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# Kenai Peninsula Borough

## *Assembly Meeting Minutes*

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December 4, 2012

Regular Meeting - Soldotna, Alaska

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### **CALL TO ORDER**

A Regular Meeting of the Kenai Peninsula Borough Assembly was held on December 4, 2012, in the Borough Assembly Chambers, Soldotna, Alaska. President Murphy 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 Jack Evans from the Family Church of God.

There were present:

Linda Murphy, Presiding  
Mako Haggerty  
Brent Johnson  
Sue McClure  
Charlie Pierce

Hal Smalley  
Bill Smith  
Ray Tauriainen  
Kelly Wolf

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 Pierce said the Finance Committee met and discussed its agenda items.

(07:01:53)

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

Assembly Member Wolf said the Legislative Committee met and discussed its agenda item.

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

## APPROVAL OF THE AGENDA AND CONSENT AGENDA

(07:13:38)

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

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

The following item was removed from the agenda and consent agenda:

- Petition to Vacate Portions of Sprucewood Drive a 60-Foot Right-Of-Way Located Northeast of Tract A, Block 2, and Any Associated Utility Easements with These Portions of Sprucewood Drive, Dedicated and Granted by Mountain Park Subdivision (Plat HM 78-10); Within Section 14, Township 6 South, Range 14 West, Seward Meridian, City of Homer and Within the Kenai Peninsula Borough, Alaska. KPB File 2012-175. Note: The Adjacent Existing Roadway is to be Dedicated with the Recording of This Plat. Petitioners: Robert Archibald and Roberta Highland of Homer, Alaska. Location: City of Homer (Referred to Lands Committee)

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

- November 20, 2012 Regular Assembly Meeting Minutes
- Resolution 2012-091: Providing for the Issuance and Sale of General Obligation Bonds of the Kenai Peninsula Borough in the Aggregate Principal Amount of Not to Exceed One Million Four Hundred Thousand Dollars (\$1,400,000) to Pay the Costs of Capital Improvements in the Bear Creek Fire Service Area, Fixing Certain Detail of Such Bonds, and Pledging the Full Faith and Credit of the Bear Creek Fire Service Area to the Payment Thereof (Mayor) (Referred to Finance Committee)
- Resolution 2012-092: Approving Seldovia Recreational Service Area's Fee Schedule for the Sea Otter Community Center Facility and Adding it to the Borough's Schedule of Rates, Charges and Fees (Mayor) (Referred to Finance Committee)
- Resolution 2012-093: Authorizing a Reduction of the Administrative Fee on the Purchase of the Aerial Fire Apparatus for Nikiski Fire Service Area (Mayor) (Referred to Finance Committee)
- Resolution 2012-094: Approving the 2013 Labor Negotiation Procedures for a New Collective Bargaining Agreement (Mayor) (Referred to Policies and Procedures Committee)
- Resolution 2012-095: Supporting the Naming of the Kenai Peninsula Borough as a Purple Heart Borough (Mayor) (Referred to Legislative Committee)

- Ordinance 2012-19-40: Appropriating Supplemental Funding of \$25,000 to the Assessing Department to Cover the Cost of Purchasing and Implementing the Field Worker Software Application (Mayor) (Hearing on 01/08/13) (Referred to Finance Committee)
- Ordinance 2012-19-41: Authorizing the Acquisition of Two Properties and Business Assets for Hospital Purposes, Appropriating \$3,591,500 from the CPGH, Inc. Plant Replacement and Expansion Fund for the Purchase and Remodeling Costs, and Authorizing an Amendment to the CPGH, Inc. Lease and Operating Agreement (Mayor) (Hearing on 01/08/13) (Referred to Finance Committee)
- Ordinance 2012-39: Enacting KPB 21.04.020 and Amending KPB 21.11.030 to Require Notice by Mail to Owners of Property Located in a Zoning District Proposed to be Created, Amended or Abolished (Tauriainen) (Hearing on 01/08/13) (Referred to Lands Committee)

President Murphy called for public comment with none being offered.

AGENDA APPROVED AS AMENDED: Unanimous.

**COMMENDING RESOLUTIONS AND PROCLAMATIONS** - None.

**PRESENTATIONS WITH PRIOR NOTICE**

(07:17:21)

Kenai Peninsula Borough School District Superintendent **Dr. Steve Atwater** and Kenai Peninsula Borough Board of Education President **Joe Arness** gave a quarterly report.

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

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

(07:42:56)

President Murphy called for public comment with none being offered.

**MAYOR'S REPORT**

(07:43:09)

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
  - a. Authorization to Award Contract for Borough Administration Building Planning / Assessing Departments Office Remodel to B&T Enterprises, Inc., Eagle River, Alaska
  - b. Authorization to Award Contract for Kenai Central High School Vo-Tech Building Awning 2012 to SR Bales Construction, Inc., Anchorage, Alaska

- c. Authorization to Award Contract for purchase of ITB 13-017 Industrial Forklift to Totem Equipment and Supply, Anchorage, Alaska
3. Other
- a. Investment Portfolio Report ~ September 30, 2012
  - b. Budget Revisions ~ October 2012
  - c. Revenue-Expenditure Report ~ October 2012

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

**PUBLIC HEARING ON ORDINANCES**

(07:47:47)

**Ordinance 2012-19-36: Accepting Emergency Response Equipment from the Southern Region Emergency Medical Services Council, Inc., and Appropriating Matching Funds in the Amount of \$9,976.32 on behalf of Kachemak Emergency Service Area (Mayor) (Referred to Finance Committee)**

MOTION: Pierce moved to enact Ordinance 2012-19-36.

President Murphy called for public comment with none being offered.

MOTION: Pierce moved to amend Ordinance 2012-19-36 as follows:

The seventh whereas to read, “at its regularly schedule meeting held November 8, 2012, the KESA Board recommended enactment by unanimous consent;”

MOTION TO AMEND PASSED: Unanimous.

VOTE ON MOTION TO ENACT AS AMENDED:

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

No: None

Absent: None

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

(07:49:50)

**Ordinance 2012-19-37: Accepting an Ambulance from the Southern Region Emergency Medical Services Council, Inc. and Appropriating Matching Funds in the Amount of \$10,000 on Behalf of Kachemak Emergency Services (Mayor) (Referred to Finance Committee)**

MOTION: Pierce moved to enact Ordinance 2012-19-37.

President Murphy called for public comment with none being offered.

MOTION: Pierce moved to amend Ordinance 2012-19-37 as follows:

The seventh whereas to read, “at its regularly scheduled meeting of November 8, 2012, the KESA Board recommended enactment by unanimous consent; and”

MOTION TO AMEND PASSED: Unanimous.

VOTE ON MOTION TO ENACT AS AMENDED:

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

No: None

Absent: None

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

(07:51:06)

**Ordinance 2012-19-38: Appropriating \$400,000 from the General Fund for Flood Response Under the Declared Local Disaster Emergencies within the Kenai Peninsula Borough (Mayor) (Referred to Finance Committee)**

MOTION: Pierce moved to enact Ordinance 2012-19-38.

President Murphy called for public comment with none being offered.

VOTE ON MOTION TO ENACT:

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

No: None

Absent: None

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

(07:52:21)

**Ordinance 2012-19-39: Accepting and Appropriating \$70,148 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management to Purchase Equipment, Supplies and to Conduct Training (Mayor) (Referred to Finance Committee)**

MOTION: Pierce moved to enact Ordinance 2012-19-39.

President Murphy called for public comment with none being offered.

**VOTE ON MOTION TO ENACT:**

Yes: Haggerty, Johnson, McClure, Pierce, Smalley,  
Smith, Tauriainen, Wolf, Murphy  
No: None  
Absent: None  
MOTION TO ENACT PASSED: 9 Yes, 0 No, 0 Absent

**UNFINISHED BUSINESS** - None.

**NEW BUSINESS** - None.

**PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

(07:53:30)

President Murphy called for public comment with none being offered.

**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

(07:53:42)

The next meeting of the Kenai Peninsula Borough Assembly was scheduled for January 8, 2013, at 7:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

**ASSEMBLY COMMENTS**

(07:54:47)

Assembly Member Johnson wished everyone a fabulous Christmas and a Happy New Year and said he was looking forward to doing more government business next year.

Assembly Member McClure noted that it was a short meeting; however, many items affected her area. She was pleased to be one step closer to getting a new Bear Creek Fire Service Area multi-use building and moving forward in the recovery from the fall flood by removing the gravel. She said it was exciting to see that some of the funds appropriated by Ordinance 2012-19-39 would be utilized for amateur radio training, and noted that she was the amateur radio operator for her area. She wished everyone a happy and safe holiday and recommended attendance at any musical school events or concerts in the local areas.

Assembly Member Haggerty wished everyone a Merry Christmas and Happy New Year, he requested a progress report from the Administration regarding the Homer Bailing Facility.

Assembly Member Smith wished everyone Happy Holidays.

Assembly Member Tauriainen wished everyone a Merry Christmas and Happy New Year.

Assembly Member Wolf Merry wished everyone a Merry Christmas and said if you had a veteran in your life or family wish them a Merry Christmas.

Assembly Member Pierce wished everyone a Merry Christmas and Happy New Year.

Vice President Smalley said it was an excellent audit report heard during the Finance Committee and he congratulated the Finance Department for their hard work. He thanked the School District and South Peninsula Hospital for their presentations, and wished everyone a Merry Christmas and a happy and safe New Year.

President Murphy noted that Vice President Smalley would be warm tomorrow since he was headed to Memphis, Tennessee to attend the National Association of Counties (NACo) fall board of directors meeting. She stated that during the last meeting the Assembly had approved travel for both herself and Vice President Smalley; however, she would not be going since the Steering Committees would not be meeting. She wished everyone a Merry Christmas, and a safe and happy New Year and said see you next year.

### ADJOURNMENT

With no further business to come before the assembly, President Murphy adjourned the meeting at 7:58 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of December 4, 2012.

  
John Blankenship, MMC, Borough Clerk

Approved by Assembly: January 8, 2013

