Lodge  
 D.B.A.: Alaska Legends Kenai River Lodge  
 Licensee/Applicant: Clark & Paula Shen  
 Physical Location: 37288 Legends Circle, Soldotna, AK 99669  
 Mail Address: 1308 Saint Gotthard, Anchorage, AK 99508  
 Telephone #: 907-830-7927  
 EIN: 45-5114539

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
N/A				

*Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.*

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
N/A				

If **transfer** application, current license information:

License #:  
 Current D.B.A.:  
 Current Licensee:  
 Current Location:

Additional comments:

**Liquor License Application Review**

TO:  Delinquent Accounts  
 Planning Department

DATE: 1-12-12

Review and return to Borough Clerk with comments by: 7-26-12  
 For Assembly Meeting of 8-7-12

The Finance Department has no objection to the issuance of this license.  
 Date: 6/13/12 By: Paula Shen

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 15 AAC 104.145, Local Governing Body Protest.

**Note:** Applications applied for under AS 04.11.400(g), 15 AAC 104.335(a)(3), AS 04.11.090(e), and 15 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIDLEY A. GIFFORD  
Director



**Sarah D. Oates**

Business Registration Examiner  
sarah.oates@alaska.gov  
(907)269-0356

STATE OF ALASKA  
ALCOHOL BEVERAGE CONTROL BOARD  
Licensed Premises Diagram

**INSTRUCTIONS:** Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

**DBA:** Alaska Legends Kenai River Lodge

**PREMISES LOCATION:** 37288 Legends Circle Soldotna AK 99669

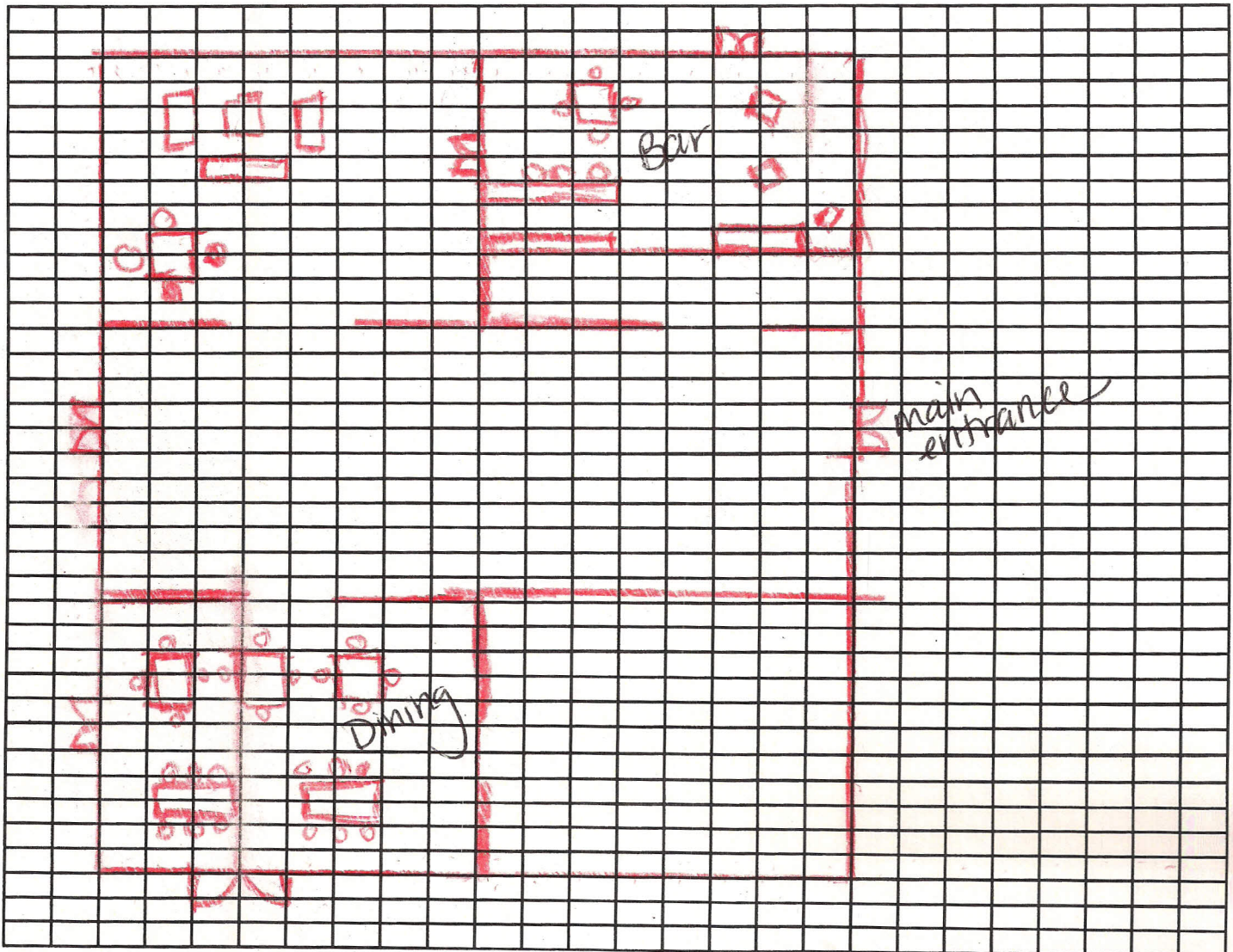
Indicate scale by x after appropriate statement or show length and width of premises. \_\_\_\_\_ 1 SQ. = 4 FT.

**SCALE A:** \_\_\_\_\_ 1 SQ. = 1 FT.

**SCALE B:** X 1 SQ. = 3 ft.

Length and width of premises in feet:

**Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.**  
**DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.**



# Memorandum

**To:** Johni Blankenship, Borough Clerk  
**Thru:** Craig Chapman, Finance Director *pic for C.C.*  
**From:** *W*Lauri Lingafelt, Delinquent Accounts Specialist  
**Date:** June 13, 2012  
**Subject:** New Liquor License

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***Lodge—Kenai Peninsula Borough***

License #5172

Clark and Paula Shen

Db a Alaska Legends River Lodge

Location: 37288 Legends Cr Soldotna, AK 99669

Mail: 1308 Saint Gotthard, Anchorage, AK 99508

Please be advised that the Kenai Peninsula Borough Finance Department has no objection to the new liquor license application for the above noted liquor license based on unpaid taxes.

All tax accounts registered to the business and/or applicants are current at this time.

Please forward us a copy of the Assembly approval/objection letter for our records. Thank you for your consideration in this matter.





## **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

**PHONE:** (907) 714-2200 • **FAX:** (907) 714-2378


Toll-free within the Borough: 1-800-478-4441, Ext. 2200

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

### MEMORANDUM

**TO:** Johni Blankenship, Borough Clerk

**FROM:** Max J. Best, Planning Director 

**RE:** Alaska Legends Kenai River Lodge New Liquor License Application

**DATE:** June 12, 2012

As requested, the Planning Department reviewed the Alaska Legends Kenai River Lodge new liquor license application to determine if churches or schools are within 500 feet (KPB 7.10.020). A 500-foot radius search was done for KPB Parcel 066-170-03, 37288 Legends Circle, Soldotna.

Churches and schools are shown as institutional on the land use map. Kenai Peninsula Borough records show no schools or churches within the 500-foot buffer.

Maps and land status information are attached.

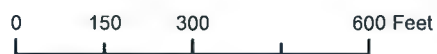


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

### Alaska Legends Kenai River Lodge

### New Liquor License Application

### Land Use within 500 Feet



#### LAND USE

- Accessory Building
- Commercial
- Industrial
- Institutional
- Residential
- Timber/Farm
- Vacant



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Kenai Peninsula Borough Planning Department  
Vicinity Map



6/12/12

# Alaska Legends Kenai River Lodge New Liquor License Application Land Use within 500 Feet

PARCEL_ID	OWNER	ADDRESS	CITY, STATE, ZIP CODE	USAGE	IMPROVEMENT	ACREAGE
06521009	SPOELMAN NELSON L REVOCABLE LIV TRST	7175 PEEBLES RD	CENTRAL LAKE, MI 49622	Residential Accessory Bldg	\$500	0.30
06521010	SPOELMAN KAREN L	3810 DELWOOD PL	ANCHORAGE, AK 99504	Residential Mobile Home	\$1,900	0.34
06521011	MATONIS STEVEN M	PO BOX 1432	STERLING, AK 99672	Residential Dwelling - single	\$445,500	0.32
06521012	STANEK FAMILY TRUST	8100 ONEY CIR	ANCHORAGE, AK 99507	Residential Dwelling - single	\$146,800	0.33
06521013	CLEMENS RICK R	2230 MOUTON DR	CARSON CITY, NV 89706	Residential Dwelling - single	\$68,600	0.35
06521014	CHERF RICK	PO BOX 563	PULLMAN, WA 99163	Residential Vacant	\$-00	0.39
06521015	BUTT SISTERS PROPERTIES	2731 WESLEYAN DR	ANCHORAGE, AK 99508	Residential Improved Land	\$1,500	0.31
06521016	BUTT SISTERS PROPERTIES	2731 WESLEYAN DR	ANCHORAGE, AK 99508	Residential Cabin - single	\$40,900	0.35
06521017	BUTT SISTERS PROPERTIES	2731 WESLEYAN DR	ANCHORAGE, AK 99508	Residential Dwelling - single	\$107,800	0.33
06521018	DAVIES SUSAN J & DAVIES DONALD D	4533 CARAVELLE DR	ANCHORAGE, AK 99502	Residential Vacant	\$-00	0.32
06521019	WATTS YUEH C	PO BOX 1416	STERLING, AK 99672	Residential Improved Land	\$1,500	0.34
06521020	WATTS YUEH CHAO & WATTS WENDELL JAME	PO BOX 1416	STERLING, AK 99672	Residential Dwelling - single	\$279,800	0.35
06521021	EVANS KENNETH L & BARBARA	3420 GIBSTAY CIR	ANCHORAGE, AK 99516	Residential Dwelling - single	\$143,700	0.32
06521022	ROBB FAMILY LIVING TRUST	PO BOX 676	STERLING, AK 99672	Residential Dwelling - single	\$100,400	0.28
06521023	ROBB FAMILY LIVING TRUST	PO BOX 676	STERLING, AK 99672	Residential Accessory Bldg	\$25,800	0.32
06521051	WALTERS SANDRA	PO BOX 842	STERLING, AK 99672	Residential Vacant	\$-00	0.47
06521059	WATTS JAMES W & YUEH C	PO BOX 1416	STERLING, AK 99672	Residential Vacant	\$-00	0.32
06521060	WATTS YUEH C	PO BOX 1416	STERLING, AK 99672	Residential Vacant	\$-00	0.32
06521061	DAVIES SUSAN J & DAVIES DONALD D	4533 CARAVELLE DR	ANCHORAGE, AK 99502	Residential Dwelling - single	\$108,000	0.29

PARCEL_ID	OWNER	ADDRESS	CITY, STATE, ZIP CODE	USAGE	IMPROVEMENT	ACREAGE
06521062	BUTT SISTERS PROPERTIES	2731 WESLEYAN DR	ANCHORAGE, AK 99508	Residential Improved Land	\$1,500	0.35
06521063	ZALEPPA RICHARD & KATHERINE	808 N BLISS ST	ANCHORAGE, AK 99508	Residential Dwelling - single	\$134,700	0.38
06521064	SCHRUF FAMILY TRUST	6334 MARKSTROM DR	ANCHORAGE, AK 99504	Residential Dwellings 2-4	\$109,200	0.52
06610051	YATES STEPHEN V & SHARON A	10633 LAFAYETTE CIR	ANCHORAGE, AK 99515	Residential Dwelling - single	\$90,600	1.55
06610052	BUTTAUER WALTER	37180 GLACIER BLUE ST	SOLDOTNA, AK 99669	General Commercial	\$652,600	1.54
06610053	DALY PATRICK D	PO BOX 454	KASILOF, AK 99610	Residential Cabin - single	\$63,900	1.50
06617001	JONES M L	5331 KLAMATH DR	SACRAMENTO, CA 95842	Residential Improved Land	\$11,000	1.38
06617002	BUCKMAN B & B OF ALASKA LLC	1501 OXFORD DR	ANCHORAGE, AK 99503	Residential Dwelling - single	\$170,000	1.71
06617003	SHEN CLARK J	37288 LEGENDS CIR	SOLDOTNA, AK 99669	General Commercial	\$911,600	2.87
06617006	GALLEY LIVING TRUST	32612 VIENNA CT	SOLDOTNA, AK 99669	Residential Dwelling - single	\$176,800	2.67
06617015	LEE ROWAN G K Sr	84 ALOHI PL	MAKAWAO, HI 96768	Residential Vacant	\$-00	2.09
06617016	NEAL CHARLES K & LINDA J	32530 CRAMPON CT	SOLDOTNA, AK 99669	Residential Improved Land	\$11,000	2.41
06617017	NEAL CHARLES K	32530 CRAMPON CT	SOLDOTNA, AK 99669	Residential Dwelling - single	\$74,900	2.41
06617018	LEE ROWAN G K Sr	84 ALOHI PL	MAKAWAO, HI 96768	Residential Dwelling - single	\$108,100	2.30
06617026	FALL FRANK R REVOCABLE LIVING TRUST	610 LINCOLN AVE	ST MARIES, ID 83861	Residential Accessory Bldg	\$13,000	0.98
06617027	FALL FRANK R REVOCABLE LIVING TRUST	610 LINCOLN AVE	ST MARIES, ID 83861	Residential Vacant	\$-00	0.92
06617028	OLCOTT GLENN & EVELYN REVOCABLE FAM T	32580 VIENNA CT	SOLDOTNA, AK 99669	Residential Dwellings 2-4	\$159,000	1.06
06617029	JENNINGS SUSAN M TRUSTEE	1336 S RIO VISTA ST	VISALIA, CA 93292	Residential Improved Land	\$1,500	1.00
06617030	GALLEY LIVING TRUST	32612 VIENNA CT	SOLDOTNA, AK 99669	Residential Improved Land	\$1,500	1.24

## Kenai Peninsula Borough Assembly Committees 2011 – 2012

### ASSEMBLY COMMITTEES

- **Finance Committee**  
Bill Smith, Chair  
Ray Tauriainen, Vice Chair  
Gary Knopp
- **Lands Committee**  
Sue McClure, Chair  
Brent Johnson, Vice Chair  
Ray Tauriainen
- **Policies & Procedures Committee**  
Mako Haggerty, Chair  
Charlie Pierce, Vice Chair  
Linda Murphy
- **Legislative Committee**  
Hal Smalley, Chair  
Linda Murphy, Vice Chair  
All Assembly Members
- **President Pro Tem**  
Bill Smith

### OTHER BOROUGH & SCHOOL DISTRICT COMMITTEES

- **KPB Emergency Planning**  
[VACANT]  
Gary Knopp, Alternate
- **Planning Commission Representative**  
Ray Tauriainen  
Bill Smith, Alternate
- **School Board**  
Charlie Pierce  
Brent Johnson, Alternate  
Ray Tauriainen, Alternate

### SERVICE AREA BOARD LIAISONS

- **Anchor Point Fire & EMS** - Mako Haggerty
- **Bear Creek Fire** - Sue McClure
- **CES/CPEMS** - Brent Johnson
- **Central Peninsula General Hospital**  
Gary Knopp, Charlie Pierce, Linda Murphy
- **Kachemak Emergency Service Area**  
Mako Haggerty
- **KPB Roads**  
Gary Knopp, Charlie Pierce
- **Lowell Point Emergency SA** - Sue McClure
- **Nikiski Seniors** - Ray Tauriainen
- **Nikiski Fire** - Ray Tauriainen
- **North Peninsula Recreation** - Ray Tauriainen
- **Seward/Bear Creek Flood SA** - Sue McClure
- **South Peninsula Hospital** - Mako Haggerty,  
Bill Smith

### NON-BOROUGH COMMITTEES

- **Cook Inlet Aquaculture**  
Brent Johnson  
[VACANT], Alternate
- **Cook Inlet R.C.A.C.**  
Grace Merkes, Term Expires March, 2014
- **Economic Development District**  
Linda Murphy, Term Expires 12/31/13  
Hal Smalley, Term Expires 12/31/14
- **Kenai Peninsula College Council**  
Hal Smalley, Term Expires 06/30/14
- **Kenai River Special Management Area  
Advisory Board**  
Brent Johnson  
[VACANT], Alternate
- **Prince William Sound R.C.A.C.**  
Blake Johnson, Term Expires May, 2013