
Kenai Peninsula Borough

Assembly Meeting Minutes

October 9, 2012

Regular Meeting - Soldotna, Alaska

CALL TO ORDER

A Regular Meeting of the Kenai Peninsula Borough Assembly was held on October 9, 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 Alan Humphries from the Soldotna Church of God.

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. (07:02:17)

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.

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

APPROVAL OF THE AGENDA AND CONSENT AGENDA

(07:09:14)

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

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

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 18, 2012 Regular Assembly Meeting Minutes
- September 28, 2012 Special Assembly Meeting Minutes
- Resolution Commending Allie Ostrander for Winning the ASAA/First National Bank State Cross Country Class 4A Girls Individual Championship (Smalley)
- Resolution 2012-077: Authorizing Road Service Area Capital Improvement Project: Eddy Lane Drainage Improvement #C5EDD Contract Award and Allocation (Mayor) (Referred to Finance Committee)
- Resolution 2012-078: Certifying the Results of the October 2, 2012 Regular Municipal Election (Knopp at the Request of the Borough Clerk) (Referred to Legislative Committee)
- Resolution 2012-079: Expressing Support for the Creation and Establishment of the Kachemak Bay Water Trail (Smith) (Referred to Policies and Procedures Committee)
- Confirming Appointments to KPB Road Service Area Board (Mayor) (Referred to Policies and Procedures Committee)

<u>Appointment</u>	<u>Board Seat</u>	<u>Term Expires</u>
Cam Shafer	South Region	September 30, 2015
Ed Holsten	East Region	September 30, 2015
Jake Denbrock	Central Region	September 30, 2015

- Confirming an Appointment to KPB Cooper Landing Advisory Planning Commission (Mayor) (Referred to Policies and Procedures Committee)

<u>Appointment</u>	<u>Seat</u>	<u>Term Expires</u>
David Story	E	September 30, 2015

- Petition to Vacate Carrie Court, a 60-Foot Public Right-of-Way with a Cul-De-Sac and Associated Utility Easements Including the 10-Foot by 30-Foot Utility Easement within Tract A and Lots 2 and 3 Dedicated by Carlson-Schnell Subdivision (Plat KN 84-223); all Within Section 4, Township 5 North, Range 9 West, Seward Meridian, Alaska and Within the Kenai Peninsula Borough; KPB File 2012-116; Location: North of Robinson Loop Road in Sterling (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the referenced vacation by unanimous consent at its regularly scheduled meeting of September 24, 2012.]

- Petition to Vacate the South 67-Feet of the 100-Foot Public Roadway Easement Along the Northern Boundary of Lot 1 (retaining the 33-Foot Section Line Easement) as Recorded Within Book 1 Page 211 Kenai Recording District; Also Shown on Northridge Acres Subdivision (Plat KN 82-112); Within Section 20, Township 5 North, Range 10 West, Seward Meridian, Alaska and Within the Kenai Peninsula Borough; KPB File 2012-092; Location: Sports Lake Road, Soldotna Area (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the referenced vacation by unanimous consent at its regularly scheduled meeting of September 24, 2012.]

President Knopp called for public comment with none being offered.

AGENDA APPROVED AS AMENDED: Unanimous.

VACANCY, DESIGNATION OR SEATING MEMBERS

(07:12:39)

Borough Clerk Johni Blankenship swore in newly elected Assembly Member Kelly Wolf and re-elected Assembly Members Mako Haggerty, Sue McClure and Hal Smalley.

Vice President Pierce presented Assembly President Knopp with a commemorative plaque noting his years of service.

COMMENDING RESOLUTIONS AND PROCLAMATIONS

(07:15:18)

Assembly Member Smalley presented Allie Ostrander with a Resolution commending her for winning the ASAA/First National Bank State Cross Country Class 4A Girls Individual Championship.

PRESENTATIONS WITH PRIOR NOTICE

(07:24:24)

Tim Colbath and **Jeanette Hanneman**, gave an update on the PETS Working Group created by KPB Resolution 2011-089.

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(07:38:14)

President Knopp called for public comment.

The following people spoke in opposition to Ordinance 2011-012:

Fred Braun, Nikiski
Jack Porter, Nikiski
George Pierce, Kasilof

Dillon Charles Taudrey, addressed the Assembly regarding winter road maintenance.

The following people spoke in support of an Emergency Pet Shelter:

Faith Hayes, Kasilof
Jill Garnet, Kasilof
Peg Schneider, Soldotna

Chris Hinds, Sterling, addressed the Assembly in support of an Emergency Pet Shelter and reported on animal abuse occurring within the Kenai Peninsula Borough.

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

MAYOR'S REPORT

(08:20:24)

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
 - a. Authorization to Award Contract for ITB13-002 40 CY MSW Roll-Off Container and Parts, and 32 CY Recycle Roll-Off Container to Ramsey and Sons Trucking of Anchorage, Alaska
 - b. Requesting Approval to Engage in Direct Negotiations with Sweeney's Clothing, of Soldotna to Provide Uniforms for the Maintenance Department Employees
 - c. Request for Waiver of Formal Bidding Procedures for the Kenai River Center Sanitary Sewer Connection with McLennan Enterprises
 - d. Authorization to Award Contract for ITB13-009 Kenai, Nikiski, and Sterling Transfer Facilities to Alaska Waste-Kenai Peninsula LLC
 - e. Agreement for Bond Counsel Services with Wohlforth, Brecht, Cartledge, Brooking for Bear Creek Fire Service Area General Obligation Bonds, 2012
3. Other
 - a. City of Seward Declaration of Disaster Request

- b. Local Disaster Emergency Declaration
- c. Press Release from State of Alaska Providing Emergency Assistance to Mat-Su and Kenai Peninsula Borough to Address Critical Needs
- d. Senior Citizen Hardship Exemption Applications/2012 Assessment Year
- e. Revenue-Expenditure Report - August 2012
- f. Budget Revisions - July and August 2012

ITEMS NOT COMPLETED FROM PRIOR AGENDA - None.

PUBLIC HEARING ON ORDINANCES

(08:27:50)

Ordinance 2012-35: Authorizing a Negotiated Sale at Fair Market Value of a 160 Foot by 200 Foot Parcel Located Adjacent to Nikishka Beach Road in Nikiski to the Lessee, East Shore Home Properties (Mayor) (Referred to Lands Committee)

MOTION: McClure moved to enact Ordinance 2012-35.

President Knopp called for public comment with none being offered.

MOTION: McClure moved to amend Ordinance 2012-35 as follows:

The sixth whereas to read, “the KPB Planning Commission at its regularly scheduled meeting of [AUGUST 27] September 10, 2012, recommended enactment by unanimous consent;

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

(08:30:20)

Ordinance 2012-36: Authorizing the Assessor to Accept the Late-Filed Senior Citizen Exemption Application of Delores J. McCaslin for 2012, Filed after March 31 (Knopp, Mayor) (Referred to Finance Committee)

MOTION: Smith moved to enact Ordinance 2012-36.

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

(08:31:57)

Ordinance 2012-37: Amending the Borough Code to Reincorporate the River Center Department into the Planning Department and Make Other Associated Amendments (Mayor) (Referred to Policies and Procedures Committee)

MOTION: Haggerty moved to enact Ordinance 2012-36.

President Knopp called for public comment with none being offered.

Assembly Member Johnson spoke in support of Ordinance 2012-37.

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

UNFINISHED BUSINESS - None.

NEW BUSINESS

(08:35:29)

Resolution 2012-080: Approving the Job Description for the River Center Manger (Mayor) (Referred to Policies and Procedures Committee)

MOTION: Haggerty moved to adopt Resolution 2012-080.

President Knopp called for public comment with none being offered.

MOTION: Haggerty moved to amend Resolution 2012-080 as follows:

Section 1 to read, "That the assembly authorizes and approves the job description which renames the River Center Director to

the River Center Manager and changes the listed duties in accordance with code changes. A copy of the job description is attached and incorporated herein by reference.”

MOTION TO AMEND PASSED: Unanimous.

MOTION: Haggerty moved to amend the service type in the job description document as follows:

“Service Type: Administrative - Level [5] 4”

MOTION TO AMEND PASSED: Unanimous.

VOTE ON MOTION TO ADOPT AS AMENDED:

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

No: None

Absent: None

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

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

(08:49:51)

President Knopp called for public comment.

Fred Braun, Nikiski, addressed the Assembly regarding the Anadromous Fish Habitat Protection Task Force.

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

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

(08:51:06)

The next meeting of the Kenai Peninsula Borough Assembly was scheduled for October 23, 2012, at 7:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

ASSEMBLY COMMENTS

(08:51:17)

Assembly Member Smalley thanked President Knopp for his service, commitment, leadership and direction. He congratulated reelected Assembly Members Mako Haggerty and Sue McClure and welcomed and congratulated newly elected Assembly Member Kelly Wolf. He noted some of the topics he heard while campaigning were interesting, which included some people being unaware of the Anadromous Fish Habitat Protection Task Force, questions about the flooding situations and solid waste.

Vice President Pierce wished President Knopp his best and congratulated him for six years of service, and said if there were no term limits President Knopp would have more than likely continued to serve on the Assembly. He congratulated reelected Assembly Members Mako Haggerty

Hal Smalley and Sue McClure, and thanked the administration for their oversight during the flood event. He congratulated the administration for the parking lot upgrades.

Assembly Member Haggerty thanked President Knopp for his leadership and noted his appreciation for having had the opportunity to travel and learn on behalf of the borough. He said although he did not always agree with President Knopp it was the diverse perspective which tempered an individuals convictions. He announced the community meeting for Diamond Ridge, Fox River and Fritz Creek would be held on Saturday, October 20, 2012 at 10:00 a.m. in the McNeil Canyon Elementary School and the community meeting for Anchor Point would be on Saturday, October 20, 2012, at 3:00 p.m. in the Anchor Point Senior Center.

Assembly Member Johnson encouraged his constituents to attend the community meetings for his district and stated the Clam Gulch, Cohoe and Kasilof community meeting would be held on Monday, October 15, 2012, at 7:00 p.m. in the Tustumena Elementary School and the community meeting for Ninilchik would be on Thursday, October 18, 2012 at 1:00 p.m. in the Ninilchik Senior Center. He informed the residents of Kasilof that one of their own, Hillary Moore was now known as Dr. Hillary Seger and working at the South Kenai Peninsula Hospital. He commended Assembly Member Hal Smalley for taking time to help Herb Stettler rebuild after a fire. He congratulated newly elected Assembly Member Kelly Wolf and reelected Assembly Members Hal Smalley, Mako Haggerty and Sue McClure. He thanked Assembly President Gary Knopp for serving on the Assembly and as President, he noted his appreciation for his honesty, conviction, fairness and the dedicated attendance of his wife Helen Knopp.

Assembly Member McClure welcomed newly elected Assembly Member Kelly Wolf and congratulated reelected Assembly Members Hal Smalley and Mako Haggerty. She stated she was looking forward to representing a portion of Sterling and noted her regrets that she would be unable to attend the Sterling community meeting. She thanked Tim Colbath and Jeanette Hanneman for the presentation and stated she would be offering some clarification at the next meeting regarding the next phase of the PETS working group. She encouraged her constituents to attend the community meetings for her district and said the meetings were scheduled for Saturday, October 13, 2012, starting with Lowell Point at 9:30 a.m. in the Penny Hardy Community Center, Moose Pass at 1:00 p.m. in the Moose Pass Community Center, Cooper Landing at 3:00 p.m. in the Cooper Landing Elementary School and Hope at 7:00 p.m. in the Hope Social Hall. She thanked Assembly President Knopp for his service and said he would be missed.

Assembly Member Tauriainen noted his appreciation for the leadership of Assembly President Knopp and the different perspective he brought to the issues and said he would be missed. He said congratulated newly elected Assembly Member Kelly Wolf and reelected Assembly Members Mako Haggerty, Sue McClure and Hal Smalley. He said there were several issues regarding the Anadromous Stream Ordinance, and voiced concern about the notification issue. He reminded his constituents to attend the Nikiski community on Monday, October 29, 2012, at 7:00 p.m. in the Nikiski Senior Center. He congratulated the Nikiski Bulldogs for going to the State Football Championship game again this year.

Assembly Member Smith congratulated newly elected Assembly Member Kelly Wolf and reelected Assembly Members Mako Haggerty, Sue McClure and Hal Smalley. He thanked everyone who had attended the meeting and stated that it always helped when constituents spoke with their elected representatives. He noted that Assembly Member Haggerty had spoke with the Mayor regarding extending the Spruce Bark Beetle work being done at Diamond Creek and said there had been hundreds of people applying for the free firewood. He stated his appreciation for the principal leadership of Assembly President Knopp and noted that he had presided with grace and warmth.

Assembly Member Murphy thanked President Knopp for all of the time and effort he put into his job as Assembly President, she recognized the time involved and the difficulty when also owning a business. She congratulated newly elected Assembly Member Kelly Wolf and reelected Assembly Members Mako Haggerty, Sue McClure and Hal Smalley. She said she felt that term limits were a disservice to the Kenai Peninsula Borough, and if it there were no term limits she would not be on the Assembly today her predecessor Pete Sprague would probably still be serving on the Assembly and Gary Knopp would be staying. She said she was disappointed in the voter turn out for the borough election noting that in District 1 there was a 6.1 percent voter turn out. She stated a lot of people had fought and died for the right to vote and that right should be taken advantage of. She thanked everyone who came to the meeting and spoke, she said the Anadromous Fish Habitat Task Force was going to be making recommendations to the Assembly and looked forward to hearing what they had to say.

President Knopp stated that the people of the borough had made a great selection when they elected Mayor Navarre, and wanted the people to know that the borough was being managed very well. He noted that Mr. Braun was representing a large group of people and the public dialog and discussion taking place was what would finally get things resolved, he believed the system would work. He stated that although he did not always agree with all of the Assembly Members they were all his friends, he felt the Assembly was very functional and would move forward very well. He stated the borough had a lot of great staff people; however, the top of his list was the staff in the Clerk's Office, not only did they do a good job they did it consistently.

ADJOURNMENT

With no further business to come before the assembly, President Knopp adjourned the meeting at 9:15 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of October 9, 2012.


John Blankenship, MMC, Borough Clerk

Approved by Assembly: October 23, 2012

