
Kenai Peninsula Borough

Assembly Meeting Minutes

June 19, 2012

Regular Meeting - Soldotna, Alaska

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)
- 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)
- 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)
- 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)
- 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)
- 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)
- Ordinance 2012-25: Amending KPB 16.06.030(A) to Extend the Deadline for Service Areas to Obtain an Energy Audit (Mayor) (Shortened Hearing on 07/03/12) (Referred to Policies and Procedures Committee)
- 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 4th of July, and that her daughter Krystal 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.

John Blankenship
John Blankenship, MMC, Borough Clerk

Approved by Assembly: *July 3, 2012*

