
Kenai Peninsula Borough

Assembly Meeting Minutes

September 18, 2012

Regular Meeting - Soldotna, Alaska

CALL TO ORDER

A Regular Meeting of the Kenai Peninsula Borough Assembly was held on September 18, 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 David Taylor from the Christian Community Church.

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

(07:03:03)

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

Assembly Member Johnson said the Lands Committee met and discussed its agenda item.

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

APPROVAL OF THE AGENDA AND CONSENT AGENDA

[Clerk’s Note: Assembly Vice President Pierce passed the gavel to President Pro Tem Smith and declared a conflict with Resolution 2012-072 as he was an Enstar Natural Gas Manger. President Pro Tem Smith ruled a conflict did exist and Vice President Pierce abstained from discussion and voting on Resolution 2012-072.]

(07:09:33)

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

President Pro Tem Smith called for additions, corrections or deletions to the agenda or consent agenda.

The following item was withdrawn from the agenda and consent agenda at the request of the sponsor:

- Ordinance 2012-19-32: Authorizing the Acquisition of Certain Real Property at Mile 5 of the Seward Highway for a Fire Station on Behalf of the Bear Creek Fire Service Area, Expanding the Purpose of a Previous Appropriation, and Appropriating Supplemental Funds of \$10,000 for the Acquisition (Mayor) (Hearing on 10/23/12) (Referred to Lands 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.

- September 4, 2012 Regular Assembly Meeting Minutes
- Resolution 2012-072: To Form the District and Proceed with the Improvement of the Anchor View Estates Utility Special Assessment District for a Natural Gas Main Line (Mayor) (Referred to Finance Committee)
- Ordinance 2012-19-30: Accepting and Appropriating \$12,848 from the U.S. Fish and Wildlife Service to Supplement the River Debris Removal Project (Mayor) (Hearing on 10/23/12) (Referred to Finance Committee)
- Ordinance 2012-19-31: Appropriating \$35,000 in Interest Income from the Spruce Bark Beetle Program to Address the Need for an Emergency Power Generator at the Anchor Point Water Treatment and Distribution Plant (Mayor, Smith, Haggerty) (Hearing on 10/23/12) (Referred to Finance Committee)
- Confirming Appointments to KPB Advisory Planning Commissions (Referred to Policies and Procedures Committee)

Anchor Point Advisory Planning Commission

Julie Engebretsen	Seat F	Term Expires September 30, 2015
Joanne Collins	Seat G	Term Expires September 30, 2015

Cooper Landing Advisory Planning Commission

Karl Romig Seat F Term Expires September 30, 2014

Moose Pass Advisory Planning Commission

Jan L. Odhner Seat A Term Expires September 30, 2014

Bruce Jaffa Seat D Term Expires September 30, 2015

Hope/Sunrise Advisory Planning Commission

Erica Miller Seat A Term Expires September 30, 2015

President Pro Tem Smith called for public comment with none being offered.

AGENDA APPROVED AS AMENDED: Without objection.

[Clerk's Note: President Pro Tem Smith returned the gavel to Vice President Pierce.]

COMMENDING RESOLUTIONS AND PROCLAMATIONS - None.

PRESENTATIONS WITH PRIOR NOTICE

(07:14:09)

South Peninsula Hospital Chief Executive Officer **Robert Letson** and Chief Financial Officer Laurie Myer, presented a quarterly report for the period ending June 2012.

Dave Brann, Kachemak Bay Water Trail Steering Committee member gave a presentation on, "Kachemak Bay Water Trail."

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(07:40:00)

Vice President Pierce called for public comment.

Bill Steyer, 51995 Eva Court, Fritz Creek thanked the Assembly, Mayor Navarre and staff for supporting and ensuring the Homer Track was completed this fall.

Walt Wrede, Homer City Manager, welcomed the Assembly to Homer, and stated that the City of Homer appreciated the borough support for the gas line project. He especially thanked Mayor Navarre for traveling to Juneau and voicing support for the project.

Roberta Highland, PO Box 2100, Homer, addressed the Assembly regarding the importance of finding a balance between the environment and the economy.

Kris Holderied, NOAA's Kasitsna Bay Laboratory, gave a summary of the Tidal Energy Survey being done for the entire inlet, and a new five year Eco System monitoring project.

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

MAYOR'S REPORT

(07:56:40)

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
 - a. Authorization to Award Contract for 100' Heavy Duty Aerial Ladder Fire Apparatus to Pierce Manufacturing, Inc.
 - b. Authorization to Award Contract for Central Peninsula Hospital Radiology Department Renovation - Professional Design Services to Soderstrom Architecture & Planning
 - c. Authorization to Award Contract for North Peninsula Recreational Service Area Playground Construction to Youth Restoration Corporation, Kenai, Alaska
 - d. Authorization to Award Contract for ITB 13-005 Type I KKK-1822F Compliant 4x4 Medic Unit to Braun Northwest, Inc. of Chehalis, Washington
3. Other
 - a. Certification of the 2012 Personal Property Supplemental Assessment Roll

ITEMS NOT COMPLETED FROM PRIOR AGENDA - None.

PUBLIC HEARING ON ORDINANCES

(07:58:33)

Ordinance 2012-19-25: Appropriating \$36,832 from the Kachemak Emergency Service Area Operating Fund Balance for Additional Personnel Cost and Authorizing Changing the Shared Mechanic Position Between Kachemak Emergency Service Area and Anchor Point Fire and Emergency Medical Service Area to a Full-Time Mechanic Position for Kachemak Emergency Service Area (Haggerty) (Referred to Finance Committee)

MOTION: Smith moved to enact Ordinance 2012-19-25.

Vice President Pierce called for public comment.

The following people spoke in support of Ordinance 2012-19-25:

Milli Martin, PO Box 2652, Homer

Mike Peterson, 53900 East End Road, Homer

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

MOTION: Smith moved to postpone Ordinance 2012-19-25 until October 23, 2012.

VOTE ON MOTION TO POSTPONE:

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

No: None

Absent: Knopp, Tauriainen

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

(08:05:12)

Ordinance 2012-19-26: Accepting and Appropriating \$23,693 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management to Support the Activities of the Kenai Peninsula Borough Local Emergency Planning Committee (Mayor) (Referred to Finance Committee)

MOTION: Smith moved to enact Ordinance 2012-19-26.

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

VOTE ON MOTION TO ENACT:

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

No: None

Absent: Knopp, Tauriainen

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

(08:06:30)

Ordinance 2012-19-27: Appropriating \$162,444.80 to the Special Assessment Fund for the Anchor View Estates Natural Gas Line Utility Special Assessment District (Mayor) (Referred to Finance Committee)

[Clerk's Note: Vice President Pierce passed the gavel to President Pro Tem Smith and declared a conflict with Ordinance 2012-19-27 as he was an Enstar Natural Gas Manager. President Pro Tem Smith ruled a conflict did exist and Vice President Pierce abstained from discussion and voting on Ordinance 2012-19-27.]

MOTION: Murphy moved to enact Ordinance 2012-19-27.

President Pro Tem Smith called for public comment with none being offered.

MOTION: Murphy moved to amend Ordinance 2012-19-27 as follows:

The third whereas to read, "the resolution to form the district and proceed with the improvement for the Anchor View Estates

special assessment district, Resolution 2012-072 was approved at the September 18, 2012 assembly meeting; and”

MOTION TO AMEND PASSED: Without objection.

VOTE ON MOTION TO ENACT AS AMENDED:

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

No: None

Absent: Knopp, Tauriainen

Abstention: Pierce

MOTION TO ENACT AS AMENDED PASSED: 6 Yes, 0 No, 2 Absent, 1 Abstention

[Clerk’s Note: President Pro Tem Smith returned the gavel to Vice President Pierce.]

(08:09:05)

Ordinance 2012-19-28: Appropriating Supplemental Funding of \$75,000 for Expansion of the North Peninsula Recreation Service Area Trails System (Mayor) (Referred to Finance Committee)

MOTION: Smith moved to enact Ordinance 2012-19-28.

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

VOTE ON MOTION TO ENACT:

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

No: None

Absent: Knopp, Tauriainen

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

(08:10:39)

Ordinance 2012-19-29: Appropriating \$776,228 from the Central Peninsula Hospital Plant Replacement and Expansion Fund for Remodeling of the Obstetrics Area and Relocation of Infusion Therapy, Wound Care, Massage Therapy and Speech Therapy (Mayor) (Referred to Finance Committee)

MOTION: Smith moved to enact Ordinance 2012-19-29.

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

MOTION: Smith moved to amend Ordinance 2012-19-29 as follows:

The fourth whereas to read, “the Central Peninsula General Hospital, Inc. Board at its

August 30, 2012, meeting approved the use of the Plant replacement and expansion funds for this project; and”

The fifth whereas to read, “the Central Kenai Peninsula [GENERAL] Hospital Service Area board did not consider this ordinance due to the lack of a quorum at its meeting of September 10, 2012, [RECOMMENDED _] and waiver of the requirement for service area board comment is appropriate because of the need to proceed expeditiously with the project;”

Insert a new Section 2 to read, “That Central Kenai Peninsula Hospital Service Area board’s consideration of this ordinance as required in paragraph 12(b)(iii) of the Lease and Operating Agreement is hereby waived due to the lack of a quorum for the service area board meeting scheduled for September 10, 2012, and the need to proceed expeditiously with this project.”

Renumber the remaining sections accordingly.

MOTION TO AMEND PASSED:

Without objection.

MOTION:

Smith moved to amend Ordinance 2012-19-29 as follows:

Title to read, “An Ordinance Appropriating \$[776,228] 769,228 from the Central Peninsula Hospital Replacment and Expansion Fund for Remodeling of the Obstetrics Area and Relocation of the Infusion Therapy Wound Care, Massage Therapy and Speech Therapy”

Section 1 to read “That \$[776,228] 769,228 is appropriated from the Central Peninsula Hospital Plant Replacement and Expansion Fund to account 409.81110.13OBR.49999 for this above-described project.”

MOTION TO AMEND PASSED:

Without objection.

VOTE ON MOTION TO ENACT AS AMENDED:

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

No: None

Absent: Knopp, Tauriainen

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

(08:15:14)

Ordinance 2012-34: Amending KPB Chapters 2.33, 2.34, 2.90 and 5.04 Renaming the General Services Department to Human Resources Department and Eliminating that Department's Oversight of the Risk Management Office (Mayor) (Referred to Policies and Procedures Committee)

MOTION: Haggerty moved to enact Ordinance 2012-34.

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

MOTION: Haggerty moved to amend Ordinance 2012-34 as follows:

Title to read, "An Ordinance Amending KPB Chapter 2.28, 2.33, 2.34, 2.90 and 5.04 Renaming the General Services Department to Human Resources Department and [ELIMINATING THAT DEPARTMENT'S] Placing Oversight of the Risk Management Office in the Finance Department"

MOTION TO AMEND PASSED: Without objection.

MOTION: Haggerty moved to amend Ordinance 2012-34 as follows:

The eight whereas to read, "under KPB 2.34.010 the office of risk management is administered by the risk manager and the risk management committee, which consists of the borough director of finance, the borough attorney, and the school district assistant superintendent charged with managing school district finances; and"

The tenth whereas to read, "it would be appropriate for the office of risk management to report to the [MAYOR] director of finance and the risk management committee and be budgeted in the [OFFICE OF THE MAYOR]

finance department; and”

The eleventh whereas to read, “amendments to KPB chapters 2.28, 2.33, 2.34, 2.90 and 5.04 are necessary to reflect the change in the name of the department director from Director of General Services to Director of Human Resources and transfer risk management to the finance department;”

MOTION TO AMEND PASSED:

Without objection.

MOTION:

Haggerty moved to amend Ordinance 2012-34 as follows:

Insert a new Section 1 to read, “That KPB 2.28.020 be amended as follows:

2.28.020 - Director – Powers and duties.

The director of finance shall:

- A. Administer the financial department;
- B. Record in usable manner the amount of money the borough has received and expended, or expects to receive and expend and become obligated for, in a given period;
- C. Supply the type of information that will assist to formulate and implement programs of public service;
- D. Supply timely and sufficient information in a classified form that will assist the executive and legislative branches of the government and the people in general in appraising the adequacy of borough programs and the efficiency of the administration;
- E. Oversee the Office of Risk Management in accordance with KPB Chapter 2.34
- [E.] F. Perform such other duties as may be required by the borough mayor.”

Renumber remaining sections accordingly.

The newly renumbered Section 3 to read, “That KPB 2.34.010 be amended as follows:

2.34.010. Risk Management Office established - Administrator.

There is in the finance department the office of risk management. The office of risk management shall be administered by the risk manager and a risk management committee consisting of the Kenai Peninsula Borough attorney, the Kenai Peninsula Borough finance officer and an employee of the Kenai Peninsula Borough School District who has significant responsibility for managing school district finances and is appointed by the Superintendent. The members of the risk management committee may each designate a person to act as a committee member in the event of absence of that committee member. Meetings of the risk management committee shall be held on a regular monthly basis, and are exempt from the Open Meetings Act as now enacted or as may be hereinafter amended.

MOTION TO AMEND PASSED:

Without objection.

VOTE ON MOTION TO ENACT AS AMENDED:

Yes:

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

No:

None

Absent:

Knopp, Tauriainen

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

UNFINISHED BUSINESS - None.

NEW BUSINESS

(08:22:49)

Resolution 2012-075: Approving the Job Description for the Director of Human Resources (Mayor) (Referred to Policies and Procedures Committee)

MOTION:

Haggerty moved to adopt Resolution 2012-075.

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

VOTE ON MOTION TO ADOPT:

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

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

(08:24:11)

Vice President Pierce called for public comment.

Emmit Trimble, PO Box 193, Anchor Point, thanked the Assembly for adopting Resolution 2012-072.

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

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

(08:25:41)

The next meeting of the Kenai Peninsula Borough Assembly was scheduled for October 9, 2012, at 7:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

ASSEMBLY COMMENTS

(08:25:56)

Assembly Member Haggerty stated that he had toured the new Homer track and noted the quality of it. He thanked Roberta Highland for attending the meeting and said he was glad to see people were watching the activities of the Buccaneer jack-up rig.

Assembly Member Johnson thanked the hospital staff for the tour of the Homer hospital and noted that the hospital had changed a great deal since his wife, and three of their children were born there.

Assembly Member McClure thanked the City of Homer for their hospitality and stated she had enjoyed the tour of the hospital and seeing the quality of equipment. She congratulated the Advisory Planning Commissioners who were appointed during the meeting, and thanked the constituents who attended the meeting. She reminded everyone to vote and stated that she had not received any recent updates regarding the flooding conditions in Seward.

Assembly Member Smalley noted that he would be touring the new Homer track and stated that he had spent about 19-years coaching high school track and traveling to Homer was always fun since Homer was a running community. He thanked the City of Homer for their hospitality and noted his enjoyment of the hospital tour and complemented the state of the art equipment and technology.

Assembly Member Smith said the new Homer track progressed quickly due to Mayor Navarre being able to manage the flow and stay on track with the Legislators in Juneau. He thanked Mayor Navarre for his support on the Homer gas line project. He suggested that one-third of the Assembly meetings be held in Homer since one-third of the population lived in the area.

Assembly Member Murphy thanked Mr. Brann for his presentation on the Kachemak Bay Water Trail and wished him success, she also complimented the fund raising efforts done for the project. She thanked the City of Homer for their hospitality and noted her appreciation for the hospital tour. She stated that she and her husband often traveled to Homer for long weekends and sometimes just an evening trip for dinner.

Vice President Pierce stated that Enstar Natural Gas had received a certificate about ten-years ago to serve the Homer area, and there had been numerous people who had worked toward bringing affordable energy to the souther peninsula. He thanked Mayor Navarre for supporting the gas line project. He noted there were other plans to bring more development to the Homer area and agreed that balance was a key element in development, stating that good planning allowed for things to happen productively and responsibly. He thanked the City of Homer for their hospitality.

ADJOURNMENT

With no further business to come before the assembly, Vice President Pierce adjourned the meeting at 8:40 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of September 18, 2012.


John Blankenship, MMC, Borough Clerk

Approved by Assembly: October 9, 2012

