
Kenai Peninsula Borough

Assembly Meeting Minutes

January 17, 2012

Regular Meeting - Soldotna, Alaska

CALL TO ORDER

A Regular Meeting of the Kenai Peninsula Borough Assembly was held on January 17, 2012, in the Borough Assembly Chambers, Soldotna, Alaska. Vice President Pierce 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 Alan Humphries from the Soldotna Church of God.

There were present:

Charlie Pierce, Presiding
Mako Haggerty
Brent Johnson
Sue McClure

Linda Murphy
Hal Smalley
Bill Smith

comprising a quorum of the assembly.

Absent:

Ray Tauriainen (excused)
Gary Knopp (excused)

Also in attendance were:

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

COMMITTEE REPORTS

(07:01:54)

Assembly Member Smith said the Finance Committee met and discussed its agenda items.

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

Assembly Member Smalley said the Legislative Committee met and discussed its agenda items.

APPROVAL OF THE AGENDA AND CONSENT AGENDA

(07:08:14)

MOTION TO APPROVE AGENDA: Smith moved for the approval of the agenda and consent agenda.

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

The following item was added to the agenda and consent agenda:

- Resolution 2012-004: Expressing Support for the Pratt Museum's Legislative Grant Request in the Amount of \$650,000 for the Design Phase of its New Facility and Site Redesign Project (Smith) (Referred to Legislative 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.

- January 3, 2012 Regular Assembly Meeting Minutes
- Resolution 2012-004: Expressing Support for the Pratt Museum's Legislative Grant Request in the Amount of \$650,000 for the Design Phase of its New Facility and Site Redesign Project (Smith) (Referred to Legislative Committee)
- Ordinance 2011-19-66: Appropriating \$240,000 in Unappropriated Interest Income From the Environmental Protection Fund for Additional Funding of the Spruce Bark Beetle Program (Mayor) (Hearing on 02/14/12) (Referred to Finance Committee)
- Ordinance 2011-19-67: Appropriating \$980,430 from the Central Peninsula Hospital Plant Replacement and Expansion Fund for Renovating the Central Peninsula Hospital Imaging Department (Mayor) (Hearing on 02/14/12) (Referred to Finance Committee)
- Request for formal Assembly Objection to the Continuance of the Following Liquor Licenses Due to Unpaid Taxes (Referred to Finance Department)

<u>Business Name</u>	<u>License Location</u>
Clam Shell Lodge	Clam Gulch, Alaska
Tustumena Lodge	Kasilof, Alaska
Land's End	Homer, Alaska
Kachemak Bowl	Homer, Alaska
Riverside House	Soldotna, Alaska

Vice President Pierce called for public comment with none being offered.

AGENDA APPROVED AS AMENDED: Without objection.

COMMENDING RESOLUTIONS AND PROCLAMATIONS - None.

PRESENTATIONS WITH PRIOR NOTICE - None.

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(07:12:14)

Vice President Pierce called for public comment with none being offered.

MAYOR'S REPORT

(07:12:36)

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
 - a. Authorization to Award Contract for Central Peninsula Landfill Leachate Management Professional Services to HDR Alaska Inc.
 - b. Authorization to Award Contract for Appraisal Consulting Services to MR Valuation Consulting, LLC.
 - c. Authorization to Award Contract for Multispectral Imagery and Professional Services to Aero Metric
3. Other
 - a. Litigation Status Report

ITEMS NOT COMPLETED FROM PRIOR AGENDA - None.

PUBLIC HEARING ON ORDINANCES

(07:14:31)

Ordinance 2011-19-25: Accepting and Appropriating Cruise Ship Passenger Tax Proceeds Received from the State of Alaska in the Amount of \$797,217.50 and Allocating \$761,705 to the City of Seward and \$35,512.50 to the City of Homer (Mayor) (Referred to Finance Committee)

[Clerk's Note: Motion to enact was on the floor from the December 6, 2011 meeting.]

Vice President Pierce called for public comment with none being offered.

VOTE ON MOTION TO ENACT:

Yes:	Haggerty, Johnson, McClure, Murphy, Pierce, Smalley, Smith
No:	None
Absent:	Tauriainen, Knopp
MOTION TO ENACT PASSED:	7 Yes, 0 No, 2 Absent

(07:17:03)

Ordinance 2011-19-64: Appropriating Supplemental Funding of \$25,276 to Cover Software Maintenance on the CAD System Installed at the 911 Call Center (Mayor) (Referred to Finance Committee)

MOTION: Smith moved to enact Ordinance 2011-19-64.

Vice President Pierce called for public comment with none being offered.

VOTE ON MOTION TO ENACT:

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

No: None

Absent: Tauriainen, Knopp

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

UNFINISHED BUSINESS - Postponed Item.

(07:18:16)

Resolution 2011-108: Approving a New Senior Clerk Typist Classified Position in the River Center Department (Mayor) (Referred to Policies and Procedures Committee)

[Clerk's Note: Motion to adopt Resolution 2011-108 was on the floor from the December 6, 2011 meeting.]

[Clerk's Note: The Administration requested Resolution 2011-108 be tabled.]

Vice President Pierce called for public comment with none being offered.

MOTION: Haggerty moved to table Resolution 2011-108.

VOTE ON MOTION TO TABLE:

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

No: Nones

Absent: Tauriainen, Knopp

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

NEW BUSINESS

(07:20:17)

Resolution 2012-003: Opposition to the Issuance of a Certificate of Need For an Ambulatory Surgery Center in Kenai Alaska (Haggerty, Murphy) (Referred to Policies and Procedures Committee)

[Clerk's Note: Representatives from both, Kahtnu Ventures, LLC and the Central Peninsula Hospital had requested additional time during the public comment period.]

MOTION:

Haggerty moved to adopt Resolution 2012-003.

Vice President Pierce called for public comment.

The following people spoke in support of Resolution 2012-003:

Jane Madison, 34435 Keystone Drive, Soldotna
Will Madison, 34435 Keystone Drive, Soldotna
Susan Lagasse, P.O. Box 1714, Soldotna
Dayne Clark, 303 Katmai, Soldotna
Alan Humphries, 34025 Keystone Drive, Soldotna
Bunny Chong, P.O. Box 3745, Soldotna

The following people spoke in opposition to Resolution 2012-003:

Brenda Trefren, Soldotna
Tom Wilkinson, P.O. Box 2598, Soldotna
Ray Southwell, Nikiski
Kevin Austin, 35315 Rockwood Drive, Soldotna
Diane Zirul, 220 Spur View Drive, Kenai
Denise O'Connell, 1006 Inlet Woods Drive, Kenai
Tom O'Connell, 1006 Inlet Woods Drive, Kenai
Jenny Thompson, 35165 Huntington Drive, Soldotna
Chad Poindexter, Anchor Point
Rose Tepp, 2715 Watergate Way, Kenai
Diane Carlow, P.O. Box 2918, Soldotna

(08:22:30)

Henry Krull and Jim Zirul gave a presentation in opposition to Resolution 2011-003.

(08:52:35)

Rick Ross and Richard Davis gave a presentation in support of Resolution 2011-003.

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

MOTION:

Haggerty moved to amend Resolution 2012-003 as follows:

The eleventh whereas to read, "some services provided by the hospital that are likely to be impacted by the ASC as they are not self-sufficient include providing charity care,[BEING OPEN 7 DAYS A WEEK 24 HOURS PER DAY,] and operating Serenity House, providing the sexual assault response team-sexual assault nurse examiner (SART-SANE) program, diabetes education services,

community wellness programs, physical therapy and other services; and”

MOTION TO AMEND PASSED: Without objection.

Assembly Members Smalley, Murphy, Smith, Johnson, McClure and Haggerty spoke in support of Resolution 2012-003.

VOTE ON MOTION TO ADOPT AS AMENDED:

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

No: None

Absent: Tauriainen, Knopp

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

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

(09:39:48)

Vice President Pierce called for public comment.

The following people addressed the Assembly regarding adoption of Resolution 2012-003 and the management of Central Peninsula General Hospital.

Ray Southwell, Nikiski

Brenda Trefren, Soldotna

Dan Moore, CEO for Radiation Business Solutions, Nashville, Tennessee addressed the Assembly regarding a proposed Central Peninsula General Hospital Cancer Center.

Kevin Austin, 35315 Rockwood Drive, Soldotna, addressed the Assembly regarding the disconnect between the Assembly and the constituents.

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

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

(09:54:16)

The next meeting of the Kenai Peninsula Borough Assembly was scheduled for February 14, 2012, at 7:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

ASSEMBLY COMMENTS

(09:54:23)

Assembly Member Haggerty stated he had delivered over 33,000 signatures to the Alaska Division of Elections in favor of getting the Alaska Coastal Management Program initiative on the ballot.

Assembly Member Johnson thanked Assembly Members Haggerty, Murphy and everyone involved with gathering signatures for the Coastal Management Program initiative. He encouraged everyone to eat healthy and exercise to avoid visits to the hospital.

Assembly Member McClure thanked Assembly Member Haggerty and everyone involved with gathering signatures for the Coastal Management Program initiative. She noted her appreciation for the Borough Roads Department and the Department of Transportation for keeping up with the winter road conditions. She thanked Mr. George Pierce for stopping and helping her put air in her tires. She reminded everyone to stay safe, warm and to drive carefully.

Assembly Member Smith stated if he had voted according to his personal opinion he would have voted against Resolution 2012-003; however, he had a responsibility to the citizens of the Borough.

Assembly Member Murphy said the Assembly often had to make decisions that were not popular; however, they were the right decisions. She noted that she thought the majority of the people in the Service Area would not oppose the Assembly action. She commended George Pierce for his efforts in gathering 150 signatures for the Coastal Management Program initiative. She thanked Assembly Member Haggerty and Juneau Mayor Bruce Botelho for their contributions toward the Coastal Management Program initiative.

Assembly Member Smalley thanked Assembly Member Haggerty, Juneau Mayor Bruce Botelho, Kodiak Island Mayor Jerome Selby, and everyone else involved for their contributions toward the Coastal Management Program initiative. He thanked the people and organizations taking care of the roads this winter and reminded the Assembly Members traveling to Juneau in February to bring their copies of the 2012 State Funding Priority Books. He stated he would be attending the Kahtnu Certificate of Need Public Hearing on Thursday, January 19, 2012 at 6:30 p.m. at the Challenger Learning Center in Kenai.

Vice President Pierce thanked all of the constituents who attended the meeting and came forward to comment. He felt that the actions of the Assembly did represent the majority of the constituents. He said the interests of the hospital shareholders were protected with the adoption of Resolution 2012-003. The constituents had already voiced their opinion, which was not to make changes with the hospital. He indicated that the easier decision for the hospital would be to increase the mill rate, rather than cut services. He reminded everyone to stay warm and drive safe.

ADJOURNMENT

With no further business to come before the assembly, Vice President Pierce adjourned the meeting at 10:09 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of January 17, 2012.



Johni Blankenship, MMC, Borough Clerk

Approved by Assembly: February 14, 2012

