

# Kenai Peninsula Borough



## ASSEMBLY MEETING PACKET

November 5, 2013  
6:00 P.M.



# November 2013

## Monthly Planner

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																																																																																		
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# December 2013

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# November 2013 - December 2013

## Assembly Yearly Planner

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### **NOVEMBER**

- 5 **Assembly Meeting**
- 11 **Borough Holiday: Veterans Day**
- 18 **11/18-11/22 AML Annual Conf. (Anch.)**

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- 28 **Borough Holiday: Thanksgiving**
- 29 **Borough Holiday: Thanksgiving**

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### **DECEMBER**

- 3 **Assembly Meeting**
- 24 **Borough Holiday: Christmas Eve**
- 25 **Borough Holiday: Christmas**

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*Assembly Meeting Schedule*

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*TUESDAY, NOVEMBER 5, 2013*

- 3:30 PM          Finance Committee**
- 3:45 PM          Lands Committee**
- 4:00 PM          Policies and Procedures Committee**
- 4:45 PM          Legislative Committee**
- 6:00 PM          Regular Assembly Meeting**

Above listed meetings will be held in:

Assembly Chambers  
George A. Navarre Kenai Peninsula Borough Administration Building  
144 North Binkley Street, Soldotna, Alaska

November 5, 2013	3:30 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Brent Johnson, Chair	Charlie Pierce, Vice Chair	Wayne Ogle

**AGENDA**

**M. PUBLIC HEARINGS ON ORDINANCES**

- 1. Ordinance 2013-19-20: Appropriating \$1,900,000 from the Solid Waste Capital Projects Fund for Phase I Closure of the Homer Landfill (Mayor).....20

**O. NEW BUSINESS**

- 2. Ordinances
  - \*a. Ordinance 2013-19-22: Appropriating \$22,987,000 in General Obligation Bond Proceeds to the Bond Capital Projects Fund for School Capital Projects (Mayor) (Hearing on 12/03/13).....37

\*Consent Agenda Items

November 5, 2013	3:45 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Dale Bagley, Chair	Kelly Wolf, Vice Chair	Bill Smith

**AGENDA**

**ITEMS NOT APPEARING ON THE REGULAR MEETING AGENDA**

1. "Municipal Entitlement Update", John Mohorcich and Marcus Mueller, KPB Land Management (10 minutes)

\*Consent Agenda Items

*Policies and Procedures Committee*

November 5, 2013	4:00 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Sue McClure, Chair	Wayne Ogle, Vice Chair	Charlie Pierce

**AGENDA**

**K. MAYOR’S REPORT**.....11

1. Assembly Requests/Responses – None.

2. Agreements and Contracts

    a. Authorization to Award Contract for the Road Service Area Summer and Winter Road Maintenance in West Region, Unit 2 to River City Construction .....12

    b. Authorization to Award Contract for Homer High School Boiler Fuel Conversion to Combustion and Control .....13

3. Other

    a. Budget Revisions – September 2013 .....15

    b. Revenue-Expenditure Report – September 2013.....17

**M. PUBLIC HEARINGS ON ORDINANCES**

2. Ordinance 2013-32: Authorizing the Assessor to Accept the Late-Filed Senior Exemption Application of Alan Phillips for 2013, Filed After March 31 (Mayor).....23

**O. NEW BUSINESS**

1. Resolutions

    \*b. Resolution 2013-075: Authorizing the Borough Assessor to Approve the \$50,000 Residential Exemption for Tax Year 2014 and Future Years for Properties that Qualified for and Received the \$20,000 Residential Exemption in 2013 (Mayor).....32



*c.	<u>Resolution 2013-076: Confirming Appointments of Assembly Members to Non-Borough Boards (Smalley)</u> .....	35
2.	Ordinances	
*b.	<u>Ordinance 2013-33: Authorizing the Assessor to Accept the Late-Filed Senior Exemption Application of Hal Webb for 2013, Filed After March 31 (Mayor) (Hearing on 12/03/13)</u> .....	40
3.	Other	
*a.	Approval of the 2014 Assembly Meeting Schedule (Smalley) .....	46
*b.	Confirming an Appointment to the Seward / Bear Creek Flood Service Area Board (Mayor).....	47
	<u>Applicant</u> <u>Seat</u> <u>Term to Expire</u>	
	Karl Van Buskirk              A                              October 2014	
*c.	Confirming an Appointment to KPB Road Service Area Board (Mayor) (Referred to Policies and Procedures Committee) .....	50
	<u>Applicant</u> <u>Seat</u> <u>Term to Expire</u>	
	Larry L. Smith              At-Large                      September 30, 2016	

\*Consent Agenda Items

November 5, 2013	4:45 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Mako Haggerty, Chair	Bill Smith, Vice Chair	Kelly Wolf

**AGENDA**

**O. NEW BUSINESS**

1. Resolutions

- \*a. Resolution 2013-074: Supporting the Efforts of the Tsalteshi Trails Association to Secure a Recreational Trails Grant from the State of Alaska (Johnson).....29

\*Consent Agenda Items

# *Assembly Agenda*

November 5, 2013 - 6:00 PM

Regular Meeting

Assembly Chambers, Soldotna, Alaska

*Hal Smalley  
Assembly President  
Seat 2 - Kenai  
Term Expires 2014*

*Bill Smith  
Assembly Vice President  
Seat 8 - Homer  
Term Expires 2014*

*Dale Bagley  
Assembly Member  
Seat 4 - Soldotna  
Term Expires 2016*

*Mako Haggerty  
Assembly Member  
Seat 9 - South Peninsula  
Term Expires 2015*

*Brent Johnson  
Assembly Member  
Seat 7 - Central  
Term Expires 2016*

*Sue McClure  
Assembly Member  
Seat 6 - East Peninsula  
Term Expires 2015*

*Wayne Ogle  
Assembly Member  
Seat 3 - Nikiski  
Term Expires 2016*

*Charlie Pierce  
Assembly Member  
Seat 5 - Sterling/Funny  
River  
Term Expires 2014*

*Kelly Wolf  
Assembly Member  
Seat 1 - Kalifornsky  
Term Expires 2015*

**A. CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE**

**C. INVOCATION**

**D. ROLL CALL**

**E. COMMITTEE REPORTS**

**F. APPROVAL OF AGENDA AND CONSENT AGENDA**

(All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Assembly and will be approved by one motion. There will be no separate discussion of these items unless an Assembly Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.)

**G. APPROVAL OF MINUTES**

\*1. October 22, 2013 Regular Assembly Meeting Minutes ..... 1

**H. COMMENDING RESOLUTIONS AND PROCLAMATIONS**

1. A Resolution Commending the Pop Warner Soldotna Saints Junior Peeewe Football Team as the 2013 State Champions (Smalley, Bagley)..... 9

**I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)**

**J. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA (3 minutes per speaker; 20 minutes aggregate)**

**K. MAYOR'S REPORT ..... 11**

1. Assembly Requests/Responses – None.

2.	Agreements and Contracts	
a.	Authorization to Award Contract for the Road Service Area Summer and Winter Road Maintenance in West Region, Unit 2 to River City Construction .....	12
b.	Authorization to Award Contract for Homer High School Boiler Fuel Conversion to Combustion and Control .....	13
3.	Other	
a.	Budget Revisions – September 2013 .....	15
b.	Revenue-Expenditure Report – September 2013.....	17
<b>L.</b>	<b>ITEMS NOT COMPLETED FROM PRIOR AGENDA – None.</b>	
<b>M.</b>	<b>PUBLIC HEARINGS ON ORDINANCES</b> (Testimony limited to 3 minutes per speaker)	
1.	<u>Ordinance 2013-19-20</u> : Appropriating \$1,900,000 from the Solid Waste Capital Projects Fund for Phase I Closure of the Homer Landfill (Mayor) (Referred to Finance Committee) .....	20
2.	<u>Ordinance 2013-32</u> : Authorizing the Assessor to Accept the Late-Filed Senior Exemption Application of Alan Phillips for 2013, Filed After March 31 (Mayor) (Referred to Policies and Procedures Committee).....	23
<b>N.</b>	<b>UNFINISHED BUSINESS – None.</b>	
<b>O.</b>	<b>NEW BUSINESS</b>	
1.	Resolutions	
*a.	<u>Resolution 2013-074</u> : Supporting the Efforts of the Tsalteshi Trails Association to Secure a Recreational Trails Grant from the State of Alaska (Johnson) (Referred to Legislative Committee) .....	29
*b.	<u>Resolution 2013-075</u> : Authorizing the Borough Assessor to Approve the \$50,000 Residential Exemption for Tax Year 2014 and Future Years for Properties that Qualified for and Received the \$20,000 Residential Exemption in 2013 (Mayor) (Referred to Policies and Procedures Committee) .....	32
*c.	<u>Resolution 2013-076</u> : Confirming Appointments of Assembly Members to Non-Borough Boards (Smalley) (Referred to Policies and Procedures Committee).....	35

2. Ordinances

\*a. Ordinance 2013-19-22: Appropriating \$22,987,000 in General Obligation Bond Proceeds to the Bond Capital Projects Fund for School Capital Projects (Mayor) (Hearing on 12/03/13) (Referred to Finance Committee).....37

\*b. Ordinance 2013-33: Authorizing the Assessor to Accept the Late-Filed Senior Exemption Application of Hal Webb for 2013, Filed After March 31 (Mayor) (Hearing on 12/03/13) (Referred to Policies and Procedures Committee) .....40

3. Other

\*a. Approval of the 2014 Assembly Meeting Schedule (Smalley) (Referred to Policies and Procedures Committee).....46

\*b. Confirming an Appointment to the Seward / Bear Creek Flood Service Area Board (Mayor) (Referred to Policies and Procedures Committee) .....47

<u>Applicant</u>	<u>Seat</u>	<u>Term to Expire</u>
Karl Van Buskirk	A	October 2014

\*c. Confirming an Appointment to KPB Road Service Area Board (Mayor) (Referred to Policies and Procedures Committee) .....50

<u>Applicant</u>	<u>Seat</u>	<u>Term to Expire</u>
Larry L. Smith	At-Large	September 30, 2016

**P. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS** (3 minutes per speaker)

**Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. December 3, 2013 Regular Assembly Meeting 6:00 PM Soldotna

**R. ASSEMBLY COMMENTS**

**S. PENDING LEGISLATION** (This item lists legislation which will be addressed at a later date as noted.)

1. Ordinance 2013-19-19: Approving the Transition of Eight State of Alaska Department of Public Safety Dispatchers to Borough Employment, Appropriating \$460,881 to Fund the Transition, Accepting Funds from the Alaska Department of Public Safety to Partially Fund the Positions, and Authorizing the Mayor to Execute an Agreement for the Cooperative Operation of the Soldotna Public Safety Communications Center (Mayor) (Referred to Finance Committee) *Tabled 10/22/13*
  
2. Ordinance 2013-19-21: Accepting and Appropriating \$26,692 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management to Purchase Portable Radios for Kachemak Emergency Service Area and to Conduct Alaska Shield 2014 Training Exercise (Mayor) (Hearing on 12/03/13) (Referred to Finance Committee)

**T. INFORMATIONAL MATERIALS AND REPORTS**

**U. NOTICE OF NEXT MEETING AND ADJOURNMENT**

The next meeting of the Kenai Peninsula Borough Assembly will be held on December 3, 2013, at 6:00 P.M. in the Borough Assembly Chambers, Soldotna, Alaska.

*This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula), K201AO-FM 88.1 (East Peninsula).*

*Copies of agenda items are available at the Borough Clerk's Office in the Meeting Room just prior to the meeting. For further information, please call the Clerk's Office at 714-2160 or toll free within the Borough at 1-800-478-4441, Ext. 2160. Visit our website at [www.borough.kenai.ak.us](http://www.borough.kenai.ak.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*

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# Kenai Peninsula Borough

## *Assembly Meeting Minutes*

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October 22, 2013

Regular Meeting - Soldotna, Alaska

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### **CALL TO ORDER**

A Regular Meeting of the Kenai Peninsula Borough Assembly was held on October 22, 2013, in the Borough Assembly Chambers, Soldotna, Alaska. Vice President Smalley called the meeting to order at 6:00 p.m.

### **PLEDGE OF ALLEGIANCE AND INVOCATION**

The Pledge of Allegiance was recited followed by the invocation given by Envoy Craig Fanning from the Salvation Army.

### **There were present:**

Hal Smalley, Presiding  
Dale Bagley  
Mako Haggerty  
Brent Johnson  
Sue McClure

Wayne Ogle  
Charlie Pierce  
Bill Smith  
Kelly Wolf

comprising a quorum of the assembly.

### **Also in attendance were:**

Colette Thompson, Borough Attorney  
Johni Blankenship, Borough Clerk  
Michele Turner, Deputy Borough Clerk

### **COMMITTEE REPORTS**

Assembly Member Pierce said the Finance Committee met and discussed its agenda items. (06:01:53)

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

### **APPROVAL OF THE AGENDA AND CONSENT AGENDA**

MOTION TO APPROVE AGENDA:

Pierce moved for the approval of the agenda and consent agenda. (06:05:30)

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

The following item was removed from the consent agenda:

- Resolution 2013-072: Providing for the Issuance of Not to Exceed \$43,000,000 Specialty Clinic Building Revenue Bonds of the Borough, in One or More Series, for the Purpose of Providing Amounts to Engineer, Design, Construct, and Equip a Specialty Clinic Building in the Central Kenai Peninsula Hospital Service Area and Providing for the Details of the Bonds (Mayor) (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.

- October 8, 2013 Regular Assembly Meeting Minutes
- Resolution 2013-073: Authorizing Community Revenue Sharing Program Expenditures for Unincorporated Communities (Mayor) (Referred to Finance Committee)
- Ordinance 2013-19-21: Accepting and Appropriating \$26,692 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management to Purchase Portable Radios for Kachemak Emergency Service Area and to Conduct Alaska Shield 2014 Training Exercise (Mayor) (Hearing on 12/03/13) (Referred to Finance Committee)

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

AGENDA APPROVED AS AMENDED: Unanimous.

### ASSEMBLY REORGANIZATION

(06:07:39)

Vice President Smalley called for nominations for the office of Assembly President.

NOMINATION: Smith nominated Smalley.

NOMINATION: Ogle nominated Pierce.

Seeing no further nominations, Vice President Smalley closed the nomination period.

Borough Clerk Johni Blankenship counted the secret ballots and read the results of the vote for Assembly President.

### VOTE ON ELECTION OF ASSEMBLY PRESIDENT:

Smalley: 5

Pierce: 4

Vice President Smalley was elected to the office of Assembly President.



President Smalley called for nominations for the office of Assembly Vice President.

NOMINATION: McClure nominated Smith.

NOMINATION: Wolf nominated Pierce.

Seeing no further nominations, President Smalley closed the nomination period.

Borough Clerk Johni Blankenship counted the secret ballots and read the results of the vote for Assembly Vice President.

VOTE ON ELECTION OF ASSEMBLY VICE PRESIDENT:

Smith: 5

Pierce: 4

### COMMENDING RESOLUTIONS AND PROCLAMATIONS

(06:12:18)

Mayor Navarre presented a Proclamation to Jeanette Browning, Executive Director of the LeeShore Center, Declaring October 2013 as “Domestic Violence Awareness Month”.

### PRESENTATIONS WITH PRIOR NOTICE

(06:14:12)

Rick Davis, CEO of Central Peninsula General Hospital, Inc. presented their quarterly report to the assembly.

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

(06:26:26)

President Smalley called for public comment.

**George Pierce**, Kasilof welcomed the newly elected assembly members, spoke in opposition to the anadromous ordinance, term limits and funding non-profit organizations.

**Dave Yragui**, Kenai addressed the assembly regarding flooding issues in the Kalifornsky Beach area.

**Dianne MacRae**, Kasilof addressed the assembly regarding properties that were purchased for the hospital campus.

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

### MAYOR’S REPORT

(06:43:57)

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
  - a. Authorization to Award Contract for Snow Removal and/or Sanding of Homer Area Schools to Gregoire Construction

- 3. Other
  - a. Recap of 2013 Surplus Property Auction
  - b. Litigation Status Report

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

**PUBLIC HEARING ON ORDINANCES**

(06:45:27)

**Ordinance 2013-19-19: Approving the Transition of Eight State of Alaska Department of Public Safety Dispatchers to Borough Employment, Appropriating \$460,881 to Fund the Transition, Accepting Funds from the Alaska Department of Public Safety to Partially Fund the Positions, and Authorizing the Mayor to Execute an Agreement for the Cooperative Operation of the Soldotna Public Safety Communications Center (Mayor) (Referred to Finance Committee)**

*[Clerk's Note: A motion to enact is on the floor from the October 8, 2013 meeting.]*

President Smalley called for public comment with none being offered.

MOTION: Pierce moved to table Ordinance 2013-19-19.

VOTE ON MOTION TO TABLE:

Yes: Bagley, Haggerty, Johnson, McClure, Ogle, Smalley, Smith, Wolf

No: None

Absent: None

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

**NEW BUSINESS**

(06:47:34)

**Resolution 2013-072: Providing for the Issuance of Not to Exceed \$43,000,000 Specialty Clinic Building Revenue Bonds of the Borough, in One or More Series, for the Purpose of Providing Amounts to Engineer, Design, Construct, and Equip a Specialty Clinic Building in the Central Kenai Peninsula Hospital Service Area and Providing for the Details of the Bonds (Mayor) (Referred to Finance Committee)**

MOTION: Pierce moved to adopt Resolution 2013-072.

President Smalley called for public comment.

The following people spoke in support of Resolution 2013-072:

**Rick Davis**, CEO of Central Peninsula Hospital  
**Charlie Franz**, Soldotna  
**Alyson Stogsdill**, Soldotna  
**Craig Wilcox**, Soldotna  
**Shaun Keef**, CFO of Central Peninsula Hospital  
**Matt Dammeyer**, COO of Central Peninsula Hospital  
**Terrie McNaulty**, Soldotna

The following people spoke in opposition to Resolution 2013-072:

**Dr. Jim Zirul**, Kenai  
**Dr. Henry Krull**, Soldotna  
**Wenda Kennedy**, Nikiski  
**Dan Green**, Soldotna  
**Dianne MacRae**, Kasilof

The following people spoke in support of postponement of Resolution 2013-072:

**Norm Blakley**, Sterling  
**George Pierce**, Kasilof  
**Grace Merkes**, Sterling  
**Fred Sturman**, Soldotna

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

Assembly Members Smith, Pierce, Haggerty, Johnson and McClure spoke in support of Resolution 2013-072.

MOTION TO AMEND:

Pierce moved to amend the final Whereas to read, “at its October 14, 2013, meeting the Central Kenai Peninsula Hospital Service Area Board recommended approval by unanimous consent;”

VOTE ON MOTION TO AMEND:

Unanimous.

MOTION TO POSTPONE:

Wolf moved to postpone Resolution 2013-072 until November 5, 2013.

Assembly Members Wolf and Ogle spoke in support of postponing Resolution 2013-072.

VOTE ON MOTION TO POSTPONE:

Yes: Ogle, Wolf  
No: Bagley, Haggerty, Johnson, McClure, Pierce, Smith, Smalley  
Absent: None  
MOTION TO POSTPONE FAILED: 2 Yes, 7 No, 0 Absent

VOTE ON MOTION TO ADOPT AS AMENDED:

Yes: Bagley, Haggerty, Johnson, McClure, Pierce, Smith, Smalley  
No: Ogle, Wolf  
Absent: None  
MOTION TO ADOPT AS AMENDED PASSED: 7 Yes, 2 No, 0 Absent

**PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

(08:49:16)

President Smalley called for public comment.

**Dan Green**, Soldotna addressed the assembly regarding his concerns with the public process that took place regarding Resolution 2013-072.

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

**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

(08:51:48)

The next meeting of the Kenai Peninsula Borough Assembly was scheduled for November 5, 2013, at 6:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

**ASSEMBLY COMMENTS**

(08:51:58)

Assembly Member Johnson stated he appreciated the three former assembly presidents for their public service and attending the meeting. He congratulated President Smalley and Vice President Smith for being elected. Mr. Johnson offered his condolences to the family and community for the loss of his brother-in-law, Doug Blossom.

Assembly Member McClure congratulated the new president and vice president. She thanked all the public members who contacted them and who testified at the meeting. Ms. McClure stated this was the way this form of government worked and was pleased to see this body listen as careful as they did to weigh the options. She gave a special shout-out to Pat Ray Williams who celebrated her 104th birthday.

Assembly Member Haggerty had no public comment.

Assembly Member Ogle congratulated the president and vice president on their elections. He thanked the staff from the hospital for their interesting and compelling testimonies. He felt it was a very enlightening discussion regarding a pretty complex issue. Mr. Ogle thanked the voters for placing trust in him as their assembly member. He would endeavor to work hard and

be the people's representative. He shared a couple "Nikiski nuggets"; he congratulated the First Baptist Church who recently celebrated their 50th anniversary and secondly, congratulated the Nikiski bulldogs football team for winning the First National Bowl small schools state championship.

Assembly Member Wolf congratulated both the president and vice president on their election. He stated that this was the world's best political process; a representative form of government. Mr. Wolf addressed his concerns regarding assembly and public decorum. He expressed his support for the hospital and having it in our community. He stated he appreciated everyone who attended the meeting.

Assembly Member Pierce stated it was not the first time he had to apologize to a group that may have perceived that he was tongue lashing. He stated he was very passionate about the hospital issues and had been very attentive to these issues over the last three years of being on the assembly. He sincerely apologized to members of the community who felt they were lashed out at; it was not his intention. He stated it was hard being an assembly member because sometimes they were faced with a no-win situation, in that the public expected them to make a decision and disappointed when they don't and then angry if different decisions were made. He stated this came with the process and the responsibility of being an assembly member. He felt he tried to bring a business perspective to the table and had always tried to make the best decision in the best interest of the community. Mr. Pierce congratulated Mr. Smalley and Mr. Smith on their election and looked forward to serving with both of them this year.

Assembly Member Bagley stated it had been fifteen years since he last served on the assembly and hoped his first meeting back would be easy and that was not the case. He congratulated Mr. Smalley and Mr. Smith on their election and looked forward to working with them over the course of the year.

Assembly Member Smith welcomed the two new assembly members Mr. Bagley and Mr. Ogle. He stated it was good to have them onboard and looked forward to working with them. He congratulated Mr. Smalley on his election as president. Regarding the postponement or non-postponement, he stated the assembly did not make a bad anti-public decision because the taxpayers were protected by the revenue bond process. Mr. Smith thanked the public for attending the meeting and those who wrote letters. He stated he appreciated the additional viewpoints. He wished his granddaughter Sophie happy birthday.

Assembly President Smalley congratulated Dr. Fraser on his retirement. He thanked everyone for their support with his presidency. He stated in looking back at the former assembly presidents who had served, it was truly an honor to be included in that class. He congratulated Mr. Smith on his election to vice president. He reminded everyone that Halloween was next week and to be careful when driving. He thanked the public who testified at the meeting, made phone calls and wrote emails. Mr. Smalley discussed the iCivics game that was an education project that was partially funded by NACo to educate students about government. He encouraged the assembly to get involved with our schools and share what elected officials do.

**ADJOURNMENT**

*(09:10:03)*

With no further business to come before the assembly, President Smalley adjourned the meeting at 9:10 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of October 22, 2013.

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Approved by Assembly: \_\_\_\_\_

Unapproved

Introduced by: Smalley, Bagley  
Date: 11/05/13  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
COMMENDING RESOLUTION**

**A RESOLUTION COMMENDING THE POP WARNER SOLDOTNA SAINTS JUNIOR  
PEEWEE FOOTBALL TEAM AS THE 2013 STATE CHAMPIONS**

**WHEREAS**, the Pop Warner Junior PeeWee State Championship football game was held on October 13, 2013 at the Anchorage Football Stadium; and

**WHEREAS**, the Soldotna Saints Junior PeeWee football team advanced to the state championship tournament with a record of 7 wins and 2 losses; and

**WHEREAS**, under the direction of Head Coach Layne Giugler and Assistant Coaches Julie Tree, Trent Burnett and Chris Graves the clinching victory over the Eagle River Panthers was won by a score of 6 to 0 to complete their season; and

**WHEREAS**, members of the winning team include: Sammy Baker, Ashton Gilliland, Zachary Burnett, Jackson Cross, Jackson DuPerron, Riley Graves, Austin Hardy, Josh Heiber, Tyler Johnson, Taylor Jones, Scott Loehr, Duasian Patow, Caileb Payne, Mason Payne, Braedon Pitsch, Jordan Spies, Joseph Sylvester, Dennis Taylor, Joshua Tree, Tucker Vann, Travis Verkuilen, Ryin Witte, Jaryn Zoda,; and

**WHEREAS**, the performance of the winning Soldotna Saints Junior PeeWee Football Team was superb and a credit to their parents, schools and the community;

**NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That the Kenai Peninsula Borough Assembly commends the Pop Warner Soldotna Saints Junior PeeWee Football Team for their outstanding performance in winning the 2013 State Championship.

**SECTION 2.** That a special Certificate of Achievement will be presented to each member of the winning team.

**SECTION 3.** That a copy of this commending resolution will be given to Kenai Peninsula Pop Warner Association President Renee Gagnon, Head Coach Layne Giugler and Assistant Coaches Julie Tree, Trent Burnett and Chris Graves.

**SECTION 4.** That this resolution becomes effective upon its adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH DAY OF NOVEMBER, 2013.**

\_\_\_\_\_  
Hal Smalley, Assembly President

ATTEST:

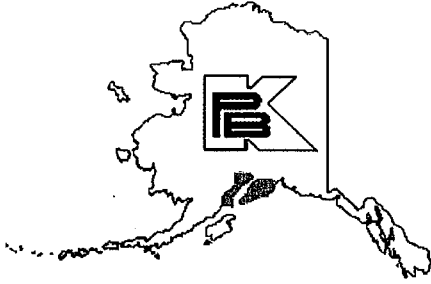
\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:





## **KENAI PENINSULA BOROUGH**

144 North Binkley St. Soldotna, Alaska 99669-7520

Toll-Free within the Borough 1-800-478-4441

Phone 907-714-2150 • Fax 907-714-2377

www.borough.kenai.ak.us

**MIKE NAVARRE  
BOROUGH MAYOR**

### **MAYOR'S REPORT TO THE ASSEMBLY**

**TO:** Hal Smalley, Assembly President  
Members, Kenai Peninsula Borough Assembly

**FROM:** Mike Navarre, Kenai Peninsula Borough Mayor *MNV*

**DATE:** November 5, 2013

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#### Assembly Requests/ Response

None

#### Agreements and Contracts

- a. Authorization to Award Contract for the Road Service Area Summer & Winter Road Maintenance in West Region, Unit 2 to River City Construction.
- b. Authorization to Award Contract for Homer High School Boiler Fuel Conversion to Combustion & Control, Anchorage AK.

#### Other

- a. Budget Revisions – September 2013
- b. Revenue-Expenditure Report – September 2013



# KENAI PENINSULA BOROUGH

Road Service Area


47140 E. Poppy Lane • Soldotna, Alaska 99669  
Toll-free within the Borough: 1-800-478-4427  
PHONE: (907) 262-4427 • FAX: (907) 262-6090  
www.borough.kenai.ak.us

**MIKE NAVARRE**  
BOROUGH MAYOR

## MEMORANDUM

**TO:** Mike Navarre, Mayor

**THRU:** Mark Fowler, Purchasing & Contracting Director  
Craig Chapman, Director of Finance

**FROM:** Pat Malone, Road Service Area Director 

**DATE:** October 16, 2013

**SUBJECT:** Authorizing Award Contract for the Road Service Area Summer & Winter Road Maintenance in West Region, Unit 2

On August 27, 2013 the Kenai Peninsula Borough Road Service Area formally solicited for proposals for Road Service Area Summer & Winter Road Maintenance in West Region, Unit 2. The request for proposals was advertised in the Peninsula Clarion August 27 & 29 and September 3, 2013.

The contract consists of furnishing all labor, materials and equipment to perform summer and winter road maintenance. This is a three-year contract with an option for two one-year extensions.

On the due date of September 5, 2013 one (1) proposal was received. River City Construction was the sole proposer.

The RSA evaluation committee evaluated the proposal consistent with the criteria established in the RFP. The Road Service Area Board at their October 15, 2013 meeting approved Road Service Area Resolution 2013-08 Recommending Approval of Contract for Summer & Winter Road Maintenance in West Region, Unit 2 to River City Construction.

Funding is available in the FY2014 Road Service Area operating budget. Expenditures for the contract will be charged to account number 236.33950.00000.43952.

  
Mike Navarre, Kenai Peninsula Borough Mayor

10/16/13  
Date

<b>FINANCE DEPARTMENT FUNDS VERIFIED</b>	
Acct. #236.33950.00000.43952	
Amount \$200,000	
By: <u>pc</u>	Date: <u>10/17/13</u>




## KENAI PENINSULA BOROUGH

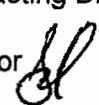
Maintenance Department  
47140 East Poppy Lane, Soldotna Alaska  
phone (907) 262-4011 fax (907) 262-5882  
www.borough.kenai.ak.us

MIKE NAVARRE  
MAYOR

### MEMORANDUM

**TO:** Mike Navarre, Mayor

**THRU:** Mark Fowler, Purchasing & Contracting Director 

**FROM:** Scott Griebel, Maintenance Director 

**DATE:** October 22, 2013

**SUBJECT:** Authorization to Award Contract for Homer High School Boiler Fuel Conversion

The Purchasing and Contracting Office formally solicited and received bids for the "Homer High School Boiler Fuel Conversion" project. Bid packets were released on September 3, 2013 and the Invitation to Bid was advertised in the *Peninsula Clarion* on September 3, 2013; *Anchorage Daily News* on September 3, 2013 and the *Homer News* on September 5, 2013.

The project includes upgrade on three (3) existing boilers from the existing No. 2 fuel oil fired burners to natural gas burners and associated appurtenances. Provide labor and materials for a complete installation of Natural Gas Fuel conversion. Systems as specified and as described on the Drawings. The Contractor is responsible for installation, balancing, testing, startup, and operational checkout for a fully functional system. Provide check out and startup of all systems in accordance with manufacturer procedures and specifications as specified in the contract at Homer High School, 600 E. Fairview Ave, Homer, Alaska.

On the due date of October 9, 2013, two (2) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$71,610.11 was submitted by Combustion & Control, 6657 Greenwood Street, Anchorage, AK 99518.

Your approval for this bid award is hereby requested. Funding for this project is in account number 400.78050.14GAS.43780.

Approved:

  
Mike Navarre, Mayor

10/23/13  
Date

FINANCE DEPARTMENT  
FUNDS VERIFIED

Acct #400.78050.14GAS.43780 - \$71,610.11

BY:  DATE: 10/22/2013

**KENAI PENINSULA BOROUGH  
PURCHASING & CONTRACTING**

**BID TAB FOR: ITB14-005 Homer High School Boiler Fuel Conversion**

CONTRACTOR	BASE BID
Cole Industrial	\$74,398.00
Combustion Control	\$71,610.11

**DUE DATE: October 9, 2013 @ 2:00 PM**

**KPB OFFICIAL:** *Jan Mark Fowler*  
 Mark Fowler, Purchasing & Contracting Director



## **KENAI PENINSULA BOROUGH**

Finance Department

144 North Binkley Street • Soldotna, Alaska 99669-8250

PHONE: (907) 714-2170 • FAX: (907) 714-2376

MIKE NAVARRE  
BOROUGH MAYOR

**To:** Linda Murphy, Assembly President  
Members of the Kenai Peninsula Borough Assembly

**Thru:** Mike Navarre, Borough Mayor *MN*

**Thru:** Craig C. Chapman, Finance Director *CChap*

**From:** Brandi Harbaugh, Controller *BH*

**From:** *N* Lauri Lingafelt, Auditor/Accountant

**Date:** October 23, 2013

**Subject:** Budget Revisions – September 2013

Attached is a budget revision listing for September 2013. The attached list contains budget revisions between major expenditure categories (i.e., maintenance & operations and capital outlay). Other minor transfers were processed between object codes within major expenditure categories.

Sep-13

INCREASE

DECREASE

**PLANNING-LAND MANAGEMENT:** Cleaning up the budget to balance the accounts. Have had to use Temporary Employees because the Land Management Administrative Assistant position has not been filled to date. Also added funds to fuel account to cover costs of field work and inspections.

250.21210.00000.40120 (Temporary Wages)	5,500.00	
250.21210.00000.42230 (Fuel, Oils & Lubricants)	1,000.00	
250.21210.00000.40110 (Regular Wages)		5,500.00
250.21210.00000.43720 (Equipment Maintenance)		500.00
250.21210.00000.43750 (Vehicle Maintenance)		500.00



## **KENAI PENINSULA BOROUGH**

Finance Department

144 North Binkley Street • Soldotna, Alaska 99669-8250

**PHONE:** (907) 714-2170 • **FAX:** (907) 714-2376

MIKE NAVARRE  
BOROUGH MAYOR

**To:** Linda Murphy, Assembly President  
Members of the Kenai Peninsula Borough Assembly

**Thru:** Mike Navarre, Borough Mayor *MN*

**Thru:** Craig C. Chapman, Finance Director *C Chapman*

**From:** Brandi Harbaugh, Controller *BH*

**From:** *W* Lauri Lingafelt, Auditor/Accountant

**Date:** October 23, 2013

**Subject:** Revenue-Expenditure Report – September 2013

Attached is the Revenue-Expenditure Report of the General Fund for the month of September 2013. Please note that 25.00 % of the year has elapsed, 24.07 % of budgeted expenditures have been made, and 41.74 % of budgeted revenues have been collected.

KENAI PENINSULA BOROUGH  
REVENUE REPORT  
FOR THE PERIOD  
SEPTEMBER 1, 2013 THROUGH SEPTEMBER 30, 2013

ACCOUNT NUMBER	DESCRIPTION	ESTIMATED REVENUE	YTD RECEIPTS	PTD RECEIPTS	VARIANCE	% COLLECTED
31100	TOTAL REAL TAX	\$ 25,663,680	\$ 12,576,403	\$ 7,907,875	\$ (13,087,277)	49.00%
31200	TOTAL PERS TAX	1,577,411	1,072,672	661,593	(504,739)	68.00%
31300	TOTAL OIL TAX	4,453,947	4,451,809	53,059	(2,138)	99.95%
31400	MOTOR VEHICLE TAX	700,000	0	0	(700,000)	0.00%
31510	PROPERTY TAX PEN & INT	494,843	21,260	9,524	(473,583)	4.30%
31610	SALES TAX	29,938,049	8,969,501	1,389,564	(20,968,548)	29.96%
33110	IN LIEU PROPERTY TAX	2,539,512	0	0	(2,539,512)	0.00%
33117	OTHER FEDERAL REV	142,500	0	0	(142,500)	0.00%
34110	SCHOOL DEBT RMBRSMT	1,753,936	657,104	0	(1,096,832)	37.46%
34221	ELECTRICITY & PHONE REV	170,000	0	0	(170,000)	0.00%
34222	FISH TAX REV SHARING	750,000	0	0	(750,000)	0.00%
34210	REVENUE SHARING	2,150,000	2,130,481	0	(19,519)	99.09%
37350	INTEREST ON INVESTMENTS	1,250,000	92,970	23,156	(1,157,030)	7.44%
38000	TRANS FROM OTHER FUNDS	0	1,674	0	1,674	0%
39000	OTHER LOCAL REVENUE	300,000	55,012	28,203	(244,988)	18.34%
290	SOLID WASTE REVENUE	600,000	228,584	7,810	(371,416)	38.10%
TOTAL REVENUES		\$ 72,483,878	\$ 30,257,470	\$ 10,080,785	\$ (42,226,408)	41.74%



KENAI PENINSULA BOROUGH  
EXPENDITURE REPORT  
FOR THE PERIOD  
September 1 through September 30, 2013

DESCRIPTION	REVISED BUDGET	YTD EXPENDED	PTD EXPENDED	AMOUNT ENCUMBERED	AVAILABLE BALANCE	% EXPENDED
ASSEMBLY ADMINISTRATION	\$ 652,142	\$ 96,488	\$ 23,876	\$ 70,404	\$ 485,249	14.80%
ASSEMBLY CLERK	533,413	93,191	37,276	23,225	416,997	17.47%
ASSEMBLY ELECTIONS	127,110	65,373	56,701	261	61,476	51.43%
ASSEMBLY RECORDS MNGMT	262,392	39,877	9,665	11,598	210,917	15.20%
MAYOR ADMINISTRATION	743,165	143,091	46,941	770	599,305	19.25%
PURCHASING AND CONTRACTING	383,793	20,218	16,930	5,792	357,783	5.27%
GENERAL SERVICES	687,280	129,870	43,341	17,240	540,170	18.90%
GENERAL SERVICES - MIS	1,894,884	358,171	102,890	59,075	1,477,638	18.90%
GENERAL SERVICES - GIS	553,973	149,090	28,244	7,591	397,292	26.91%
GENERAL SERVICES - PRINT/MAIL	197,751	42,625	14,834	35,746	119,380	21.55%
GENERAL SVC - CUSTODIAL MAINT	109,438	19,271	7,747	6,358	83,810	17.61%
EMERGENCY MANAGEMENT	708,572	122,410	51,162	81,101	505,062	17.28%
LEGAL ADMINISTRATION	985,300	178,560	66,465	38,955	767,785	18.12%
FINANCE - ADMINISTRATION	515,352	121,768	34,589	3,698	389,886	23.63%
FINANCIAL SERVICES	908,539	173,307	56,764	2,306	732,925	19.08%
FINANCE - PROPERTY TAX AND CO	991,683	246,950	51,863	41,138	703,595	24.90%
FINANCE - SALES TAX	742,588	160,445	33,403	50,159	531,983	21.61%
ASSESSING ADMINISTRATION	1,339,807	300,191	77,250	10,245	1,029,371	22.41%
ASSESSING APPRAISAL	1,792,157	310,576	105,123	35,916	1,445,665	17.33%
RESOURCE PLANNING ADMIN	1,279,786	230,162	79,846	89,391	960,233	17.98%
THE RIVER CENTER	785,456	161,452	57,187	38,890	585,115	20.56%
MAJOR PROJECTS - ADMIN	298,112	29,379	17,164	2,888	265,845	9.85%
SENIOR CITIZENS GRANT PRGRM	608,969	0	0	608,969	0	0.00%
SCHOOL DISTRICT OPERATIONS	47,690,623	13,435,377	3,764,583	0	34,255,246	28.17%
SOLID WASTE TRANSFER	7,726,262	1,100,086	432,391	2,312,389	4,313,787	14.24%
NON-DEPARTMENTAL	2,224,837	265,843	57,877	485,831	1,473,163	11.95%
<b>TOTAL EXPENDITURES</b>	<b>\$ 74,743,384</b>	<b>\$ 17,993,771</b>	<b>\$ 5,274,115</b>	<b>\$ 4,039,937</b>	<b>\$ 52,709,677</b>	<b>24.07%</b>

Introduced by: Mayor  
Date: 10/08/13  
Hearing: 11/05/13  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2013-19-20**

**AN ORDINANCE APPROPRIATING \$1,900,000 FROM THE SOLID WASTE CAPITAL  
PROJECTS FUND FOR PHASE I CLOSURE OF THE HOMER LANDFILL**

1 **WHEREAS**, state and federal laws and regulations require the borough to place a final cover  
2 on its landfills when they stop accepting waste and to perform certain  
3 maintenance and monitoring functions at the sites for up to 30 years after closure;  
4 and

5 **WHEREAS**, in accordance with Governmental Accounting Standard Board Statement 18,  
6 "Accounting for Municipal Solid Waste Landfill Closure and Postclosure Care  
7 Cost", which the borough implemented in 1993, the borough has been  
8 appropriating funds annually through the operating budget to cover the estimated  
9 cost associated with closure and postclosure of the Homer Landfill (Landfill); and

10 **WHEREAS**, the borough previously appropriated \$250,000 through Ordinance 2012-19-04 for  
11 design of the closure system; and

12 **WHEREAS**, Capital Projects has estimated the cost for the Homer Landfill Phase I closure at  
13 \$1,900,000; and

14 **WHEREAS**, assembly action is needed to appropriate the funds necessary to begin the work;

15 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
16 **PENINSULA BOROUGH:**

1 **SECTION 1.** That \$1,900,000 is appropriated to account number 411.32122.12HLC.49999 for  
2 costs associated with closure of the Homer Landfill.

3 **SECTION 2.** That the appropriations made in this ordinance are for the length of the project  
4 and do not lapse at the end of any particular fiscal year.

5 **SECTION 3.** This ordinance takes effect immediately upon its enactment.

6 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
7 **DAY OF \* 2013.**

---

Hal Smalley, Assembly President

ATTEST:

---

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



## KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441

PHONE: (907) 262-4441 • FAX: (907) 262-1892

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MIKE NAVARRE  
BOROUGH MAYOR

### MEMORANDUM

**TO:** Linda Murphy, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Kenai Peninsula Borough Mayor *MN*

**FROM:** Kevin Lyon, Capital Projects Director *KL*  
Craig Chapman, Finance Director *C Chapman*  
Jack Maryott, Solid Waste Director *JM*

**DATE:** September 26, 2013

**SUBJECT:** Ordinance 2013-19-20, appropriating \$1,900,000 in Closure/Post Closure Funds for costs associated with closing the Homer Landfill

The Homer Landfill was closed on August 1, 2013. State and federal laws and regulations require the borough to place a final cover system on its landfills within 18 months after they stop accepting waste. Regulations require maintenance and monitoring functions at the sites for up to 30 years. The closed municipal landfill and inert waste landfill are planned to be closed in three phases. Phase 1 closure is planned for the summer of 2014 and subsequent closures are planned within 7 to 10 years and 10 to 20 years respectively.

In accordance with Governmental Accounting Standard Board Statement 18, "Accounting for Municipal Solid Waste Landfill Closure and Postclosure Care Cost," the borough has funded the estimated cost associated with closure and postclosure of the Homer Landfill in the Solid Waste Capital Project Funds through prior annual appropriations.

Ordinance 2012-19-04 appropriated \$250,000 for the design of the closure cap system and awarded a design contract. The design by HDR, Alaska is now complete. This ordinance would appropriate \$1,900,000 for Phase 1 closure of the existing unlined portion of the Homer Landfill.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.:	<u>411.27900 FB</u>
Amount:	<u>\$1,900,000.00</u>
By:	<u>pc</u> Date <u>9/25/13</u>

Introduced by: Mayor  
Date: 10/08/13  
Hearing: 11/05/13  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2013-32**

**AN ORDINANCE AUTHORIZING THE ASSESSOR TO ACCEPT THE LATE-FILED  
SENIOR EXEMPTION APPLICATION OF ALAN PHILLIPS FOR 2013, FILED AFTER  
MARCH 31**

1 **WHEREAS**, KP.B 5.12.105(E) provides that an application for a senior exemption must be  
2 filed by February 15 of the year for which the exemption is sought; and

3 **WHEREAS**, in accordance with AS 29.45.030(f) and KP.B 5.12.105(E) the assembly may, for  
4 good cause shown, waive the claimant's failure to make timely application and  
5 authorize the assessor to accept the application as if timely filed if the application  
6 is filed by March 31; and

7 **WHEREAS**, in accordance with KP.B 5.12.105(E)(5) if an otherwise qualified claimant is  
8 unable to comply with the March 31 deadline for late-filing an application, and  
9 the inability to comply is caused by a serious condition or extraordinary event  
10 beyond the taxpayer's control, the assembly may, by ordinance, waive the  
11 claimant's failure to file the application by such date, and authorize the assessor to  
12 accept the application as if timely filed; and

13 **WHEREAS**, the applicant was on extended travel during the application period and believed  
14 his senior exempt status would transfer to his newly constructed residence;

15 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
16 **PENINSULA BOROUGH:**

1 **SECTION 1.** Upon reviewing Alan Phillip’s application and affidavit submitted with this  
2 ordinance, the assembly hereby waives the March 31 deadline for filing an  
3 application for a senior exemption application based upon a finding that Mr.  
4 Phillips was unable to comply with that deadline due to a serious condition or  
5 extraordinary event beyond his control.

6 **SECTION 2.** That the assessor shall process the application in accordance with standard  
7 assessing department procedures for processing such applications.

8 **SECTION 3.** That this ordinance takes effect immediately upon its enactment.

9 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
10 **DAY OF \* 2013.**

---

Hal Smalley, Assembly President

ATTEST:

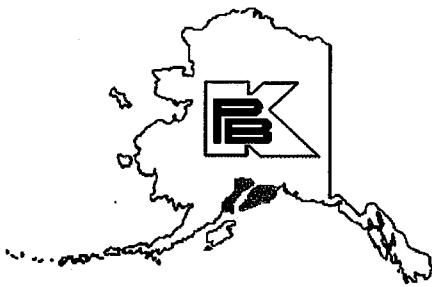
---

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



# KENAI PENINSULA BOROUGH

## Assessing Department

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441, Ext. 2230

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MIKE NAVARRE  
BOROUGH MAYOR

## MEMORANDUM

TO: Linda Murphy, Assembly President  
Kenai Peninsula Borough Assembly Members

THRU: Mike Navarre, Kenai Peninsula Borough Mayor *MN*

FROM: Tom Anderson, Borough Assessor *Tom Anderson*

DATE: September 26, 2013

SUBJECT: Ordinance 2013-32, authorizing the assessor to accept the late-filed senior exemption application of Alan Phillips for 2013, filed after March 31

Alan Phillips requests that the assembly waive his filing deadline for 2013 and authorize the assessor to accept his application filed after March 31, 2013 as if timely filed. AS 29.45.030(f) and KPB 5.12.105 allow the assembly to waive the filing deadline after February 15 and before March 31, for good cause shown.

After March 31, the assembly may waive an applicant's failure to file, by ordinance, in accordance with KPB 5.12.105(E)(5):

*If an otherwise qualified claimant is unable to comply with the March 31 deadline for filing an application, the assembly may, by ordinance, waive the claimant's failure to file the application by such date, and authorize the Assessor to accept the application as if timely filed. For purposes of this subsection, an inability to comply must be caused by a serious condition or extraordinary event beyond the taxpayer's control...*

The borough assessor was unaware that a house was built on Mr. Phillips' property beginning in 2012. Upon receiving a 2013 assessment notice showing land value but no improvement value, Mr. Phillips notified the assessing department in April 2013 of the existence of a house on the property and of the incorrect assessment. Assessing staff inspected the property and corrected the assessment to include the value of the house.

Subsequently, Mr. Phillips inquired whether the property qualifies for a senior citizen exemption, as he owns and occupies the property as his primary residence and he is a senior citizen. Since an application was not timely filed, the assessor may only process a senior exemption application upon finding by the borough assembly, by ordinance, that the applicant was unable to comply with the filing deadline caused by a serious condition or event beyond the taxpayer's control.

Based upon the facts and circumstances presented above, it appears that the property would have qualified for exemption for 2013 had the owner timely applied. The assembly's enactment of this ordinance will allow the assessor to accept a 2013 exemption application from Mr. Phillips as if timely filed.

2013

SENIOR CITIZEN EXEMPTION



DUE ON OR BEFORE FEBRUARY 15TH OF THE EXEMPTION YEAR
APPLICANTS MUST BE AGE 65 ON OR BEFORE DECEMBER 31 OF THE PRECEDING YEAR.
Proof of age is required prior to application approval.

Assessor's Parcel Number: 058-260-17

Legal Description:

Physical Address: 36405 FIESTA ST

T 5N R 10W SEC 23 Seward Meridian KN 0780094 SOLDOTNA HEIGHTS ESTATES SUB LOT 3 BLK 2

RECEIVED



SEP 12 2013

Applicant's date of birth: \_

ALAN R PHILLIPS
35555 KENAI SPUR HWY
SOLDOTNA AK 99669-7625

KPB ASSESSING DEPT

Applicant's SSN: .

Home Phone: N/A

Spouse's name: Billie J. Phillips

Cell Phone: 907-252-8808

Spouse's date of birth:

I am applying as a:

- Senior age 65 and spouse
Individual age 65 or older
Surviving Spouse age 60 or older

Dwelling type:

- Single Family
Multi-Family Dwelling
Mobile Home
Other
Condominium

Is any portion of this property used for:

- Commercial Use?
Rental Purposes?
Explain:

Is occupancy shared with someone other than your spouse and / or minor children?

If yes, when did shared occupancy begin?

What portion of the home do they occupy?

If live-in care is medically necessary, attach letter from a physician recommending need for live-in care.

Do you or your spouse own property in another borough or state?

- Yes
No

Please list your other property address, city, & state.

770 Frontier Pass Trail
Mesquite NV. 85024

If yes, does the property receive exemption?

Alaska Permanent Fund Eligibility

- Did you receive a 2013 Alaska Permanent Fund Dividend?
Will you qualify for a 2014 Alaska Permanent Fund Dividend?
Will you or have you applied for the 2014 Alaska Permanent Fund Dividend?

If you answered "No" to any of the PFD questions, you must also complete the KPB Supplemental Form #1 (available at the Assessing department or on-line).

I CERTIFY: This property is my primary residence and permanent place of abode. I will occupy it for a minimum of 185 days prior to each year in which I receive exemption. The property is not used for non-residential, temporary or vacation purposes, and is my true and fixed permanent residence. I hereby certify that the information I am supplying on and with this form is TRUE and CORRECT to the best of my knowledge. I understand that willful misrepresentation is punishable by (1) forfeiture of the exemption for that year, and (2) imposition of a civil fine of up to \$1,000 for each violation; and (3) loss of eligibility to receive the next five years' exemptions.

Alan R Phillips
PRINT OR TYPE OWNER NAME

Signature
SIGNATURE

10-12-13
DATE

\*\*\*\*ASSESSOR'S USE ONLY \*\*\*\*

Table with columns: NEW FILING, OCCUPANCY, AGE, FULL, VARIABLE, APPROVED, ENTERED BY, PRIOR FILING, OWNERSHIP, PERM FUND, CONTIG, DENIED, revised 5/2013



AFFIDAVIT OF Alan Phillips  
 (Senior Citizen or Disabled Veteran Name)  
 AND APPLICATION FOR APPROVAL OF LATE FILING  
 FOR SENIOR CITIZEN AND/OR DISABLED VETERAN

This Application is made Pursuant to A.S. 29.45.030 Required Exemptions and KPB Code 5.12.105. Real Property Tax-Exemptions - Senior Citizens, Disabled Veterans and surviving spouses thereof.

Failure to meet the filing deadline is based on the following good cause: (Absent extraordinary circumstances, a mere failure to pick up or read mail or to make arrangements for an appropriate and responsible person to pick up and read mail or a failure to provide a current address to the Department of Assessing will not be deemed good cause).

- Extended travel out of state
- Medical condition
- Health related conditions
- Family medical needs or emergencies
- Other similar causes that reasonably prevented the applicant from timely filing

RECEIVED  
 SEP 12 2013  
 KPB ASSESSING DEPT

Applied For Exemption on 4/30/13 - the Improvements were NOT on the Tax Rolls at that time.

FURTHER AFFIANT SAITH NAUGHT.

Dated at Soldotna, Alaska, this 12 day of September, 2013.

Alan R Phillips  
 (Senior Citizen and/or Disabled Veteran Signature)

SUBSCRIBED AND SWORN TO before me this 12<sup>th</sup> day of September, 2013.

NOTARY PUBLIC  
 MARY KAY GRENIER  
 STATE OF ALASKA  
 MY COMMISSION EXPIRES MAY 22, 2017

Mary Kay Grenier  
 Notary Public, State of Alaska  
 My Commission Expires: \_\_\_\_\_

\*\*\*\*\*

(Exemption applications submitted for consideration for late-file acceptance will be forwarded to the Assembly from the Mayor's Office. This form is valid for applications submitted from February 16<sup>th</sup> through March 31<sup>st</sup> only.)

ASSEMBLY ACTION: APPROVAL \_\_\_\_\_ DENIAL \_\_\_\_\_

09/12/2013

Attachment to the Application for approval of late Filing for Senior Citizen Exemption For Alan R. Phillips.

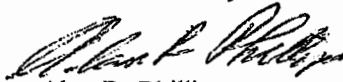
We sold our home at 3700 Arctic Tern Road, Soldotna which had Exempt status in 2012. After the sale, we constructed a new home at 36405 Fiesta St , Soldotna, that was completed in late fall 2012.

We traveled out of state January 2013 and returned April 4.

On April 30 I visited the Assessing Dept and reported the new construction on Fiesta St. as the improvements were not listed on the 2013 tax rolls. I was informed that my tax exempt status would not roll over to the new construction on Fiesta Street. I was further informed that I needed to reapply for the new residence which would apply to the 2014 taxes as it was to late for the 2013 filing. I assumed it would roll over as the Property on Arctic Tern Road was under new ownership and no longer tax exempt.

I was informed I needed to make application for late filing and submit this request to you on 09/12/2013.

Thank You for your consideration in this Matter.

  
Alan R. Phillips

**RECEIVED**

SEP 13 2013

KPB ASSESSING DEPT

Introduced by: Johnson  
Date: 11/05/13  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
RESOLUTION 2013-074**

**A RESOLUTION SUPPORTING THE EFFORTS OF THE TSALTESHI TRAILS  
ASSOCIATION TO SECURE A RECREATIONAL TRAILS GRANT FROM THE  
STATE OF ALASKA**

- 1 **WHEREAS**, the Tsalteshi Trails Association (TTA) leases borough lands adjacent to Skyview  
2 High School; and
- 3 **WHEREAS**, Ordinance 2011-31 authorized additional leased acres to TTA for trail expansion;  
4 and
- 5 **WHEREAS**, the new trail TTA has completed in this area has become one of the most popular  
6 trails for community, school teams and the youth ski users; and
- 7 **WHEREAS**, the ability for TTA to maintain and properly provide safe “user friendly” trails is a  
8 standard that has been established; and
- 9 **WHEREAS**, the Tsalteshi Trails system provides valuable outdoor year round recreation  
10 opportunities for Kenai Peninsula residents; and
- 11 **WHEREAS**, events held on the Tsalteshi Trails have brought people from around the borough,  
12 state and world to our community; and
- 13 **WHEREAS**, school programs, including cross country running and Nordic skiing, use the trails  
14 system extensively, including hosting borough and statewide meets; and

1 **WHEREAS**, the TTA is applying for a two-year recreational trails grant in the amount of  
2 \$50,000 from the State of Alaska to purchase a skid-steer loader for the necessary  
3 ongoing year round maintenance and upkeep of over 18 kilometers of trail; and

4 **WHEREAS**, the Borough Assembly has previously supported TTA's efforts in 2011 and 2012  
5 to secure an Alaska State Recreational Trails Grant;

6 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**  
7 **PENINSULA BOROUGH:**

8 **SECTION 1.** That the KPB Assembly supports the efforts of the Tsaltshi Trails Association to  
9 secure an Alaska State Recreational Trails Grant from the State of Alaska.

10 **SECTION 2.** That this resolution shall become effective immediately upon its adoption.

11 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH**  
12 **DAY OF NOVEMBER, 2013.**

---

Hal Smalley, Assembly President

ATTEST:

---

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:

# KENAI PENINSULA BOROUGH

## Kenai Peninsula Borough Assembly

144 North Binkley Street  
Soldotna, AK 99669  
Phone 907-714-2160  
Fax 907-714-2388

Hal Smalley, Assembly President  
Bill Smith, Vice President

---

### MEMORANDUM

**TO:** Hal Smalley, Assembly President  
Kenai Peninsula Borough Assembly Members

**FROM:** Brent Johnson, Assembly Member *B. J.*

**DATE:** October 24, 2013

**RE:** Resolution 2013-074: Supporting the Efforts of the Tsalteshi Trails Association to Secure a Recreational Trails Grant from the State of Alaska

---

Tsalteshi Trails, located on and adjacent to Skyview High School, have been developed and are under direction of the Tsalteshi Trails Association. On two previous occasions the KPB Assembly has endorsed grant applications for that organization. Those efforts were successful and those grants have helped make the Tsalteshi Trails very popular for school foot and ski races. School children from across the borough often gather at the Tsalteshi Trails for races. The recreational public also uses these trails for hiking, jogging and skiing.

Tsalteshi Trails Association is seeking a skid-steer loader for maintaining the trails. They are currently requesting a grant of \$50,000 for that purpose and this resolution supports that request.

Your support is appreciated.

Introduced by:

Mayor

Date:

11/05/13

Action:

Vote:

**KENAI PENINSULA BOROUGH  
RESOLUTION 2013-075**

**A RESOLUTION AUTHORIZING THE BOROUGH ASSESSOR TO APPROVE THE  
\$50,000 RESIDENTIAL EXEMPTION FOR TAX YEAR 2014 AND FUTURE YEARS  
FOR PROPERTIES THAT QUALIFIED FOR AND RECEIVED THE \$20,000  
RESIDENTIAL EXEMPTION IN 2013**

1 **WHEREAS**, Alaska Statute 29.45.050 allows the borough to exempt residential property from  
2 property taxes by ordinance ratified by the voters at an election; and

3 **WHEREAS**, in 2012 the maximum amount of this residential exemption was increased by the  
4 voters in a statewide election from \$20,000 to \$50,000 in assessed value; and

5 **WHEREAS**, in the October 1, 2013 Kenai Peninsula Borough election, the voters approved  
6 Proposition No. 1, "An Ordinance Amending KPB 5.12.115 to Increase the  
7 Residential Real Property Exemption from \$20,000 to \$50,000," also known as  
8 Initiative Ordinance 2013-02; and

9 **WHEREAS**, KPB 5.12.115(B) provides that a property owner who applies and qualifies for a  
10 residential property tax exemption is not required to apply in subsequent years  
11 unless there has been a change in ownership or occupancy of the residence; and

12 **WHEREAS**, the requirements to qualify for the \$50,000 residential exemption are the same as  
13 those for the previous \$20,000 residential exemption; and

14 **WHEREAS**, requiring taxpayers to reapply for the residential exemption because the dollar  
15 amount of the exemption has changed will cause the borough to incur costs for  
16 providing notice and is likely to result in many late-filed or missed applications;  
17 and

1 **WHEREAS**, there is little practical benefit to terminating all existing residential exemptions  
2 and requiring taxpayers to reapply for the 2014 tax year in order to receive the  
3 \$50,000 residential exemption;

4 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**  
5 **PENINSULA BOROUGH:**

6 **SECTION 1.** The Borough Assessor is hereby authorized to approve the \$50,000 residential  
7 exemption for tax year 2014 and future years for all properties that qualified for  
8 and received the \$20,000 residential exemption in tax year 2013 without requiring  
9 a property owner to file an updated application, unless information suggests the  
10 property may no longer qualify.

11 **SECTION 2.** That this resolution takes effect immediately upon its adoption.

12 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH**  
13 **DAY OF NOVEMBER, 2013.**

---

Hal Smalley, Assembly President

ATTEST:

---

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



## **KENAI PENINSULA BOROUGH**

### **Assessing Department**

144 North Binkley Street • Soldotna, Alaska 99669-7520

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**MIKE NAVARRE**  
**BOROUGH MAYOR**

### **MEMORANDUM**

TO: Hal Smalley, Assembly President  
Members of the Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Borough Mayor *MN*

FROM: Tom Anderson, Borough Assessor *TEA*

DATE: October 24, 2013

SUBJECT: Resolution 2013 - 075, authorizing the assessor to approve a \$50,000 residential exemption for tax year 2014 and future years for properties that qualified for and received a \$20,000 residential exemption for 2013

---

In the October 1, 2013, borough election, the voters of the Kenai Peninsula Borough passed Proposition No. 1, "An Ordinance Amending KPB 5.12.115 to Increase the Residential Real Property Exemption from \$20,000 to \$50,000," as allowed by Alaska Statute 29.45.050. This initiative ordinance amends KPB 5.12.115(A).

KPB 5.12.115(B) provides,

*No exemption under this section may be granted except upon written application on a form prescribed by the assessor. The owner of record must file the application for this exemption with the assessor no later than January 15<sup>th</sup> of the assessment year for which the exemption is sought. The owner of record shall not be required to file an updated application for successive years unless there is a change in ownership or occupancy of the residence."*

In accordance with this code provision, the borough assessor does not require successive applications for the residential exemption once an applicant has been approved, unless information suggests the property may no longer qualify. As the dollar amount of the exemption changed there has been a question as to whether taxpayers should be required to reapply. Because the requirements for qualification for the \$50,000 residential exemption are the same as those that were required to qualify for the now defunct \$20,000 residential exemption, there is little practical value in requiring all taxpayers who currently receive the residential exemption to reapply. And, requiring reapplication with limited notice may cause taxpayers who would otherwise qualify for the residential exemption to lose their exemption simply because they did not complete the paperwork.

The administration requests that the Assembly authorize the borough assessor to approve, for 2014 and future years, a \$50,000 residential exemption for each property that qualified for a \$20,000 residential exemption for 2013, without requiring a new application to be filed by those property owners unless information suggests the property may no longer qualify. This resolution effectively makes any original or subsequent filing for a \$20,000 residential exemption, which was still in effect for tax year 2013, sufficient to qualify a property for the \$50,000 residential exemption enacted by the voters.



Introduced by:  
Date:  
Action:  
Vote:

Smalley  
11/05/13

**KENAI PENINSULA BOROUGH  
RESOLUTION 2013-076**

**A RESOLUTION CONFIRMING APPOINTMENTS OF  
ASSEMBLY MEMBERS TO NON-BOROUGH BOARDS**

1 **WHEREAS**, it is the duty of the Assembly President to make certain appointments and/or  
2 nominations to various borough and non-borough boards, commissions and  
3 committees; and

4 **WHEREAS**, the Borough Assembly's adopted Rules of Procedure require Assembly  
5 confirmation of all appointments to non-borough committees and boards;

6 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**  
7 **PENINSULA BOROUGH:**

8 **SECTION 1.** That the appointments listed below are confirmed as follows:

9 **Kenai Peninsula Economic Development District Board of Directors**  
10 Sue McClure, term to expire December 31, 2015

11 **Cook Inlet Aquaculture Association**  
12 Dale Bagley, Alternate

13 **SECTION 2.** That this resolution takes effect immediately upon its adoption.

1 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH**  
2 **DAY NOVEMBER, 2013.**

\_\_\_\_\_  
Hal Smalley, Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:

Introduced by: Mayor  
Date: 11/05/13  
Hearing: 12/03/13  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2013-19-22**

**AN ORDINANCE APPROPRIATING \$22,987,000 IN GENERAL OBLIGATION BOND  
PROCEEDS TO THE BOND CAPITAL PROJECTS FUND  
FOR SCHOOL CAPITAL PROJECTS**

1 **WHEREAS**, a majority of borough voters voting in the October 1, 2013 election, approved  
2 Proposition No. 2 which authorized the issuance of up to \$22,987,000 in General  
3 Obligation bonds to pay the costs of planning, designing, site preparation,  
4 constructing, and equipping educational capital improvement projects in the  
5 Kenai Peninsula Borough including roof replacements at various schools and field  
6 replacement at Homer High School; and

7 **WHEREAS**, the assembly adopted Resolution 2013-071 on October 8, 2013 which authorized  
8 the issuance of \$22,987,000 of the bonds through the Alaska Municipal Bond  
9 Bank; and

10 **WHEREAS**, the bond proceeds authorized through Resolution 2013-071 were received on  
11 November \_\_\_\_, 2013;

12 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
13 **PENINSULA BOROUGH:**

14 **SECTION 1.** That bond proceeds of \$22,987,000 are appropriated to the Bond Funded Capital  
15 Project Fund, account number 401.78050.14SCH.49999.

16 **SECTION 2.** That the appropriations made in this ordinance are of a project length nature and  
17 as such do not lapse at the end of any particular fiscal year.

1 **SECTION 3.** That eligible cost incurred prior to the appropriation date will be charged to the  
2 projects.

3 **SECTION 4.** That this ordinance takes effect immediately upon its enactment.

4 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
5 **DAY OF \* 2013.**

\_\_\_\_\_  
Hal Smalley, Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



## KENAI PENINSULA BOROUGH

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MIKE NAVARRE  
BOROUGH MAYOR

### MEMORANDUM

**TO:** Hal Smalley, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Mayor *MP*

**FROM:** Craig Chapman, Director of Finance *C Chapman*

**DATE:** October 24, 2013

**SUBJECT:** Ordinance 2013-19-22, appropriating general obligation bond proceeds for school capital projects

The attached ordinance appropriates \$22,987,000 in bond proceeds to the borough's bond capital projects fund for capital improvement projects consisting of roof replacements at various schools in the Kenai Peninsula Borough along with replacement of the Homer High School field.

As provided in resolution 2013-071, the bonds are being issued by the Alaska Municipal Bond Bank. The bonds are scheduled to close on November 14, 2013 at which time the bond proceeds will be deposited into the borough's account.

FINANCE DEPARTMENT ACCOUNT / FUNDS VERIFIED	
Acct. No.	<u>401.78050.14SCH.49999</u>
Amount	<u>N/A</u>
By:	<u>pc</u> Date: <u>10/23/13</u>

Introduced by: Mayor  
Date: 11/05/13  
Hearing: 12/03/13  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2013-33**

**AN ORDINANCE AUTHORIZING THE ASSESSOR TO ACCEPT THE LATE-FILED  
SENIOR EXEMPTION APPLICATION OF HAL WEBB FOR 2013, FILED AFTER  
MARCH 31**

1 **WHEREAS**, KPB 5.12.105(E) provides that an application for a senior exemption must be  
2 filed by February 15 of the year for which the exemption is sought; and

3 **WHEREAS**, in accordance with AS 29.45.030(f) and KPB 5.12.105(E) the assembly may, for  
4 good cause shown, waive the claimant's failure to make timely application and  
5 authorize the assessor to accept the application as if timely filed if the application  
6 is filed by March 31; and

7 **WHEREAS**, in accordance with KPB 5.12.105(E)(5) if an otherwise qualified claimant is  
8 unable to comply with the March 31 deadline for late-filing an application, and  
9 the inability to comply is caused by a serious condition or extraordinary event  
10 beyond the taxpayer's control, the assembly may, by ordinance, waive the  
11 claimant's failure to file the application by such date, and authorize the assessor to  
12 accept the application as if timely filed; and

13 **WHEREAS**, assessing department policy requires senior citizen exemption applicants to file  
14 annually if they do not apply for the Alaska permanent fund dividend; and

15 **WHEREAS**, Mr. Webb affirmed that he does not file for an Alaska permanent fund dividend  
16 and did not know he needed to file for a senior citizen exemption for assessment  
17 year 2013;

1 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
2 **PENINSULA BOROUGH:**

3 **SECTION 1.** Upon reviewing Hal Webb's application and affidavit submitted with this  
4 ordinance, the assembly hereby waives the March 31 late-file deadline for filing a  
5 senior citizen exemption application based upon a finding that Mr. Webb was  
6 unable to comply with that deadline due to a serious condition or extraordinary  
7 event beyond his control.

8 **SECTION 2.** That the assessor shall process the application as if timely filed.

9 **SECTION 3.** That this ordinance takes effect immediately upon its enactment.

10 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
11 **DAY OF \* 2013.**

\_\_\_\_\_  
Hal Smalley, Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



# **KENAI PENINSULA BOROUGH**

## **Assessing Department**

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441, Ext. 2230

PHONE: (907) 714-2230 • FAX: (907) 714-2393

www.borough.kenai.ak.us

**MIKE NAVARRE**  
**BOROUGH MAYOR**

## **MEMORANDUM**

TO: Hal Smalley, Assembly President  
Kenai Peninsula Borough Assembly Members

THRU: Mike Navarre, Kenai Peninsula Borough Mayor *MNV*

FROM: Tom Anderson, Borough Assessor *TA*

DATE: October 24, 2013

SUBJECT: Ordinance 2013-33, authorizing the assessor to accept the late-filed senior exemption application of Hal Webb for 2013, filed after March 31

Mr. Hal Webb requests that the assembly waive his filing deadline for 2013 and authorize the assessor to accept his senior citizen exemption application filed after March 31, 2013 as if timely filed. AS 29.45.030(f) and KPB 5.12.105 allow the assembly to waive the filing deadline after February 15 and before March 31, for good cause shown.

After March 31, the assembly may waive an applicant's failure to file, by ordinance, in accordance with KPB 5.12.105(E)(5):

*If an otherwise qualified claimant is unable to comply with the March 31 deadline for late-filing an application, the assembly may, by ordinance, waive the claimant's failure to file the application by such date, and authorize the Assessor to accept the application as if timely filed. For purposes of this subsection, an inability to comply must be caused by a serious condition or extraordinary event beyond the taxpayer's control.*

Assessing department policy requires senior citizen exemption applicants who do not file for the Alaska permanent fund dividend (PFD) to complete a new exemption application annually. Annual reapplication allows assessing staff to verify the applicant's potential PFD eligibility.

Because he elects not to file for a PFD, Mr. Webb has annually filed for the senior citizen exemption for years 2010, 2011, and 2012. He informed the assessing department that he did not realize that he missed filing his 2013 senior citizen exemption application until recently.

The assembly's enactment of this ordinance will allow the assessor to accept and process a 2013 exemption application from Mr. Webb as if timely filed.



2013

# SENIOR CITIZEN EXEMPTION



DUE ON OR BEFORE FEBRUARY 15TH OF THE EXEMPTION YEAR  
APPLICANTS MUST BE AGE 65 ON OR BEFORE DECEMBER 31 OF THE PRECEDING YEAR.  
Proof of age is required prior to application approval.

Assessor's Parcel Number: **063-020-05**  
Physical Address: 36998 STERLING HWY

**Legal Description:**  
T 5N R 9W SEC 9 Seward Meridian KN FROM THE E1/4 CORNER  
PROCEED SOUTH 660 FT ALONG THE SEC LINE TH WEST 200  
FT TH NORTH 400 FT TH WEST 100 FT TH NORTH 260 FT TH  
EAST 300 FT TO THE POB

|||||  
WEBB HAL  
PO BOX 47  
STERLING AK 99672-0047

Applicant's date of birth: \_\_\_\_\_

Applicant's SSN : \_\_\_\_\_

Home Phone: 252-4324

Spouse's name: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Spouse's date of birth: \_\_\_\_\_

I am applying as a:

Senior age 65 and spouse       Individual age 65 or older       Surviving Spouse age 60 or older

<b>Dwelling type:</b> <input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Multi-Family Dwelling <input type="checkbox"/> Mobile Home <input type="checkbox"/> Other <input type="checkbox"/> Condominium	<b>Is any portion of this property used for:</b> Commercial Use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Rental Purposes? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Explain:
--	---

Is occupancy shared with someone other than your spouse and / or minor children?       Yes       No

If yes, when did shared occupancy begin? \_\_\_\_\_

What portion of the home do they occupy? \_\_\_\_\_

*If live-in care is medically necessary, attach letter from a physician recommending need for live-in care.*

Do you or your spouse own property in another borough or state <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Please list your other property address, city, & state
---	--

If yes, does the property receive exemption?       Yes       No

**Alaska Permanent Fund Eligibility**

Did you receive a <sup>2012</sup> 2013 Alaska Permanent Fund Dividend?       Yes       No

Will you qualify for a <sup>2013</sup> 2014 Alaska Permanent Fund Dividend?       Yes       No

Will you or have you applied for the <sup>2013</sup> 2014 Alaska Permanent Fund Dividend?       Yes       No

If you answered "No" to any of the PFD questions, you must also complete the KPB Supplemental Form #1 (available at the Assessing department or on-line).

**I CERTIFY:** This property is my primary residence and permanent place of abode. I will occupy it for a minimum of 185 days prior to each year in which I receive exemption. The property is not used for non-residential, temporary or vacation purposes, and is my true and fixed permanent residence. I hereby certify that the information I am supplying on and with this form is TRUE and CORRECT to the best of my knowledge. I understand that wilful misrepresentation is punishable by (1) forfeiture of the exemption for that year, and (2) imposition of a civil fine of up to \$1,000 for each violation; and (3) loss of eligibility to receive the next five years' exemptions.

Hal Webb  
PRINT OR TYPE OWNER NAME

Hal Webb  
SIGNATURE

10-7-13  
DATE

\*\*\*\*ASSESSOR'S USE ONLY\*\*\*\*

NEW FILING	OCCUPANCY	AGE	FULL	VARIABLE	APPROVED	ENTERED BY
PRIOR FILING	OWNERSHIP	PERM FUND	CONTIG		DENIED	

revised 5/2013

RECEIVED  
OCT 15 2013



SENIOR CITIZEN EXEMPTION – SUPPLEMENTAL FORM 1  
Kenai Peninsula Borough PFD Eligibility Questionnaire

THIS IS NOT AN APPLICATION FOR THE ALASKA PERMANENT  
FUND DIVIDEND

Name Hal Webb Parcel Number \_\_\_\_\_

Mailing Address Box 47 City Sterling State AK Zip 99672

- Are you physically in Alaska today? Yes  No
- If no, when will you return \_\_\_\_\_
- When not in Alaska I reside at N/A
- When did your most recent Alaska residency begin? This means the month, day and year you arrived in Alaska with the intent to remain indefinitely  
 \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
Month Day Year
- During 2013 were you absent from Alaska at any time? Yes  No
- During 2013 were you absent from Alaska more than 180 days? Yes  No
- List all dates you were absent from Alaska in 2013. If you left Alaska before January 1, 2013, enter the date you actually departed. For each type of absence, write the absence reason code in the space provided. All absence reason codes are explained below.

Code (A-H)	Absence Begin Date Month - Day - Year	Absence End Date Month - Day - Year	Why were you absent?
	<u>Don't</u>	<u>Go</u>	<u>Out state</u>

Absence Codes

- Accompanied an eligible Alaska Resident as the resident's spouse.
- Enrolled and attended school as a full-time student receiving postsecondary education.
- Received continuous medical treatment under a licensed physician's care. Attach physician's statement.
- Vacationed.
- Other reasons, including business. Attach explanation.
- Cared for a parent, spouse, sibling, child, or stepchild with a critical life-threatening illness that required the ill individual to leave Alaska for treatment.
- Settled the estate of a deceased parent, spouse, sibling, child, or stepchild.
- Provided care for a terminally ill family member.

- Items A through D represent residency ties to Alaska.
  - I purchased, leased or rented a place to live in Alaska. Yes  No  Month/Year 2005
  - I registered to vote in Alaska. Yes  No  Month/Year \_\_\_\_\_
  - I obtained an Alaska drivers license or State ID: Yes  No  Month/Year \_\_\_\_\_
  - I registered a vehicle in Alaska. Yes  No  Month/Year \_\_\_\_\_

- Why didn't you receive a 2013 Alaska PFD? Don't apply
- Will you or have you applied for the 2014 Alaska PFD? Yes  No

I certify that:

- I am now and intend to remain an Alaska resident indefinitely.
- I was an Alaska resident for all of 2013.
- I have not claimed residency in any other state.

Hal Webb  
Signature

10-15-13  
Date

**Notice:** You must provide the requested information no later than 30 days after the date it was requested.

AFFIDAVIT OF Hal Webb  
(Senior Citizen or Disabled Veteran Name)  
AND APPLICATION FOR APPROVAL OF LATE FILING  
FOR SENIOR CITIZEN AND/OR DISABLED VETERAN

This Application is made Pursuant to A.S. 29.45.030 Required Exemptions and KPB Code 5.12.105. Real Property Tax-Exemptions - Senior Citizens, Disabled Veterans and surviving spouses thereof.

**Failure to meet the filing deadline is based on the following good cause:** (Absent extraordinary circumstances, a mere failure to pick up or read mail or to make arrangements for an appropriate and responsible person to pick up and read mail or a failure to provide a current address to the Department of Assessing will not be deemed good cause).

- Extended travel out of state
- Medical condition
- Health related conditions
- Family medical needs or emergencies
- Other similar causes that reasonably prevented the applicant from timely filing

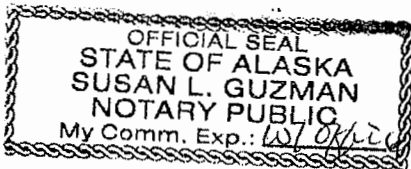
Don't know I need to.

FURTHER AFFIANT SAITH NAUGHT.

Dated at Seldotna, Alaska, this 7 day of October, 2013.

Hal Webb  
(Senior Citizen and/or Disabled Veteran Signature)

SUBSCRIBED AND SWORN TO before me this 7 day of October, 2013.



Susan L. Guzman  
Notary Public, State of Alaska  
My Commission Expires: w/office

\*\*\*\*\*  
(Exemption applications submitted for consideration for late-file acceptance will be forwarded to the Assembly from the Mayor's Office. This form is valid for applications submitted from February 16<sup>th</sup> through March 31<sup>st</sup> only.)

**ASSEMBLY ACTION:** APPROVAL \_\_\_\_\_ DENIAL \_\_\_\_\_

# KENAI PENINSULA BOROUGH

## Kenai Peninsula Borough Assembly

144 North Binkley Street  
Soldotna, AK 99669  
Phone 907-714-2160  
Fax 907-714-2388

Hal Smalley, Assembly President  
Bill Smith, Vice President

### MEMORANDUM

**To:** Kenai Peninsula Borough Assembly Members

**Thru:** Hal Smalley, Assembly President

**From:** Johni Blankenship, Borough Clerk (JB)

**Date:** November 5, 2013

**RE:** 2014 Assembly Meeting Schedule

KPB 22.40.010 (A) states in part, "Regular meetings of the assembly shall be held on the first and third Tuesday of each month at 6:00 p.m. in the assembly room of the Borough Administration Building. The assembly shall by resolution or motion, establish the date and place for assembly meetings by approving a calendar for the upcoming year. The assembly shall, at a minimum, schedule at least two meetings per month for 8 months of each year".

The proposed meeting schedule for 2014 is as follows:

MONTH	1ST MEETING	2ND MEETING	IMPORTANT DATES
January	7	21	KPBSD Winter Break January 1-3
February	11	25	AML Legislative Conference February 17-20 in Juneau Meetings on 2 <sup>nd</sup> and 4 <sup>th</sup> Tuesday due to AML Conference
March		18	NACo Legislative Conference March 1-5 in Washington DC KPBSD Spring Break March 10-14
April	1	15 (Seward)	
May	6	20	WIR Conference May 21-23 in Anchorage, Alaska
June	3	17	
July	1		NACo Annual Conference July 11-14 in Orleans Parish-New Orleans, Louisiana
August	5	19	AML Summer Legislative Meeting August 13-15 in Nome
September	2	16 (Homer)	
October	14	28	Regular Municipal Election - October 7 Meetings on 2 <sup>nd</sup> and 4 <sup>th</sup> Tuesday due to Election
November	11		AML Annual Conference November 18-22 in Fairbanks
December	2		KPBSD Winter Break December 22-31, 2014



## **KENAI PENINSULA BOROUGH**

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441 Ext. 2150

**PHONE:** (907) 714-2150 • **FAX:** (907) 714-2377

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

### **NOTICE OF APPOINTMENT TO THE SEWARD / BEAR CREEK FLOOD SERVICE AREA BOARD**

---

**TO:** Hal Smalley, Assembly President  
Members, Kenai Peninsula Borough Assembly

**FROM:** Mike Navarre, Kenai Peninsula Borough Mayor *MN*

**DATE:** November 5, 2013

**SUBJECT:** Appointment to the Seward-Bear Creek Flood Service Area Board

---

Pursuant to KP.B 16.50.080 I hereby submit my recommendation for confirmation by the Assembly, of the following appointment to the Kenai Peninsula Borough Seward-Bear Creek Flood Service Area Board. The applicant is a registered voter and resides within the service area to be represented. Attached for your review is the request for appointment.

<u>Appointment</u>	<u>Board Seat</u>	<u>Term Expires</u>
Karl Van Buskirk	A	October, 2014

# KENAI PENINSULA BOROUGH

144 North Binkley Street  
Soldotna, AK 99669  
Phone 907-714-2160  
Fax 907-714-2388

Johni Blankenship, MMC  
Borough Clerk

<mailto:jblankenship@borough.kenai.ak.us>

---

## MEMORANDUM

TO: Mike Navarre, Borough Mayor

FROM: Johni Blankenship, Borough Clerk (JB)

DATE: October 23, 2013

RE: Appointment to the Seward / Bear Creek Flood Service Area Board

---

At the Seward / Bear Creek Flood Service Area board meeting on October 21, 2013, the board considered and unanimously recommended the following eligible applicant:

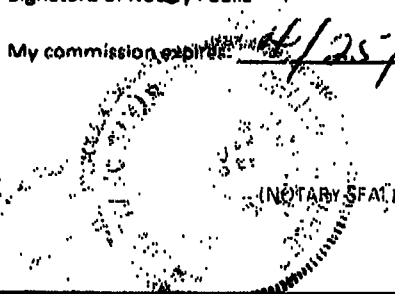
Karl Vanbuskirk                      Seat A                      Term to Expire: October, 2014

Mr. Vanbuskirk's application is attached for your review and consideration.

Once your appointment has been determined it will need to be confirmed by the Assembly.  
(KPB 16.50.080)

## KENAI PENINSULA BOROUGH APPLICATION FOR APPOINTMENT - SERVICE AREA

This form must be completed in its entirety or the application will not be validated. Corrections must be initialed.

GENERAL INFORMATION <small>(Please Print or Type)</small>			
I, <u>KARL VAN BUSKIRK</u> , am a qualified voter and declare myself to be a resident and applicant for nomination to the office of:			
<u>SBC FSA</u>		SERVICE AREA	SEAT <u>A</u>
<u>SEWARD BEAR CREEK FOOD SERVICE AREA</u>			
RESIDENCY INFORMATION			
My current physical residence address is: <u>1904 FORGET ME NOT CIRCLE SEWARD AK</u>			
I have been a resident of the Kenai Peninsula Borough since: <u>1967</u>			
and a resident of the service area in which I am seeking office since: <u>1997</u>			
My full mailing address is: <u>PO Box <del>752</del> <sup>186</sup> SEWARD AK 99664</u>			
CERTIFICATION			
Subscribed and sworn to before me this <u>1<sup>st</sup></u> day of <u>October</u> , 20 <u>13</u> .		X <u>[Signature]</u> CANDIDATE'S SIGNATURE	
<u>[Signature]</u> Signature of Notary Public		<u>907 362-2004 - Cell</u> HOME PHONE - WORK PHONE - FAX NO.	
My commission expires: <u>4/25/2014</u>		In order to verify your voter registration status, please provide one of the following identifiers:	
		Name: _____	
		Address: _____	
		<u>KARL@STORMCHASERSMAKE.COM</u>	
FOR OFFICE USE ONLY			
RECEIVED IN KPB CLERK'S OFFICE:	DATE: <u>10/1/13</u>	TIME: <u>1:15 pm</u>	BY: <u>Katie Ring</u>
VERIFIED: <u>10/1/13</u>	D/P: <u>28-70</u>	APPLICATION FORWARDED TO: <input type="checkbox"/> MAYOR'S OFFICE _____ <input type="checkbox"/> SERVICE AREA BOARD _____	
SERVICE AREA BOARD: <input type="checkbox"/> RECOMMENDED APPOINTMENT <input type="checkbox"/> NOT RECOMMENDED	MAYOR: <input type="checkbox"/> RECOMMENDED APPOINTMENT <input type="checkbox"/> NOT RECOMMENDED	CONFIRMED BY ASSEMBLY: _____ <input type="checkbox"/> LETTER MAILED TO APPLICANT: _____	

**Return completed application to one of the following locations:**

- Office of the Borough Clerk, 144 N. Binkley Street, Soldotna, AK 99669
- KPB Homer Annex Office, 206 E. Pioneer Street, Homer, AK 99603
- KPB Seward Annex Office, 302 Railway Ave., Suite 122, Seward, AK 99664



## **KENAI PENINSULA BOROUGH**

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441

**PHONE:** (907) 262-4441 • **FAX:** (907) 262-1892

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

### **NOTICE OF APPOINTMENT TO ROAD SERVICE AREA BOARD**

---

**TO:** Hal Smalley, Assembly President  
Members of the Kenai Peninsula Borough Assembly

**FROM:** Mike Navarre, Kenai Peninsula Borough Mayor *P.O. for M.N.*

**DATE:** November 5, 2013

**SUBJECT:** Appointment to the KPB Road Service Area Board

---

Pursuant to KPB 16.41.050, I hereby submit the following appointment to the Road Service Area Board for confirmation by the Borough Assembly. The applicant is a registered voter and resides within the designated regions of the road service area. Attached for your review is the request for appointment:

<u>Appointment</u>	<u>Board Seat</u>	<u>Term Expires</u>
Larry L. Smith	At- Large	September 30, 2016

**Attachments:** Letter of Request for Appointment  
Verification of Voter Registration

**Cc:** Pat Malone, Roads Director  
KPB Clerk's Office



# KENAI PENINSULA BOROUGH

## Office of the Borough Clerk

144 North Binkley Street  
Soldotna, AK 99669  
Phone 907-714-2160  
Fax 907-714-2388

Johni Blankenship, MMC  
Borough Clerk

---

### MEMORANDUM

**TO:** Mike Navarre, Borough Mayor  
**THRU:** Johni Blankenship, Borough Clerk (B)  
**FROM:** Michele Turner, Deputy Borough Clerk (MT)  
**DATE:** October 25, 2013  
**RE:** Verification of Road Service Area Applicant

---

Pursuant to KPB 16.41.020, the applicant listed below has been verified as a registered voter of the Borough and resides in the Kenai Peninsula Borough Road Service Area.

<u>Applicant</u>	<u>Board Seat</u>	<u>Term Expires</u>
Larry L. Smith	At-Large	September 30, 2016



# KENAI PENINSULA BOROUGH

Mayor's Office

144 N. Binkley • Soldotna, Alaska 99669

Toll-free within the Borough: 1-800-478-4441

PHONE: (907) 714-2150 • FAX: (907) 714-2377

www.borough.kenai.ak.us

## ROAD SERVICE AREA BOARD MEMBER APPLICATION

Instructions: Please print or type, and be as specific as possible.

Name: LARRY L. SMITH Date: 10/15/13

Mailing Address: P.O. Box 810

City, State & Zip Code: COOPER LANDING, ALASKA 99572

Physical Address: 320 Alexford St. Soldotna, AK 99669

Home Phone: 260-5880 Work Phone: 262-6160 Cell: 398-4284

Fax No.: 262-6163 E-Mail: lsmith907@gmail.com

Occupation or place of employment: Construction

How long have you lived in the area served by this service area? 61 years

What knowledge, experience, or expertise will you bring to this board? (use additional paper if necessary):

30+ years of experience building & maintaining roads in the KPB

Have you, or do you currently, serve on other Kenai Peninsula Borough commissions, boards or task forces?

No

Are you available for night meetings? Yes Are you available for day meetings? Yes

Comments (areas of interest, additional experience or qualifications, etc.):

Applications may be mailed to address above, faxed to (907) 714-2377, or emailed to the

Mayor's office: [mayor@borough.kenai.ak.us](mailto:mayor@borough.kenai.ak.us)

# Kenai Peninsula Borough Assembly Committees 2013 – 2014

## ASSEMBLY COMMITTEES

- **Finance Committee**  
Brent Johnson, Chair  
Charlie Pierce, Vice Chair  
Wayne Ogle
- **Lands Committee**  
Dale Bagley, Chair  
Kelly Wolf, Vice Chair  
Bill Smith
- **Policies & Procedures Committee**  
Sue McClure, Chair  
Wayne Ogle, Vice Chair  
Charlie Pierce
- **Legislative Committee**  
Mako Haggerty, Chair  
Bill Smith, Vice Chair  
Kelly Wolf
- **President Pro Tem**  
Brent Johnson

## OTHER BOROUGH COMMITTEES

- **School Board**  
Brent Johnson

## SERVICE AREA BOARD LIAISONS

- **Anchor Point Fire & EMS** - Mako Haggerty
- **Bear Creek Fire** - Sue McClure
- **CES/CPEMS** – Kelly Wolf
- **Central Kenai Peninsula Hospital** -  
Charlie Pierce, Dale Bagley
- **Kachemak Emergency Service Area** -  
Mako Haggerty
- **KPB Roads** - Charlie Pierce, Dale Bagley
- **Nikiski Seniors** - Wayne Ogle
- **Nikiski Fire** - Wayne Ogle
- **North Peninsula Recreation** - Wayne Ogle
- **Seldovia Recreational** - Mako Haggerty
- **Seward/Bear Creek Flood** - Sue McClure
- **South Kenai Peninsula Hospital** -  
Bill Smith, Mako Haggerty

## NON-BOROUGH COMMITTEES

- **Cook Inlet Aquaculture** - Brent Johnson
- **Cook Inlet R.C.A.C.** -  
Grace Merkes, Term Expires March, 2014
- **Economic Development District** -  
Hal Smalley, Term Expires 12/31/14
- **Kenai Peninsula College Council** -  
Hal Smalley, Term Expires 12/31/14
- **Kenai River Special Management Area  
Advisory Board** - Brent Johnson
- **Prince William Sound R.C.A.C.** -  
Blake Johnson, Term Expires May, 2015

# LAYDOWN ITEMS

# LAYDOWN

Introduced by:

Mayor

Date:

11/05/13

Action:

Vote:

## KENAI PENINSULA BOROUGH RESOLUTION 2013-077

### A RESOLUTION EXTENDING THE DECLARATION OF LOCAL DISASTER EMERGENCY FOR FLOODING IN THE KENAI PENINSULA BOROUGH

1   **WHEREAS**, the borough mayor issued a local disaster emergency declaration on October 29,  
2                   2013, due to flooding throughout the Kenai Peninsula Borough including the City  
3                   of Seward and surrounding areas, the communities of Tyonek, Beluga, Bear  
4                   Creek, Anchor Point, properties adjacent to Kalifornsky Beach Road, and other  
5                   areas determined to have been damaged by major rainstorms and flooding which  
6                   now include the Cities of Kenai and Homer; and

7   **WHEREAS**, pursuant to AS 26.23.140 this declaration continues for a period of seven days  
8                   unless extended by the assembly; and

9   **WHEREAS**, the assembly wishes to extend this declaration as the flooding still continues  
10                  requiring ongoing emergency response activities;

11   **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**  
12   **PENINSULA BOROUGH:**

13   **SECTION 1.** That the declaration of local disaster emergency previously issued by the borough  
14                  mayor on October 29, 2013 is hereby extended for a period of 60 days in order to  
15                  allow for appropriate response by the borough. A copy of the local disaster  
16                  emergency declaration extended by this resolution is attached and incorporated  
17                  herein by reference.

1 **SECTION 2.** That this resolution takes effect immediately upon its adoption.

2 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH**  
3 **DAY OF NOVEMBER, 2013.**

\_\_\_\_\_  
Hal Smalley, Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



## **KENAI PENINSULA BOROUGH**

144 North Binkley Street • Soldotna, Alaska 99669-7520

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**PHONE:** (907) 714-2230 • **FAX:** (907) 714-2393

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**MIKE NAVARRE  
BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Hal Smalley, Assembly President  
Kenai Peninsula Borough Assembly Members

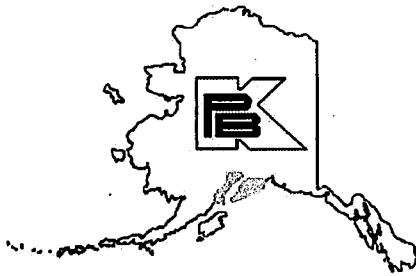
**FROM:** Mike Navarre, Mayor *MN*

**DATE:** October 31, 2013

**SUBJECT:** Resolution 2013-077, Extending the Declaration of Local Disaster  
Emergency for Flooding in the Kenai Peninsula Borough

Alaska Statute 26.23.140 limits a declaration of local disaster to 7 days unless extended by the governing body. The local emergency disaster declaration issued by my office on October 29, 2013 expires Tuesday, November 5, 2013. At this time it appears likely that the flooding will continue beyond that expiration date, requiring ongoing emergency response activities and expenditures. For that reason assembly approval of an extension of the disaster declaration is respectfully requested. If the disaster ends in less than the time provided in this resolution the local disaster emergency will be terminated. Similarly, if the weather and circumstances have changed by the date of the assembly meeting then the administration will request that this resolution be withdrawn from consideration.

If it is not withdrawn, your approval of this resolution would be appreciated.



## **KENAI PENINSULA BOROUGH**

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**MIKE NAVARRE  
BOROUGH MAYOR**

### **LOCAL DISASTER EMERGENCY DECLARATION**

WHEREAS, beginning in mid-September 2013 unseasonably heavy rain and apparently elevated ground water have resulted in the flooding of many homes, properties, and roads throughout the Kenai Peninsula Borough; and

WHEREAS, one affected area includes numerous subdivisions covering approximately 6,000 acres adjacent to Kalifornsky Beach Road from mile 11 – 16 on the western Kenai Peninsula; and

WHEREAS, this is a flat area with little to no drainage as the ground is saturated due to the heavy snow, freeze/thaw and rains over the last two years; and

WHEREAS, the closest drainage for this 6,000 acre area is  $\frac{1}{2}$  to  $\frac{3}{4}$  miles away which is beyond the ability of the borough to connect to the flooded area; and

WHEREAS, reported damage includes at least 2 to 4 feet of water in crawl spaces and basements, damaged furnaces that don't function, flooded septic systems, inundated wells that no longer function, and flooded driveways, yards, and roads rendering them unsafe and impassible in numerous places; and

WHEREAS, it is anticipated that at least 30 to 40 people from this area could be temporarily displaced due to the road closures, flooding, and disruption of utilities affecting health and safety; and

WHEREAS, Central Emergency Services, a borough service area, has stationed all-terrain vehicles near some flooded roads not accessible by emergency vehicles to provide a temporary mechanism for emergency access; and

WHEREAS, at mile 3 of Kalifornsky Beach Road Coal Creek Road is flooded with rapidly flowing water and not passable; and



WHEREAS, in the Anchor Point area Tall Tree Road, Tall Tree Bridge and Ester Road are impassable due to the flooding which cuts off numerous residents and businesses from the road system; and

WHEREAS, on the west side of Cook Inlet a portion of the road connecting Tyonek and Beluga has washed out due to the flooding; and

WHEREAS, on the east side of the Kenai Peninsula the Seward Airport is closed due to flooding, the Lowell Creek bridge is not passable due to a reported inundation of up to 60 feet of gravel, boulders, debris, and water roaring through the Lowell Creek tunnel; and

WHEREAS, the City of Seward reports additional culvert and road damages; and

WHEREAS, the Box Canyon water diversion structure is significantly compromised and on the verge of breaching in two areas which would result in rapid water and debris flooding numerous subdivisions in the Bear Creek area; and

WHEREAS, the Borough continues to provide resources as needed to the extent of its ability but the damages exceed the capabilities and authority of the Borough;

**NOW THEREFORE**, as Mayor of the Kenai Peninsula Borough I hereby declare a Disaster Emergency per AS 26.23.140 to exist in the Kenai Peninsula Borough in the following areas of the Borough: the City of Seward, the Tyonek area including Beluga, subdivisions adjacent to Kalifornsky Beach Road, West Poppy Lane neighborhoods, Bear Creek, Anchor Point, and other areas determined to have been damaged by the major rainstorms and flooding.

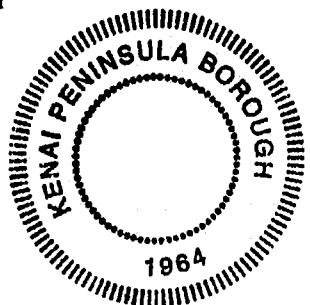
**FURTHERMORE**, it is hereby respectfully requested that the Honorable Sean Parnell, Governor of the State of Alaska, declare a disaster emergency to exist as described in AS 26.23.020 and provide disaster assistance, to include without limitation continued technical expert assistance, to the Kenai Peninsula Borough and the City of Seward. The Borough specifically requests public assistance for the emergency response measures along with temporary and permanent repairs to public facilities, technical assistance to evaluate damages to both public and individual homeowners, individual assistance for home and business owners as is applicable, and public health water quality testing and safe drinking kits for at least 1,500 residential structures.

Signed Mike Navarre  
Mike Navarre, Mayor

Date 10/29/13

Attest  
John Blankenship  
Deputy Borough Clerk

for: John Blankenship  
Borough Clerk



# LAYDOWN

Introduced by: Mayor  
Date: 11/05/13  
Hearing: 11/05/13  
Action:  
Vote:

## KENAI PENINSULA BOROUGH EMERGENCY ORDINANCE 2013-19-23

### AN EMERGENCY ORDINANCE APPROPRIATING FUNDS FROM THE GENERAL FUND FOR FLOOD RESPONSE UNDER THE DECLARED LOCAL DISASTER EMERGENCY WITHIN THE KENAI PENINSULA

1 **WHEREAS**, the mayor issued a local disaster emergency declaration on October 29, 2013, in  
2 response to flooding in the Kenai Peninsula Borough; and

3 **WHEREAS**, an appropriation is needed to provide funding for a prompt response and an  
4 assessment; and

5 **WHEREAS**, the assembly finds that an emergency exists due to current flood conditions in  
6 various locations of the borough that are causing severe damages to public and  
7 private property including residences, businesses, borough roads, water diversion  
8 devices, septic systems, wells, heating systems, and the continued threat to  
9 persons and property from these conditions;

10 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
11 **PENINSULA BOROUGH:**

12 **SECTION 1.** That the sum of \$500,000 is hereby appropriated from the general fund balance  
13 and transferred to account no. 260.11251.14FXX.49999 for response and  
14 assessment by the borough through the declared disaster emergencies within the  
15 Kenai Peninsula Borough.

16 **SECTION 2.** That this ordinance shall take effect immediately upon its enactment.

1 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH**  
2 **DAY OF NOVEMBER, 2013.**

---

Hal Smalley, Assembly President

ATTEST:

---

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



## KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520  
Toll-free within the Borough: 1-800-478-4441  
PHONE: (907) 262-4441 • FAX: (907) 262-1892  
www.borough.kenai.ak.us

**MIKE NAVARRE**  
**BOROUGH MAYOR**

### MEMORANDUM

**TO:** Hal Smalley, Assembly President  
Members, Kenai Peninsula Borough Assembly

**FROM:** Mike Navarre, Mayor *MN*

**DATE:** October 31, 2013

**SUBJECT:** Emergency Ordinance 2013-19-23, appropriating funds from the general fund for flood response under the declared local disaster emergency within the Kenai Peninsula Borough

Heavy rainfall during the months of September and October resulted in conditions that became critical following a late October wind and rainstorm that brought significant damages from flooding in several areas of the borough. I issued a local emergency disaster declaration on October 29, 2013, and requested assistance from the State of Alaska. It is expected that significant expenses will be incurred in responding to this event and repairing damages to public infrastructure caused by the flooding. Damages to date include flooded roads and property in subdivisions adjacent to Kalifornsky Beach Road, roads in the Anchor Point area, at least one breach in the water diversion device at Box Canyon near Seward, flooding in the Bear Creek area, and other damages. This is an emergency ordinance appropriating funds needed for life, health, and safety problems. It seeks funding in the amount of \$500,000 to enable the borough to respond to and immediately commence work repairing damages associated with the disaster. An emergency ordinance requires approval by three-fourths of the total assembly and is effective for 60 days. Your consideration is appreciated.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>100.27910 FB</u>
Amount	<u>\$500,000.00</u>
By:	<u>pc</u> Date: <u>10/31/13</u>



# **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

**PHONE:** (907) 714-2200 • **FAX:** (907) 714-2378

**Toll-free within the Borough:** 1-800-478-4441, Ext. 2200

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
BOROUGH MAYOR

## **M E M O R A N D U M**

**TO:** Hal Smalley, Assembly President  
Kenai Peninsula Borough Assembly Members

**FROM:** Max Best, Planning Director *MB*

**DATE:** October 30, 2013

**SUBJECT:** Vacate a portion of a 30-foot right-of-way road easement within Lots A and B and a portion adjacent along the east boundary to Lot C as shown on Merrywood Subdivision (Plat K-992); within Section 23, Township 6 North, Range 12 West, Seward Meridian, Alaska; and within the Kenai Peninsula Borough; Location: On Rorrison Avenue, north of Kenai; KPB File 2013-161

In accordance with AS 29.40.140, no vacation of a Borough right-of-way and/or easement may be made without the consent of the Borough Assembly.

During their regularly scheduled meeting of October 28, 2013 the Kenai Peninsula Borough Planning Commission granted approval of the proposed vacation by unanimous consent based on the following findings of fact. This petition is being sent to you for your consideration and action.

### *Findings*

1. The intent of the vacation is to move the north/south 30-foot road easement to the eastern boundary of the subdivision, which will overlie an existing travel way.
2. The western portion of all lots in the subject subdivision is over a steep bluff.
3. Relocating the road easement will allow the property owners better use of their land.
4. The adjoining 5.5 acre KPB parcel to the north has approximately 33 feet of frontage on Essence Avenue.
5. The subject access easement provides a secondary access to the 5.5 acre KPB parcel to the north.
6. KPB Land Management does not object to relocating the road easement to overlie the existing travel way.
7. KPB Land Management does not want to lose the road access currently available.
8. If the road easement is relocated, no surrounding properties will be denied access.
9. Per the submittal, the road easement proposed for vacation is not in use for access.
10. Per the submittal, the road easement proposed for vacation has not been constructed.
11. The road easement proposed to be vacated does not appear to be in use for utilities.
12. All subdivision plats finalizing vacations are sent to utility companies for review and easement requirements.
13. To date, one utility company has provided a letter of non-objection.

The Assembly has 30 days from October 28, 2013 in which to veto the decision of the Planning Commission. If the Commission receives no veto within the 30-day period, the decision of the Commission will stand.

Draft, unapproved minutes of the pertinent portion of the meeting and other related materials are attached.

cc: petitioners' w/minutes only

AGENDA ITEM F. PUBLIC HEARINGS

2. Vacate a portion of a 30-foot right-of-way road easement within Lots A and B and a portion adjacent along the east boundary to Lot C as shown on Merrywood Subdivision (Plat K-992); within Section 23, Township 6 North, Range 12 West, Seward Meridian, Alaska; and within the Kenai Peninsula Borough; Location: On Rorrison Avenue, north of Kenai; KPB File 2013-161

Staff Report given by Max Best

PC Meeting: 10/28/13

Purpose as stated in petition: Relocation access from impractical location on parent plat K-992.

Petitioners: Lawrence D. Jr. & Patricia Rorrison, Tim & Lark Ticen, and Nina L. Marion, Representative for George Tweedy Estate, all of Kenai, Alaska.

Notification:

Public notice appeared in the October 17 and October 24, 2013 issues of the Peninsula Clarion.

Eight certified mailings were sent to owners of property within 300 feet of the parcels. The public hearing notice was hand delivered to KPB Land Management. All receipts have been returned.

Fifteen regular mailings were sent to agencies and interested parties. Five notices were sent to KPB Departments. Notices were mailed to the Kenai Post Office and Kenai Community Library to be posted in public locations. The notice and maps were posted on the Borough bulletin board and Planning Department public hearing notice web site.

Comments Received:

Alaska Department of Fish & Game: ADF&G has no objection to the vacation as proposed.

Homer Electric Association: Reviewed/no comments.

KPB Floodplain Administrator: The area of this request to vacate is not within the KPB regulatory floodplain and is not subject to the requirements of KPB Chapter 21.06.

Staff Discussion:

The petition seeks to vacate most of the north/south 30-foot road easement. The submittal shows a 30-foot road easement being dedicated along the eastern boundary of Lots A1 and B1; however, the surveyor clarified that the owner agreed to provide a 30-foot dedicated right-of-way. The proposed plat dedicates a 33-foot by 50-foot right-of-way at the southeast corner of Lot B1.

Lot A1 and B1 contain approximately one acre each so future subdivision so additional right-of-way can be dedicated is not possible unless the properties are served by public water or sewer.

Comments from ENSTAR, ACS, and GCI have not yet been received. KPB GIS mapping indicates ENSTAR has facilities in the subdivision. Typically, ENSTAR requires an easement centered on its facilities.

KPB owns the 5.5-acre parcel adjoining the northern boundary of the subject plat. Land Management staff does not object to relocating the easement; however, they do not wish to lose the access currently available.

The State of Alaska Department of Natural Resources owns the 5 acre parcel adjoining the northern boundary of the KPB parcel. KPB has petitioned to select the DNR parcel, which fronts a KPB maintained right-of-way (Panorama Avenue). DNR may deny KPB's request to include the 5-acre parcel in the municipal entitlement selections.

The preliminary plat that will finalize the vacation was approved at the Plat Committee meeting of October 28, 2013.

**Findings:**

1. The intent of the vacation is to move the north/south 30-foot road easement to the eastern boundary of the subdivision, which will overlie an existing travel way.
2. The western portion of all lots in the subject subdivision is over a steep bluff.
3. Relocating the road easement will allow the property owners better use of their land.
4. The adjoining 5.5 acre KPB parcel to the north has approximately 33 feet of frontage on Essence Avenue.
5. The subject access easement provides a secondary access to the 5.5 acre KPB parcel to the north.
6. KPB Land Management does not object to relocating the road easement to overlie the existing travel way.
7. KPB Land Management does not want to lose the road access currently available.
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11. The road easement proposed to be vacated does not appear to be in use for utilities.
12. All subdivision plats finalizing vacations are sent to utility companies for review and easement requirements.
13. To date, one utility company has provided a letter of non-objection.

**STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the vacation as petitioned, subject to:

1. Provide dedicated public right-of-way in lieu of the road easements; width to be determined by the Plat Committee.
2. Provide easement(s) requested by the affected utility providers.
3. Submittal of a final plat within one year of vacation approval.

**If the vacation is approved, the Kenai Peninsula Borough Assembly has thirty days in which they may veto Planning Commission approval of the vacation.**

**DENIAL OF A VACATION PETITION IS A FINAL ACT FOR WHICH NO FURTHER CONSIDERATION SHALL BE GIVEN BY THE KENAI PENINSULA BOROUGH. APPEALS TO PLANNING COMMISSION DENIAL OF A VACATION MUST BE TAKEN WITHIN THIRTY (30) DAYS TO SUPERIOR COURT AT KENAI, ALASKA PURSUANT TO PART VI OF THE ALASKA RULES OF APPELLATE PROCEDURES. [20.28.110 AS AMENDED BY KENAI PENINSULA BOROUGH ORDINANCE 99-43].**

**END OF STAFF REPORT**

Chairman Bryson referred to the plat and asked if the proposed easement vacation extends to that diagonal dashed line. Mr. Voeller replied that was correct. Chairman Bryson understood that the southerly portion of that was not being vacated. Mr. Best replied that was correct.

Chairman Bryson opened the meeting for public comment. Seeing and hearing no one wishing to speak, Chairman Bryson closed the public comment period and opened discussion among the Commission.

**MOTION:** Commissioner Lockwood moved, seconded by Commissioner Whitney to vacate a portion of a 30 foot right of way road easement within Lots A and B and a portion adjacent along the east boundary to Lot C as shown on Merrywood Subdivision based on the following findings and per staff recommendations.

*Findings:*

1. The intent of the vacation is to move the north/south 30-foot road easement to the eastern boundary of the subdivision, which will overlie an existing travel way.
2. The western portion of all lots in the subject subdivision is over a steep bluff.

3. Relocating the road easement will allow the property owners better use of their land.
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12. All subdivision plats finalizing vacations are sent to utility companies for review and easement requirements.
13. To date, one utility company has provided a letter of non-objection.

**VOTE:** The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO ABSENT	COLLINS YES	ECKLUND YES	FOSTER YES	GROSS YES	HOLSTEN ABSENT
ISHAM ABSENT	LOCKWOOD YES	MARTIN ABSENT	RUFFNER YES	TAURIAINEN YES	WHITNEY YES	9 YES 4 ABSENT

**AGENDA ITEM F. PUBLIC HEARINGS**

3. Private road to be named to facilitate the Enhanced 911 Street Naming and Addressing Methods within the Kenai Peninsula Borough. Streets under consideration at this meeting are described as follows:
  - a. Private Rd (entirely within that portion of Govt Lots 4 & 5 lying north westerly of the Sterling Hwy excluding Whit-Lor Sub Part 1); T 5N R 10W SECTION 23; Seward Meridian, AK; off of the Sterling Hwy in the Sterling Community; ESN 302

Staff Report given by Carrie Henson

PC MEETING 10/28/2013

Applicant: Darren Bearup Sr

Existing right-of-way names: Unnamed Private Rd

Name proposed by staff: **Sergeant Bearup Rd**

Reason for Change: Honoring Sergeant James Bearup for his sacrifice in the line of duty.

Background:

Name	Unnamed
ESN	302
Community	Sterling
YR Dedicated	N/A
Constructed	Yes
Total Lots	1
Residential	3
E911 Address	1
Mailing	0
Decision	<b>Name</b>





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**MIKE NAVARRE**  
**BOROUGH MAYOR**

October 30, 2013

## **KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF DECISION**

### **MEETING OF OCTOBER 28, 2013**

**RE:** Vacate a portion of a 30-foot right-of-way road easement within Lots A and B and a portion adjacent along the east boundary to Lot C as shown on Merrywood Subdivision (Plat K-992); within Section 23, Township 6 North, Range 12 West, Seward Meridian, Alaska; and within the Kenai Peninsula Borough; Location: On Rorrison Avenue, north of Kenai; KPB File 2013-161

During their regularly scheduled meeting of October 28, 2013 the Kenai Peninsula Borough Planning Commission granted approval of the proposed vacation based on the following findings of fact.

*Findings:*

1. The intent of the vacation is to move the north/south 30-foot road easement to the eastern boundary of the subdivision, which will overlie an existing travel way.
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12. All subdivision plats finalizing vacations are sent to utility companies for review and easement requirements.
13. To date, one utility company has provided a letter of non-objection.

In accordance with AS 29.40.140, no vacation of a Borough right-of-way and/or easement may be made without the consent of the Borough Assembly. The proposed vacation will be forwarded to the Borough Assembly. The Assembly shall have 30 calendar days from the date of approval (October 28, 2013) in which to veto the Planning Commission decision. If the Planning Director receives no veto within the specified period, the Assembly shall be considered to have given consent to the vacation.

Please contact the Borough Clerk's office (907-714-2160 or 1-800-478-4441 toll-free within the borough) for additional information.

This notice and unapproved minutes of the subject portion of the meeting were sent October 30 2013 to:

SurveyMax  
PO Box 983  
Soldotna, AK 99669

Lawrence & Patricia Rorrison  
PO Box 250  
Kenai, AK 99611

Timothy & Lark Ticen  
PO Box 699  
Kenai, AK 99611

Nina Marion, Personal Rep  
George Frank Tweedy  
PO Box 385  
Kenai, AK 99611

**AGENDA ITEM F. PUBLIC HEARINGS**

2. Vacate a portion of a 30-foot right-of-way road easement within Lots A and B and a portion adjacent along the east boundary to Lot C as shown on Merrywood Subdivision (Plat K-992); within Section 23, Township 6 North, Range 12 West, Seward Meridian, Alaska; and within the Kenai Peninsula Borough; Location: On Rorrison Avenue, north of Kenai; KPB File 2013-161

**STAFF REPORT**

PC Meeting: 10/28/13

**Purpose as stated in petition:** Relocation access from impractical location on parent plat K-992.

**Petitioners:** Lawrence D. Jr. & Patricia Rorrison, Tim & Lark Ticen, and Nina L. Marion, Representative for George Tweedy Estate, all of Kenai, Alaska.

**Notification:**

Public notice appeared in the October 17 and October 24, 2013 issues of the Peninsula Clarion.

Eight certified mailings were sent to owners of property within 300 feet of the parcels. The public hearing notice was hand delivered to KPB Land Management. All receipts have been returned.

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**Comments Received:**

Alaska Department of Fish & Game: ADF&G has no objection to the vacation as proposed.

Homer Electric Association: Reviewed/no comments.

KPB Floodplain Administrator: The area of this request to vacate is not within the KPB regulatory floodplain and is not subject to the requirements of KPB Chapter 21.06.

**Staff Discussion:**

The petition seeks to vacate most of the north/south 30-foot road easement. The submittal shows a 30-foot road easement being dedicated along the eastern boundary of Lots A1 and B1; however, the surveyor clarified the intent is to grant an alternate 30-foot road easement, not provide a 30-foot dedicated right-of-way. The proposed plat dedicates a 33-foot by 50-foot right-of-way at the southeast corner of Lot B1.

Lot A1 and B1 contain approximately one acre each so future subdivision so additional right-of-way can be dedicated is not possible unless the properties are served by public water or sewer.

Comments from ENSTAR, ACS, and GCI have not yet been received. KPB GIS mapping indicates ENSTAR has facilities in the subdivision. Typically, ENSTAR requires an easement centered on its facilities.

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The State of Alaska Department of Natural Resources owns the 5 acre parcel adjoining the northern boundary of the KPB parcel. KPB has petitioned to select the DNR parcel, which fronts a KPB maintained right-of-way (Panorama Avenue). DNR may deny KPB's request to include the 5-acre parcel in the municipal entitlement selections.

The preliminary plat that will finalize the vacation if it is approved is scheduled for Plat Committee review on October 28, 2013.

**Findings:**

1. The intent of the vacation is to move the north/south 30-foot road easement to the eastern boundary of the subdivision, which will overlie an existing travel way.
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**STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the vacation as petitioned, subject to:


1. Provide dedicated public right-of-way in lieu of the road easements; width to be determined by the Plat Committee.
2. Provide easement(s) requested by the affected utility providers.
3. Submittal of a final plat within one year of vacation approval.

**If the vacation is approved, the Kenai Peninsula Borough Assembly has thirty days in which they may veto Planning Commission approval of the vacation.**

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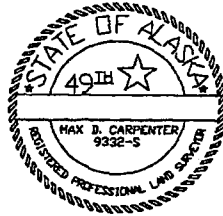
**END OF STAFF REPORT**

LEGEND

- 5/8" rbr witness corners set
- 1/2" REBAR found
- — — Overhead power line
- Former witness corners
- ⊗ Power pole
-  Street Dedicated This Plat

NOTES:

1. Building setback- A setback of 20 feet is required from all road rights-of-way unless a lesser standard is approved by resolution of the appropriate planning commission.
2. The front 10 feet of this setback and the entire setback within 5 feet of the side lot lines is a utility easement, as well as 10 feet each side of all existing o.h. and u.g. power lines including guys and anchors. No permanent structure shall be constructed or placed within this easement which would interfere with the ability of the utility to use the easement.



WASTEWATER DISPOSAL

Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

CERTIFICATE OF OWNERSHIP

We hereby certify that we are the owners of the real property shown and described hereon and that we hereby adopt this plan of subdivision by our free consent dedicate and grant all easements to the use shown.

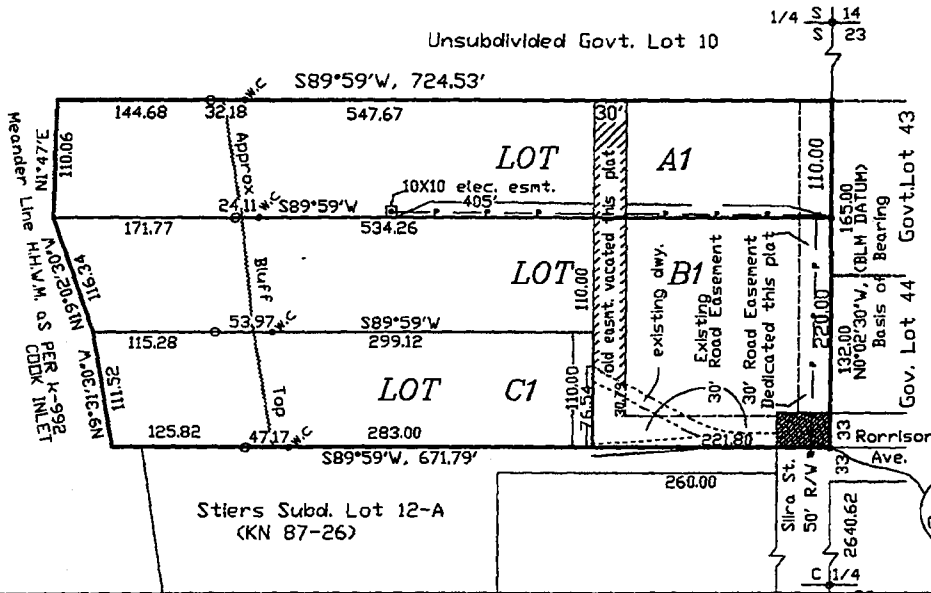
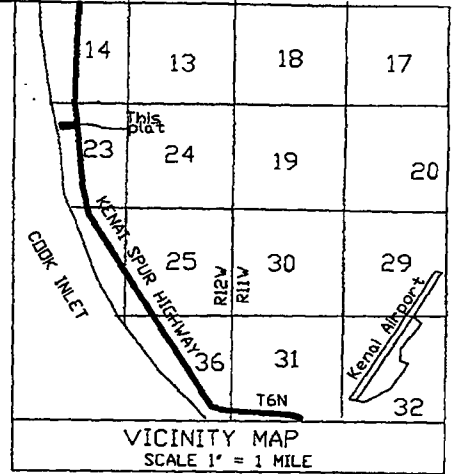
Timothy J. Ticen (P.O. Box 699 Kenai, AK 99611)

Lark Ticen (P.O. Box 699 Kenai, AK 99611)

Lawrence Dale Rorrison Jr. (P.O. Box 250 Kenai, AK 99611)

Patricia Ann Rorrison (P.O. Box 250 Kenai, AK 99611)

Nina Marion (Personal Rep for George Frank Tweedy)  
(P.O. Box 385 Kenai, AK 99611)



NOTARY'S ACKNOWLEDGEMENT

For Lawrence Dale Jr. and Patricia Ann Rorrison  
SUBSCRIBED AND SWORN BEFORE ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_ 2013  
MY COMMISSION EXPIRES \_\_\_\_\_

Notary Public for Alaska

NOTARY'S ACKNOWLEDGEMENT

For Nina Marion  
SUBSCRIBED AND SWORN BEFORE ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_ 2013  
MY COMMISSION EXPIRES \_\_\_\_\_

Notary Public for Alaska

NOTARY'S ACKNOWLEDGEMENT

For Timothy J. and Lark Ticen  
SUBSCRIBED AND SWORN BEFORE ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_ 2013  
MY COMMISSION EXPIRES \_\_\_\_\_

Notary Public for Alaska

Plat Approval

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of \_\_\_\_\_

By: \_\_\_\_\_  
Borough Official  
KPB FILE No. 2013-144

MERRYWOOD SUBD.  
TICEN REPLAT

Nina Marion  
P.O. Box 385  
Kenai, AK 99611  
A replat of Merrywood Subd. K-992 redefining easements. Located in BLM Lot 11 Sec. 23, T6N, R12W, S.M.

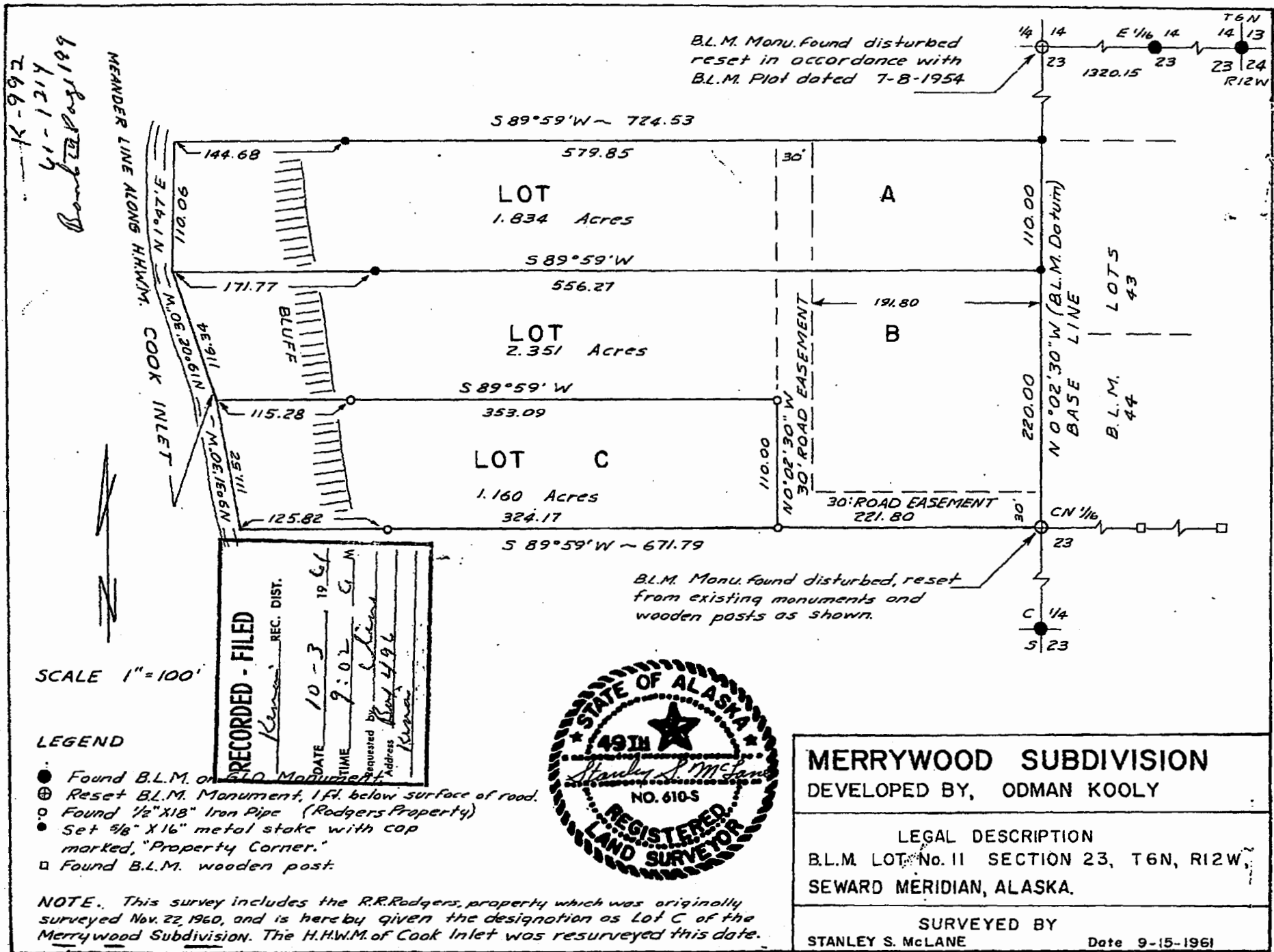
KENAI RECORDING DISTRICT.  
KENAI PENINSULA BOROUGH, ALASKA.  
Containing 5.345 acres.

SurveyMax

P.O. Box 993  
Soldotna, AK 99669

Drawn Aug. 2013 NZC SCALE 1"=100' 907-394-2907

2013-161



*Handwritten:* K-992  
 121-14  
 681 Rodgers

*BL.M. Monu. found disturbed  
 reset in accordance with  
 B.L.M. Plot dated 7-8-1954*

*BL.M. Monu. found disturbed, reset  
 from existing monuments and  
 wooden posts as shown.*

**RECORDED - FILED**

REC. DIST. *Kenai*

DATE *10-3-1961*

TIME *9:02 A.M.*

Requested by *Stanley S. McLane*

Address *Box 496 Kenai*

SCALE 1" = 100'

**LEGEND**

- Found B.L.M. or G.D. Monument
- ⊕ Reset B.L.M. Monument, 1 Ft. below surface of road.
- Found 1/2" X 18" Iron Pipe (Rodgers Property)
- Set 5/8" X 16" metal stake with cap marked, "Property Corner."
- Found B.L.M. wooden post.

**NOTE.** This survey includes the R.R. Rodgers property which was originally surveyed Nov. 22, 1960, and is hereby given the designation as Lot C of the Merrywood Subdivision. The H.H.W.M. of Cook Inlet was resurveyed this date.



**MERRYWOOD SUBDIVISION**  
 DEVELOPED BY, ODMAN KOOLY

LEGAL DESCRIPTION  
 B.L.M. LOT No. 11 SECTION 23, T6N, R12W,  
 SEWARD MERIDIAN, ALASKA.

SURVEYED BY  
 STANLEY S. McLANE Date 9-15-1961

*Handwritten:* K-992 MERRYWOOD SUB

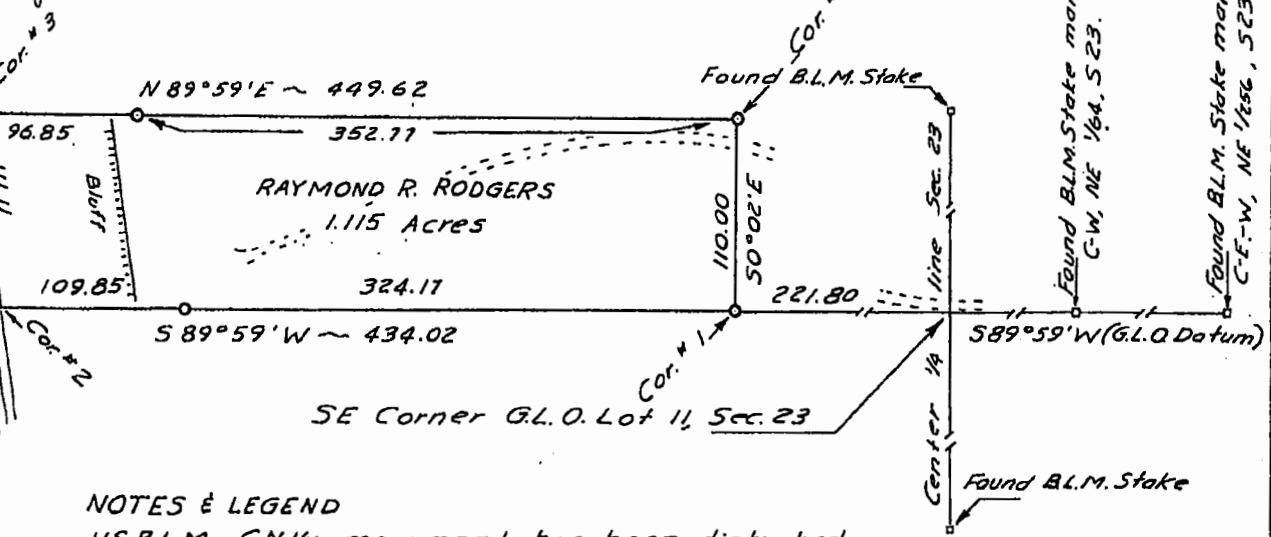
KENAI

Serial No. 61-228

K-818

III files Page 191

Meander line along M.H.H.W.M. of Cook Inlet



NOTES & LEGEND

U.S.B.L.M., CN 1/16 monument has been disturbed which was set and identified the SE corner Lot 11, this location was determined by the intersection and extension of lines run between the existing stakes found as shown.

o Set 1/2" X 18" Iron Pipe.



Legal Description:

Commencing at the CN1/16 corner Section 23, T6N, R12W, Seward Meridian, Alaska, this is also the SE corner of the G.L.O. Lot 11, proceed S89°59'W along the South boundary of Lot 11, Section 23, 221.80 ft. to Corner No. 1 and the true point of beginning, set 1/2" X 18" I.P., continue S89°59'W along the South boundary Lot 11, 434.02 ft. to Corner No. 2, this is a point on the mean high high water mark of Cook Inlet, hence N8°06'W, 111.11 ft. along the meander line of the MHHWM of Cook Inlet to Corner No. 3, also a point on the MHHWM of Cook Inlet, hence N89°59'E, 449.62 ft. to Corner No. 4, set 1/2" X 18" I.P., hence S0°02'E, 110.00 ft. to Corner No. 1, and the true point of beginning, thus embracing 1.115 acres of land.

SCALE 1" = 100'

**RECORDED - FILED**  
 Kenai REC. DIST.  
 DATE 15 March, 1961  
 TIME 4:08 PM  
 Requested by RR Rodgers  
 Address \_\_\_\_\_

Stanley S. McLane

**RAYMOND R. RODGERS, PROPERTY**  
 LOCATED IN G.L.O. LOT 11, SECTION 23  
 T6N, R12W, SEWARD MERIDIAN, ALASKA.

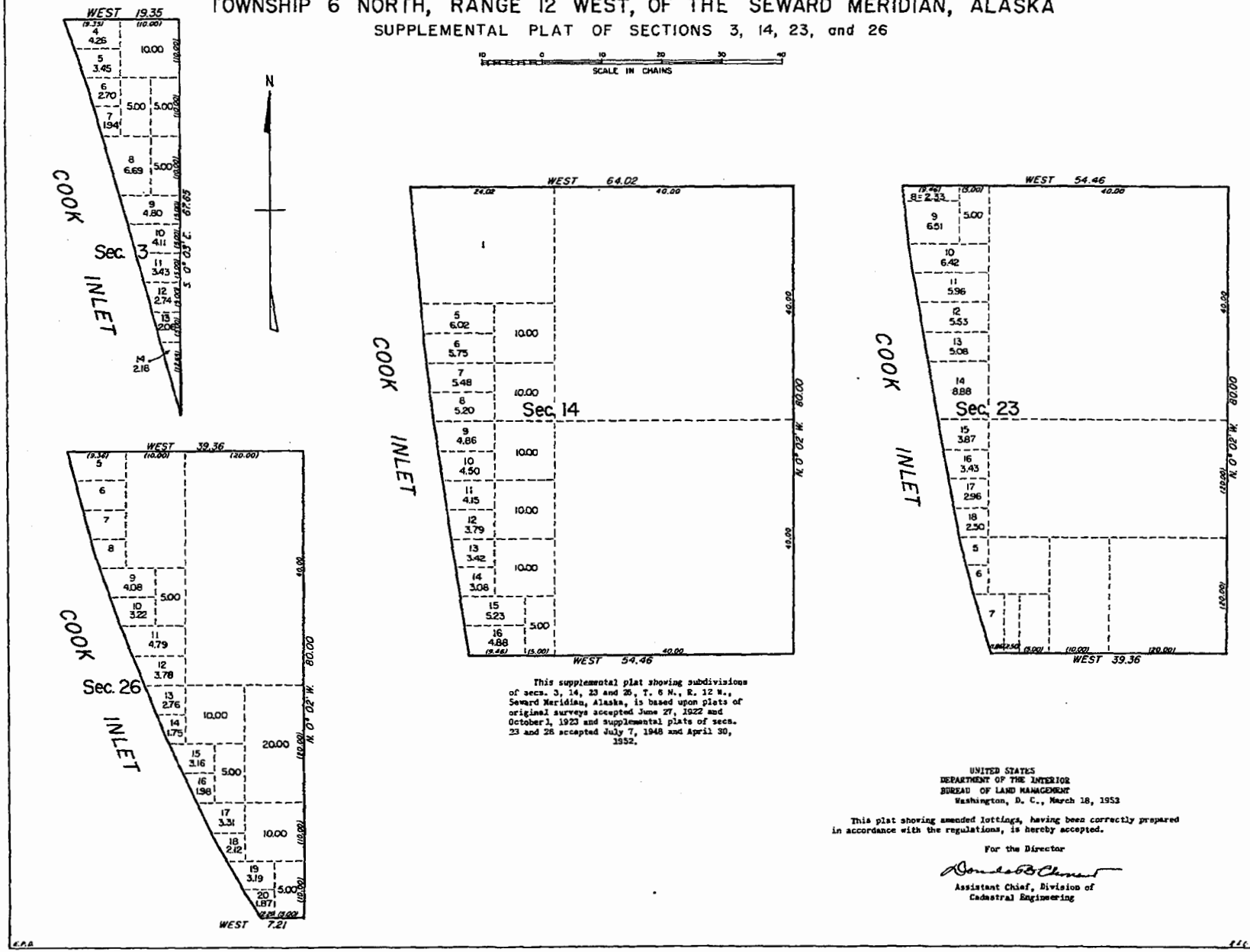
---

SURVEYED BY  
 STANLEY S. McLane Date, Nov. 22, 60

Rodgers, Raymond R.  
K-818

### TOWNSHIP 6 NORTH, RANGE 12 WEST, OF THE SEWARD MERIDIAN, ALASKA

#### SUPPLEMENTAL PLAT OF SECTIONS 3, 14, 23, and 26

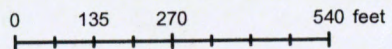






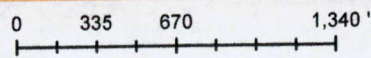
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Vicinity Map



Date: 10/18/2013





Vicinity Map

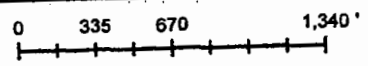
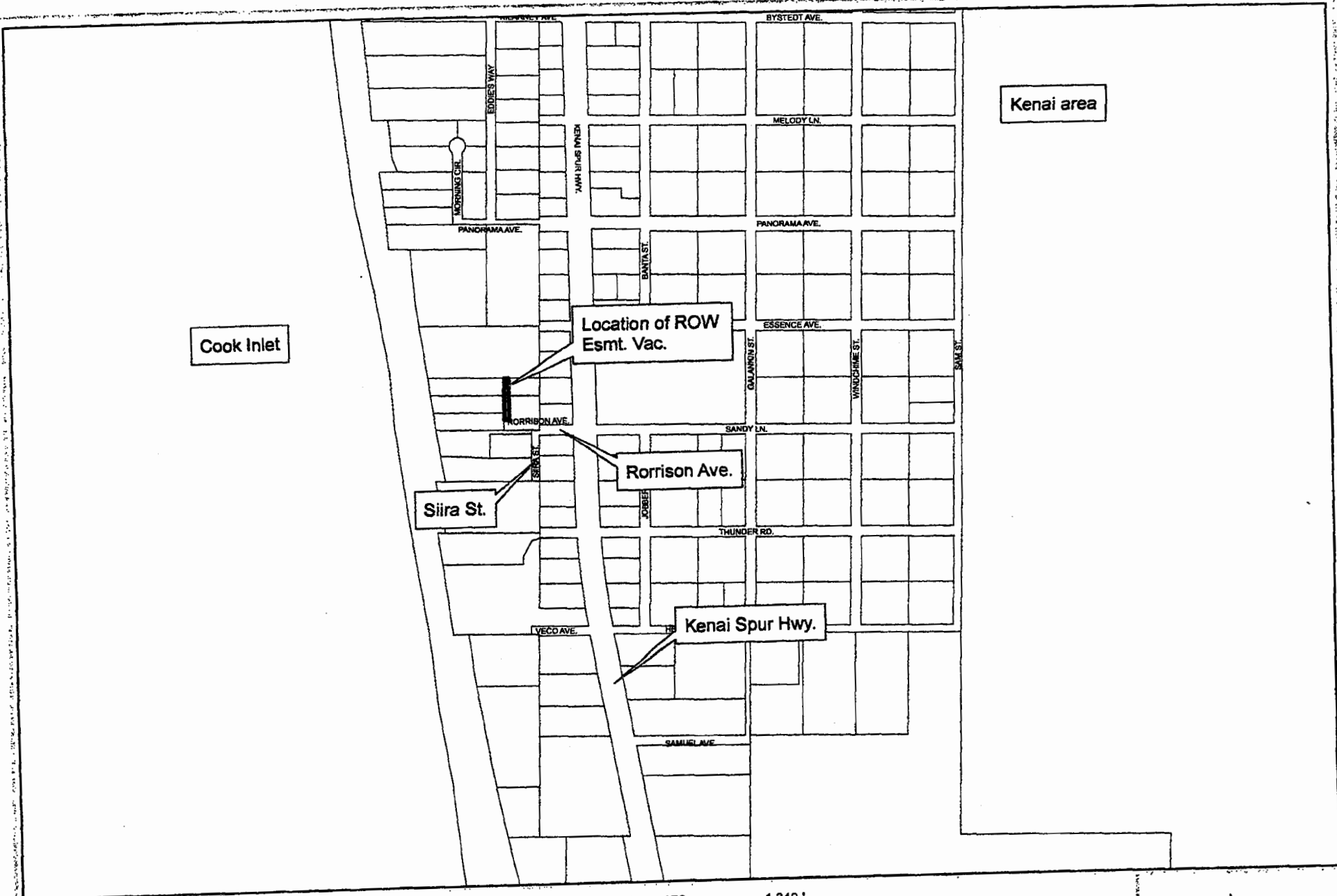


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Date: 9/9/2013





Vicinity Map



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Date: 9/9/2013

## Voeller, Paul

---

**From:** Giefer, Joe (DFG) [joe.giefer@alaska.gov]  
**Sent:** Monday, September 30, 2013 8:27 AM  
**To:** Voeller, Paul  
**Cc:** Fink, Mark J (DFG); Litchfield, Ginny  
**Subject:** KPB #2013-161 : Merrywood Subdivision vacation

Paul,

The Alaska Department of Fish & Game (ADF&G) has reviewed the proposed vacation of a portion of a 30-foot wide right-of-way easement within Lots A and B and a portion adjacent along the east boundary of Lot C, in the Merrywood Subdivision, located in Section 23, T. 6 N., R. 12 W., S.M., Alaska. There do not appear to be any actions that would block or remove public access to public lands or waters. ADF&G has no objection to the vacation as proposed. Thank you for the opportunity to review and comment on this proposal. If you have questions or would like to discuss this further, please feel free to call or email me.

**Joe Giefer**

*Habitat Biologist  
Alaska Dept. of Fish & Game  
Division of Sport Fish  
333 Raspberry Road, Anchorage AK 99518  
907-267-2336*



Kenai Peninsula Borough Planning Department  
 144 North Binkley  
 Soldotna, Alaska 99669-7599  
 Toll free within the Borough 1-800-478-4441, extension 2200  
 (907) 714-2200

RECEIVED

SEP 9 2013

**Petition to Vacate Public Right-of-Way / Section Line Easement  
 Public Hearing Required**

KENAI PENINSULA BOROUGH  
 PLANNING DEPARTMENT

Upon receipt of complete application with fees and all required attachments; a public hearing before the Planning Commission will be scheduled. The petition with all required information and attachments must be in the Planning Department at least 30 days prior to the preferred hearing date. By State Statute and Borough Code, the public hearing must be scheduled within 60 days of receipt of complete application.

- Fees - \$500 non-refundable fees to help defray costs of advertising public hearing. Plat fees will be in addition to vacation fees.
- City Advisory Planning Commission. Copy of minutes at which this item was acted on, along with a copy of City Staff Report.
- Name of public right-of-way proposed to be vacated is \_\_\_\_\_; dedicated by plat of \_\_\_\_\_ Subdivision, filed as Plat No. \_\_\_\_\_ in \_\_\_\_\_ Recording District.
- Are there associated utility easements to be vacated?  Yes  No
- Are easements in use by any utility company, if so which? \_\_\_\_\_
- Easement for public road or right-of-way as set out in (specify type of document) \_\_\_\_\_ as recorded in Book \_\_\_\_\_ Page \_\_\_\_\_ of the \_\_\_\_\_ Recording District. (Copy of recorded document must be submitted with petition.)
- Section Line Easement. Width of easement must be shown on sketch.
- Submit three copies of plat or map showing area proposed to be vacated. Must not exceed 11x17 inches in size. In the case of public right-of-way the submittal must include a sketch showing which parcels the vacated area will be attached to. Proposed alternative dedication is to be shown and labeled on the sketch.
- Has right-of-way been fully or partially constructed?  Yes  No
- Is right-of-way used by vehicles / pedestrians / other?  Yes  No
- Has section line easement been constructed?  Yes  No
- Is section line easement being used?  Yes  No
- Is alternative right-of-way being provided?  Yes  No

The petitioner must provide reasonable justification for the vacation. Reason for vacating:

Relocating access from impractical location on  
parent plat K-992  
OCT 29 2013 Meeting

The petition must be signed (written signature) by owners of majority of the front feet of land fronting part of the right-of-way or section line easement proposed to be vacated. Each must include address and legal description of his / her property.

Submitted by: Signature Max D Carpenter As  Petitioner  Representative  
 Name Max D Carpenter  
 Address PO Box 993  
Soldotna AK 99669  
 Phone 394-2907

**Petitioners:**

Signature Tim Tice  
 Name Tim Tice  
 Address P.O. Box 699  
Kenai AK 99611  
Merrywood Sub.  
 Owner of Lot B

Signature Mark Tice  
 Name Mark Tice  
 Address P.O. Box 699  
Kenai AK  
99611  
 Owner of Lot B

Tim & Marion Rep. to  
George Jurely Estate  
Box 335  
Kenai, AK 99611  
owner of Lot A

Signature Lawrence D. Robinson Sr.  
 Name Lawrence D. Robinson Sr.  
 Address PO Box 250  
Kenai, AK 99611  
 Owner of Lot C

Signature Patricia A. Robinson  
 Name Patricia A. Robinson  
 Address PO Box 250  
Kenai, AK 99611  
 Owner of Lot C



# **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

**PHONE:** (907) 714-2200 • **FAX:** (907) 714-2378

*Toll-free within the Borough:* 1-800-478-4441, Ext. 2200

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

## **M E M O R A N D U M**

**TO:** Hal Smalley, Assembly President  
Kenai Peninsula Borough Assembly Members

**FROM:** Max Best, Planning Director *MB*

**DATE:** October 30, 2013

**SUBJECT:** Vacate a portion of Hickory Street, (formerly Acacia Street changed by PC Resolution No. 2007-1), a 33-foot right-of-way easement along the west boundary of Lot 1 Block 10 including the 50-foot radius portion of a temporary turnaround dedicated by Homewood Subdivision (Plat KN 77-81); and adjacent to Lot 23 of Lake View Terrace North Shore Addition No. 3 (Plat KN 2003-42); and vacate any associated utility easements adjacent to proposed right-of-way to be vacated granted by referenced plats; all within Section 17, Township 5 North, Range 9 West, Seward Meridian, Alaska; and within the Kenai Peninsula Borough. KPB File 2013-154. Petitioners: Charles Ward and Kelly Bishop of Soldotna, Alaska. Location: On Hickory Street in Soldotna

In accordance with AS 29.40.140, no vacation of a Borough right-of-way and/or easement may be made without the consent of the Borough Assembly.

During their regularly scheduled meeting of October 28, 2013 the Kenai Peninsula Borough Planning Commission granted approval of the proposed vacation by unanimous consent based on the following findings of fact. This petition is being sent to you for your consideration and action.

### *Findings*

1. Sufficient rights-of-way exist to serve surrounding properties.
2. No surrounding properties will be denied access.
3. Per the submittal, the right-of-way proposed for vacation is not in use for access.
4. Per the submittal, the right-of-way proposed for vacation has not been constructed.
5. The right-of-way does not appear to be in use for utilities.
6. All subdivision plats finalizing vacations are sent to utility companies for review and easement requirements.
7. To date, ENSTAR and HEA have provided a letter of non-objection.
8. The portion of Hickory Street proposed to be vacated does not provide access to public water.
9. Approval of the right-of-way vacation will not affect the underlying section line easement.
10. Aspenwood Court is a cul-de-sac (permanently closed street).
11. The portion of Hickory Street proposed for vacation cannot connect with Aspenwood Court.

The Assembly has 30 days from October 28, 2013 in which to veto the decision of the Planning Commission. If the Commission receives no veto within the 30-day period, the decision of the Commission will stand.

Draft, unapproved minutes of the pertinent portion of the meeting and other related materials are attached.

cc: petitioners' w/minutes only

AGENDA ITEM F. PUBLIC HEARINGS

1. Vacate a portion of Hickory Street, (formerly Acacia Street changed by PC Resolution No. 2007-1), a 33-foot right-of-way easement along the west boundary of Lot 1 Block 10 including the 50-foot radius portion of a temporary turnaround dedicated by Homewood Subdivision (Plat KN 77-81); and adjacent to Lot 23 of Lake View Terrace North Shore Addition No. 3 (Plat KN 2003-42); and vacate any associated utility easements adjacent to proposed right-of-way to be vacated granted by referenced plats; all within Section 17, Township 5 North, Range 9 West, Seward Meridian, Alaska; and within the Kenai Peninsula Borough; KPB File 2013-154; Location: On Hickory Street, Soldotna area

Staff Report given by Max Best

PC Meeting: 10/28/13

Purpose as stated in petition: ROW separates properties owned by petitioners. ROW would only provide public access to the lake for which alternate access exists nearby.

Petitioners: Charles Ward and Kelly Bishop of Soldotna, Alaska.

Notification:

Public notice appeared in the October 17 and October 24, 2013 issues of the Peninsula Clarion.

Eight certified mailings were sent to owners of property within 300 feet of the parcels. Five receipts have been returned.

One certified mailing was returned due to an insufficient address. Platting staff emailed the public hearing notice and link to Planning's public notice web site to the owner and offered to re-mail a hard copy of the notice. The owner acknowledged receipt of the electronic notice and said mailing the hard copy was not necessary.

Fifteen regular mailings were sent to agencies and interested parties. Notices were sent to five KPB Departments. Notices were mailed to the Soldotna Post Office and Soldotna Community Library to be posted in public locations. The notice and maps were posted on the Borough bulletin board and Planning Department public hearing notice web site.

Comments Received:

Alaska Department of Fish & Game: Provided the proposed vacation does not affect the access route immediately to the north that appears to provide access to Whisper Lake, ADF&G has no objection to the vacation as proposed.

Alaska Department of Natural Resources: If underlying 33-foot section line easements exist, as implied on the plat of Lake View Terrace North Shore Addition #3 (Plat 2003-42), the section line easement will not be vacated without DNR and DOT&PF approval.

ENSTAR: ENSTAR has no comments, recommendations, or objections.

Homer Electric Association: Reviewed/no comments.

KPB Floodplain Administrator: The area of this request to vacate is not within the KPB regulatory floodplain and is not subject to the requirements of KPB Chapter 21.06.

Staff Discussion:

KPB records concur with the surveyor's depiction of a 66-foot section line easement underlying the right-of-way. Approval of the vacation of Hickory Street right-of-way will not vacate the section line easement.

The preliminary plat that would accomplish the vacation if it is approved has not yet been scheduled for Plat Committee review.

Comments have not been received from ACS or GCI.

**Findings:**

1. Sufficient rights-of-way exist to serve surrounding properties.
2. No surrounding properties will be denied access.
3. Per the submittal, the right-of-way proposed for vacation is not in use for access.
4. Per the submittal, the right-of-way proposed for vacation has not been constructed.
5. The right-of-way does not appear to be in use for utilities.
6. All subdivision plats finalizing vacations are sent to utility companies for review and easement requirements.
7. To date, ENSTAR and HEA have provided a letter of non-objection.
8. The portion of Hickory Street proposed to be vacated does not provide access to public water.
9. Approval of the right-of-way vacation will not affect the underlying section line easement.
10. Aspenwood Court is a cul-de-sac (permanently closed street).
11. The portion of Hickory Street proposed for vacation cannot connect with Aspenwood Court.

**STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the vacations as petitioned, subject to:

1. Submittal of a preliminary plat in accordance with Chapter 20 of the KPB Code.
2. Submittal of comments from ACS and GCI.
3. Submittal of a final plat within one year of vacation approval per KPB Code.

**If the vacation is approved, the Kenai Peninsula Borough Assembly has thirty days in which they may veto Planning Commission approval of the vacation.**

**DENIAL OF A VACATION PETITION IS A FINAL ACT FOR WHICH NO FURTHER CONSIDERATION SHALL BE GIVEN BY THE KENAI PENINSULA BOROUGH. APPEALS TO PLANNING COMMISSION DENIAL OF A VACATION MUST BE TAKEN WITHIN THIRTY (30) DAYS TO SUPERIOR COURT AT KENAI, ALASKA PURSUANT TO PART VI OF THE ALASKA RULES OF APPELLATE PROCEDURES. [20.28.110 AS AMENDED BY KENAI PENINSULA BOROUGH ORDINANCE 99-43].**

END OF STAFF REPORT

Chairman Bryson opened the meeting for public comment.

1. Jerry Johnson, Johnson Surveying, Box 27, Clam Gulch  
Mr. Johnson was available to answer questions.

Chairman Bryson asked if there were questions for Mr. Johnson. Hearing none, the public hearing continued.

2. Charles Ward Bishop  
Mr. Bishop is the petitioner and was available to answer questions.

Chairman Bryson asked if there were questions for Mr. Bishop. Hearing none, the public hearing continued.

Seeing and hearing no one else wishing to speak, Chairman Bryson closed the public comment period and opened discussion among the Commission.

**MOTION:** Commissioner Foster moved, seconded by Commissioner Ecklund to vacate a portion of Hickory Street, a 33-foot right-of-way easement along the west boundary of Lot 1, Block 10 based on the following findings and conditions.



**Findings:**

1. Sufficient rights-of-way exist to serve surrounding properties.
2. No surrounding properties will be denied access.
3. Per the submittal, the right-of-way proposed for vacation is not in use for access.
4. Per the submittal, the right-of-way proposed for vacation has not been constructed.
5. The right-of-way does not appear to be in use for utilities.
6. All subdivision plats finalizing vacations are sent to utility companies for review and easement requirements.
7. To date, ENSTAR and HEA have provided a letter of non-objection.
8. The portion of Hickory Street proposed to be vacated does not provide access to public water.
9. Approval of the right-of-way vacation will not affect the underlying section line easement.
10. Aspenwood Court is a cul-de-sac (permanently closed street).
11. The portion of Hickory Street proposed for vacation cannot connect with Aspenwood Court.

**Conditions**

1. Submittal of a preliminary plat in accordance with Chapter 20 of the KPB Code.
2. Submittal of comments from ACS and GCI.
3. Submittal of a final plat within one year of vacation approval per KPB Code.

**VOTE:** The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO ABSENT	COLLINS YES	ECKLUND YES	FOSTER YES	GROSS YES	HOLSTEN ABSENT
ISHAM ABSENT	LOCKWOOD YES	MARTIN ABSENT	RUFFNER YES	TAURIAINEN YES	WHITNEY YES	9 YES 4 ABSENT

**AGENDA ITEM F. PUBLIC HEARINGS**

2. Vacate a portion of a 30-foot right-of-way road easement within Lots A and B and a portion adjacent along the east boundary to Lot C as shown on Merrywood Subdivision (Plat K-992); within Section 23, Township 6 North, Range 12 West, Seward Meridian, Alaska; and within the Kenai Peninsula Borough; Location: On Rorrison Avenue, north of Kenai; KPB File 2013-161

Staff Report given by Max Best

PC Meeting: 10/28/13

Purpose as stated in petition: Relocation access from impractical location on parent plat K-992.

Petitioners: Lawrence D. Jr. & Patricia Rorrison, Tim & Lark Ticen, and Nina L. Marion, Representative for George Tweedy Estate, all of Kenai, Alaska.

Notification:

Public notice appeared in the October 17 and October 24, 2013 issues of the Peninsula Clarion.

Eight certified mailings were sent to owners of property within 300 feet of the parcels. The public hearing notice was hand delivered to KPB Land Management. All receipts have been returned.

Fifteen regular mailings were sent to agencies and interested parties. Five notices were sent to KPB Departments. Notices were mailed to the Kenai Post Office and Kenai Community Library to be posted in public locations. The notice and maps were posted on the Borough bulletin board and Planning Department public hearing notice web site.

Comments Received:

Alaska Department of Fish & Game: ADF&G has no objection to the vacation as proposed.



# **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

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[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

October 30, 2013

## **KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF DECISION**

### **MEETING OF OCTOBER 28, 2013**

**RE:** Vacate a portion of Hickory Street, (formerly Acacia Street changed by PC Resolution No. 2007-1), a 33-foot right-of-way easement along the west boundary of Lot 1 Block 10 including the 50-foot radius portion of a temporary turnaround dedicated by Homewood Subdivision (Plat KN 77-81); and adjacent to Lot 23 of Lake View Terrace North Shore Addition No. 3 (Plat KN 2003-42); and vacate any associated utility easements adjacent to proposed right-of-way to be vacated granted by referenced plats; all within Section 17, Township 5 North, Range 9 West, Seward Meridian, Alaska; and within the Kenai Peninsula Borough. KPB File 2013-154. Petitioners: Charles Ward and Kelly Bishop of Soldotna, Alaska. Location: On Hickory Street in Soldotna

During their regularly scheduled meeting of October 28, 2013 the Kenai Peninsula Borough Planning Commission granted approval of the proposed vacation based on the following findings of fact.

#### *Findings:*

1. Sufficient rights-of-way exist to serve surrounding properties.
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9. Approval of the right-of-way vacation will not affect the underlying section line easement.
10. Aspenwood Court is a cul-de-sac (permanently closed street).
11. The portion of Hickory Street proposed for vacation cannot connect with Aspenwood Court.

In accordance with AS 29.40.140, no vacation of a Borough right-of-way and/or easement may be made without the consent of the Borough Assembly. The proposed vacation will be forwarded to the Borough Assembly. The Assembly shall have 30 calendar days from the date of approval (October 28, 2013) in which to veto the Planning Commission decision. If the Planning Director receives no veto within the specified period, the Assembly shall be considered to have given consent to the vacation.

Please contact the Borough Clerk's office (907-714-2160 or 1-800-478-4441 toll-free within the borough) for additional information.

This notice and unapproved minutes of the subject portion of the meeting were sent October 30 2013 to:

Johnson Surveying  
Box 27  
Clam Gulch, AK 99568

Charles Ward & Kelly Bishop  
PO Box 3372  
Soldotna, AK 99669

**AGENDA ITEM F. PUBLIC HEARINGS**

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**STAFF REPORT**

PC Meeting: 10/28/13

**Purpose as stated in petition:** ROW separates properties owned by petitioners. ROW would only provide public access to the lake for which alternate access exists nearby.

**Petitioners:** Charles Ward and Kelly Bishop of Soldotna, Alaska.

**Notification:**

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**Comments Received:**

Alaska Department of Fish & Game: Provided the proposed vacation does not affect the access route immediately to the north that appears to provide access to Whisper Lake, ADF&G has no objection to the vacation as proposed.

Alaska Department of Natural Resources: If underlying 33-foot section line easements exist, as implied on the plat of Lake View Terrace North Shore Addition #3 (Plat 2003-42), the section line easement will not be vacated without DNR and DOT&PF approval.

ENSTAR: ENSTAR has no comments, recommendations, or objections.

Homer Electric Association: Reviewed/no comments.

KPB Floodplain Administrator: The area of this request to vacate is not within the KPB regulatory floodplain and is not subject to the requirements of KPB Chapter 21.06.

**Staff Discussion:**

KPB records concur with the surveyor's depiction of a 66-foot section line easement underlying the right-of-way. Approval of the vacation of Hickory Street right-of-way will not vacate the section line easement.

The preliminary plat that would accomplish the vacation if it is approved has not yet been scheduled for Plat Committee review.

Comments have not been received from ACS or GCI.

**Findings:**

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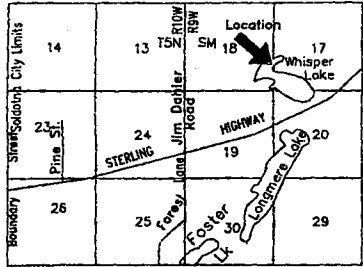
**STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the vacations as petitioned, subject to:

1. Submittal of a preliminary plat in accordance with Chapter 20 of the KPB Code.
2. Submittal of comments from ACS and GCI.
3. Submittal of a final plat within one year of vacation approval per KPB Code.

**If the vacation is approved, the Kenai Peninsula Borough Assembly has thirty days in which they may veto Planning Commission approval of the vacation.**

**DENIAL OF A VACATION PETITION IS A FINAL ACT FOR WHICH NO FURTHER CONSIDERATION SHALL BE GIVEN BY THE KENAI PENINSULA BOROUGH. APPEALS TO PLANNING COMMISSION DENIAL OF A VACATION MUST BE TAKEN WITHIN THIRTY (30) DAYS TO SUPERIOR COURT AT KENAI, ALASKA PURSUANT TO PART VI OF THE ALASKA RULES OF APPELLATE PROCEDURES. [20.28.110 AS AMENDED BY KENAI PENINSULA BOROUGH ORDINANCE 99-43].**

END OF STAFF REPORT



VICINITY 1" = 1 mile MAP

2013-154

# Lake View Terrace, 2013 Replat

A replat of Lake View Terrace, North Shore Addn. #3, KRD 2003-42, and Lot 1 Block 10 Homewood Subd., KRD 77-91, incorporating a vacation of a portion of Hickory Street and a temporary turn around. Located in the SW 1/4 Section 17 & SE 1/4 Section 18, T5N R9W SM Kenai Recording District - Kenai Peninsula Borough

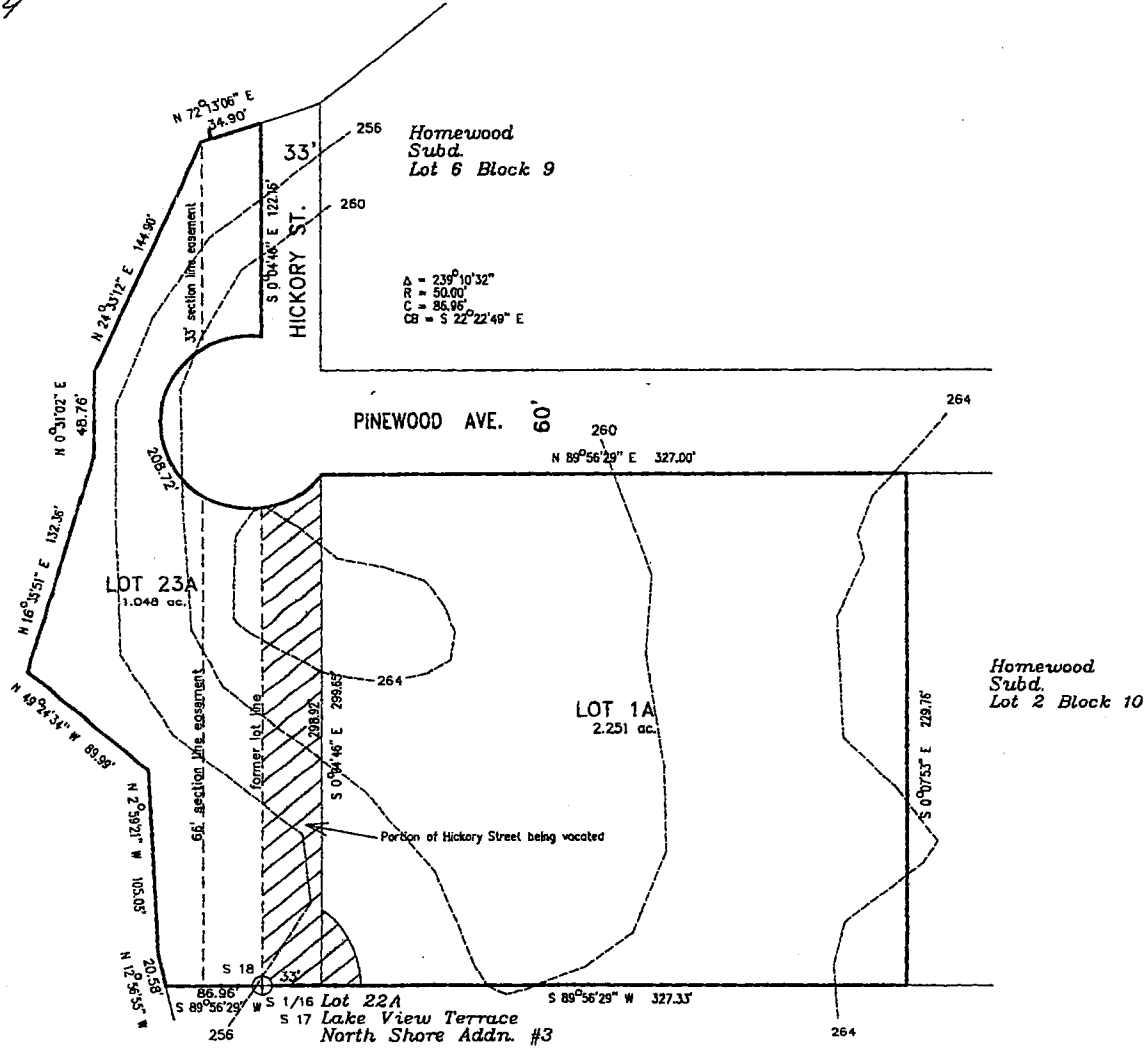
Prepared for  
Ward Bishop  
P.O. Box 3372  
Soldotna, AK 99669

Prepared by  
Johnson Surveying  
Box 27  
Clam Gulch, Ak 99568

SCALE 1" = 50'  
29 August, 2013

AREA = 3.299 acres

WHISPER LAKE



Homewood Subd. Lot 2 Block 10

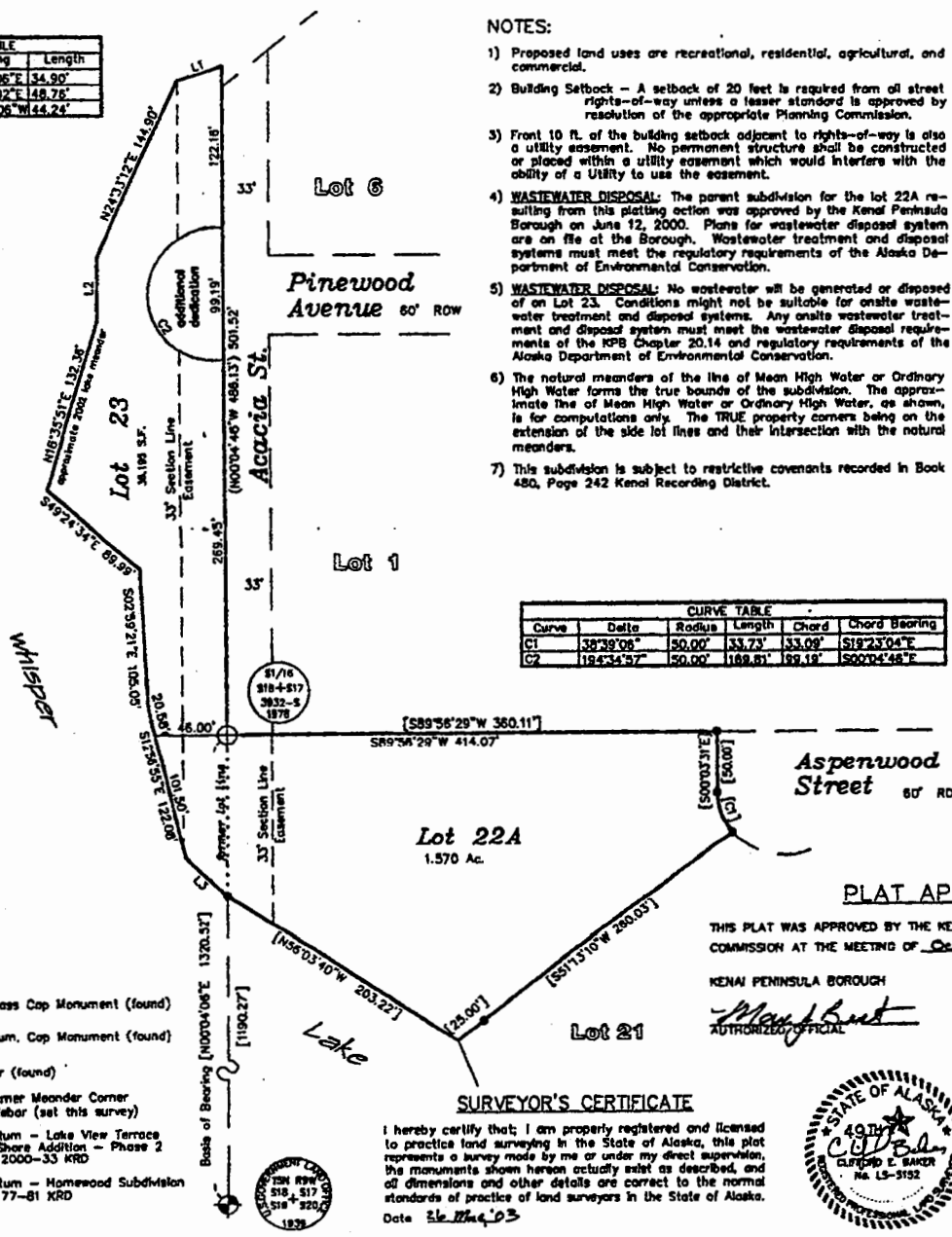
Homewood Subd. Lot 6 Block 9

LOT 23A  
1.048 ac.

LOT 1A  
2.251 ac.

S 18  
S 17  
S 16  
S 15  
S 14  
S 13  
S 12  
S 11  
S 10  
S 9  
S 8  
S 7  
S 6  
S 5  
S 4  
S 3  
S 2  
S 1  
S 1/16 Lot 22A  
S 1/16 Lot 22B  
S 1/16 Lot 22C  
S 1/16 Lot 22D  
S 1/16 Lot 22E  
S 1/16 Lot 22F  
S 1/16 Lot 22G  
S 1/16 Lot 22H  
S 1/16 Lot 22I  
S 1/16 Lot 22J  
S 1/16 Lot 22K  
S 1/16 Lot 22L  
S 1/16 Lot 22M  
S 1/16 Lot 22N  
S 1/16 Lot 22O  
S 1/16 Lot 22P  
S 1/16 Lot 22Q  
S 1/16 Lot 22R  
S 1/16 Lot 22S  
S 1/16 Lot 22T  
S 1/16 Lot 22U  
S 1/16 Lot 22V  
S 1/16 Lot 22W  
S 1/16 Lot 22X  
S 1/16 Lot 22Y  
S 1/16 Lot 22Z

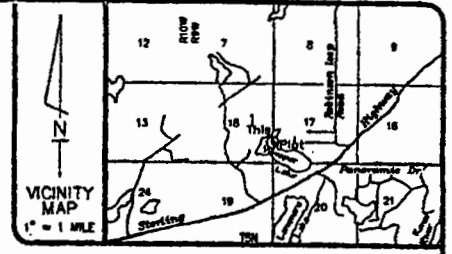
LINE TABLE		
Line	Bearing	Length
L1	N72°13'06"E	34.90'
L2	N00°31'02"E	48.76'
L3	N44°36'06"W	44.24'



**NOTES:**

- Proposed land uses are recreational, residential, agricultural, and commercial.
- Building Setback - A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- Front 10 ft. of the building setback adjacent to rights-of-way is also a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- WASTEWATER DISPOSAL:** The parent subdivision for the lot 22A resulting from this platting action was approved by the Kenai Peninsula Borough on June 12, 2000. Plans for wastewater disposal system are on file at the Borough. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.
- WASTEWATER DISPOSAL:** No wastewater will be generated or disposed of on Lot 23. Conditions might not be suitable for onsite wastewater treatment and disposal systems. Any onsite wastewater treatment and disposal system must meet the wastewater disposal requirements of the KPB Chapter 20.14 and regulatory requirements of the Alaska Department of Environmental Conservation.
- The natural meanders of the line of Mean High Water or Ordinary High Water forms the true bounds of the subdivision. The approximate line of Mean High Water or Ordinary High Water, as shown, is for computations only. The TRUE property corners being on the extension of the side lot lines and their intersection with the natural meanders.
- This subdivision is subject to restrictive covenants recorded in Book 480, Page 242 Kenai Recording District.

CURVE TABLE					
Curve	Delta	Radius	Length	Chord	Chord Bearing
C1	58°39'08"	50.00'	33.73'	33.09'	S19°23'04"E
C2	124°34'37"	50.00'	169.61'	169.18'	S00°24'48"E



**CERTIFICATE of OWNERSHIP and DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

*John A. Hamps*      *Ina Krause*  
 John A. Hamps      Ina Krause  
 Vor Dem Kolen 11  
 81276 Welfrod  
 Germany  
 (Lot 22 Block 6)

*Paul L. Money*  
 Paul L. Money, Managing Partner for Lake View Terrace Partnership  
 1343 'G' Street, Suite 1  
 Anchorage, Alaska 99501  
 (Government Lot 5)

**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SWORN BEFORE ME THIS 12 DAY OF October 2003 FOR John A. Hamps and Ina Krause

*John A. Hamps*  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES \_\_\_\_\_

**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SWORN BEFORE ME THIS 4<sup>th</sup> DAY OF February 2003 FOR Paul L. Money

*Paul L. Money*  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES 11-15-2003

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF October 14, 2002

KENAI PENINSULA BOROUGH

*Maury Bent*  
 AUTHORIZED OFFICIAL

**SURVEYOR'S CERTIFICATE**

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown herein actually exist as described, and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska.  
 Date 26 Mar 03



2003-42  
 RECORDED 20-  
 KENAI REC. DIST.  
 DATE: 6-25 2003  
 TIME: 9:15 A.M.  
 REQUESTED BY:  
 INTEGRITY SURVEYS  
 805 SWIRES DRIVE  
 KENAI, ALASKA 99611

**Lake View Terrace North Shore Addition #3**

A replat of Lot 22 Lake View Terrace - North Shore Addition phase Two, plat No. 2000-33 KR0 located in SW 1/4 Sec. 17 and a subdivision of Government Lot 3 located in SE 1/4 Sec 18, T3N, R9W, S.M., Kenai Recording District, Kenai Peninsula Borough, Alaska.  
 Containing 2,506 Acres

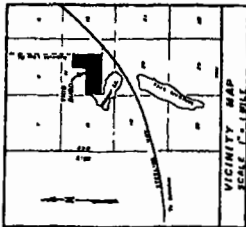
**Integrity Surveys**

805 Swires Drive Kenai, Alaska 99611-8363  
 SURVEYORS PHONE - (907) 285-9047 PLANNERS  
 FAX - (907) 285-9071

JOB NO: 22188	DRAWN: 21 October, 2002 CB
SURVEYED: 12 September, 2002	SCALE: 1" = 60'
FIELD BC: 2002-6, Pg.	DRK: Lake View

**LEGEND:**

- ⊕ 2-1/2" Brass Cap Monument (found)
- ⊕ 3-1/4" Alum. Cap Monument (found)
- 5/8" Rebar (found)
- Witness Corner Meander Corner  
5/8" Rebar (set this survey)
- [ ] Record Datum - Lake View Terrace North Shore Addition - Phase 2 Plot # 2000-33 KR0
- ( ) Record Datum - Homewood Subdivision Plot # 77-81 KR0



**LEGEND AND NOTES:**

- 1. All lots shown on this plan are subject to a 20' utility easement along the right-of-way.
- 2. The 10' x 20' area shown at lot 1 is for a well.
- 3. The 10' x 20' area shown at lot 2 is for a well.
- 4. The 10' x 20' area shown at lot 3 is for a well.
- 5. The 10' x 20' area shown at lot 4 is for a well.
- 6. The 10' x 20' area shown at lot 5 is for a well.
- 7. The 10' x 20' area shown at lot 6 is for a well.
- 8. The 10' x 20' area shown at lot 7 is for a well.
- 9. The 10' x 20' area shown at lot 8 is for a well.
- 10. The 10' x 20' area shown at lot 9 is for a well.
- 11. The 10' x 20' area shown at lot 10 is for a well.
- 12. The 10' x 20' area shown at lot 11 is for a well.
- 13. The 10' x 20' area shown at lot 12 is for a well.
- 14. The 10' x 20' area shown at lot 13 is for a well.
- 15. The 10' x 20' area shown at lot 14 is for a well.
- 16. The 10' x 20' area shown at lot 15 is for a well.
- 17. The 10' x 20' area shown at lot 16 is for a well.
- 18. The 10' x 20' area shown at lot 17 is for a well.
- 19. The 10' x 20' area shown at lot 18 is for a well.
- 20. The 10' x 20' area shown at lot 19 is for a well.
- 21. The 10' x 20' area shown at lot 20 is for a well.
- 22. The 10' x 20' area shown at lot 21 is for a well.
- 23. The 10' x 20' area shown at lot 22 is for a well.
- 24. The 10' x 20' area shown at lot 23 is for a well.
- 25. The 10' x 20' area shown at lot 24 is for a well.
- 26. The 10' x 20' area shown at lot 25 is for a well.
- 27. The 10' x 20' area shown at lot 26 is for a well.
- 28. The 10' x 20' area shown at lot 27 is for a well.
- 29. The 10' x 20' area shown at lot 28 is for a well.
- 30. The 10' x 20' area shown at lot 29 is for a well.
- 31. The 10' x 20' area shown at lot 30 is for a well.
- 32. The 10' x 20' area shown at lot 31 is for a well.
- 33. The 10' x 20' area shown at lot 32 is for a well.
- 34. The 10' x 20' area shown at lot 33 is for a well.
- 35. The 10' x 20' area shown at lot 34 is for a well.
- 36. The 10' x 20' area shown at lot 35 is for a well.
- 37. The 10' x 20' area shown at lot 36 is for a well.
- 38. The 10' x 20' area shown at lot 37 is for a well.
- 39. The 10' x 20' area shown at lot 38 is for a well.
- 40. The 10' x 20' area shown at lot 39 is for a well.
- 41. The 10' x 20' area shown at lot 40 is for a well.
- 42. The 10' x 20' area shown at lot 41 is for a well.
- 43. The 10' x 20' area shown at lot 42 is for a well.
- 44. The 10' x 20' area shown at lot 43 is for a well.
- 45. The 10' x 20' area shown at lot 44 is for a well.
- 46. The 10' x 20' area shown at lot 45 is for a well.
- 47. The 10' x 20' area shown at lot 46 is for a well.
- 48. The 10' x 20' area shown at lot 47 is for a well.
- 49. The 10' x 20' area shown at lot 48 is for a well.
- 50. The 10' x 20' area shown at lot 49 is for a well.
- 51. The 10' x 20' area shown at lot 50 is for a well.
- 52. The 10' x 20' area shown at lot 51 is for a well.
- 53. The 10' x 20' area shown at lot 52 is for a well.
- 54. The 10' x 20' area shown at lot 53 is for a well.
- 55. The 10' x 20' area shown at lot 54 is for a well.
- 56. The 10' x 20' area shown at lot 55 is for a well.
- 57. The 10' x 20' area shown at lot 56 is for a well.
- 58. The 10' x 20' area shown at lot 57 is for a well.
- 59. The 10' x 20' area shown at lot 58 is for a well.
- 60. The 10' x 20' area shown at lot 59 is for a well.
- 61. The 10' x 20' area shown at lot 60 is for a well.
- 62. The 10' x 20' area shown at lot 61 is for a well.
- 63. The 10' x 20' area shown at lot 62 is for a well.
- 64. The 10' x 20' area shown at lot 63 is for a well.
- 65. The 10' x 20' area shown at lot 64 is for a well.
- 66. The 10' x 20' area shown at lot 65 is for a well.
- 67. The 10' x 20' area shown at lot 66 is for a well.
- 68. The 10' x 20' area shown at lot 67 is for a well.
- 69. The 10' x 20' area shown at lot 68 is for a well.
- 70. The 10' x 20' area shown at lot 69 is for a well.
- 71. The 10' x 20' area shown at lot 70 is for a well.
- 72. The 10' x 20' area shown at lot 71 is for a well.
- 73. The 10' x 20' area shown at lot 72 is for a well.
- 74. The 10' x 20' area shown at lot 73 is for a well.
- 75. The 10' x 20' area shown at lot 74 is for a well.
- 76. The 10' x 20' area shown at lot 75 is for a well.
- 77. The 10' x 20' area shown at lot 76 is for a well.
- 78. The 10' x 20' area shown at lot 77 is for a well.
- 79. The 10' x 20' area shown at lot 78 is for a well.
- 80. The 10' x 20' area shown at lot 79 is for a well.
- 81. The 10' x 20' area shown at lot 80 is for a well.
- 82. The 10' x 20' area shown at lot 81 is for a well.
- 83. The 10' x 20' area shown at lot 82 is for a well.
- 84. The 10' x 20' area shown at lot 83 is for a well.
- 85. The 10' x 20' area shown at lot 84 is for a well.
- 86. The 10' x 20' area shown at lot 85 is for a well.
- 87. The 10' x 20' area shown at lot 86 is for a well.
- 88. The 10' x 20' area shown at lot 87 is for a well.
- 89. The 10' x 20' area shown at lot 88 is for a well.
- 90. The 10' x 20' area shown at lot 89 is for a well.
- 91. The 10' x 20' area shown at lot 90 is for a well.
- 92. The 10' x 20' area shown at lot 91 is for a well.
- 93. The 10' x 20' area shown at lot 92 is for a well.
- 94. The 10' x 20' area shown at lot 93 is for a well.
- 95. The 10' x 20' area shown at lot 94 is for a well.
- 96. The 10' x 20' area shown at lot 95 is for a well.
- 97. The 10' x 20' area shown at lot 96 is for a well.
- 98. The 10' x 20' area shown at lot 97 is for a well.
- 99. The 10' x 20' area shown at lot 98 is for a well.
- 100. The 10' x 20' area shown at lot 99 is for a well.
- 101. The 10' x 20' area shown at lot 100 is for a well.

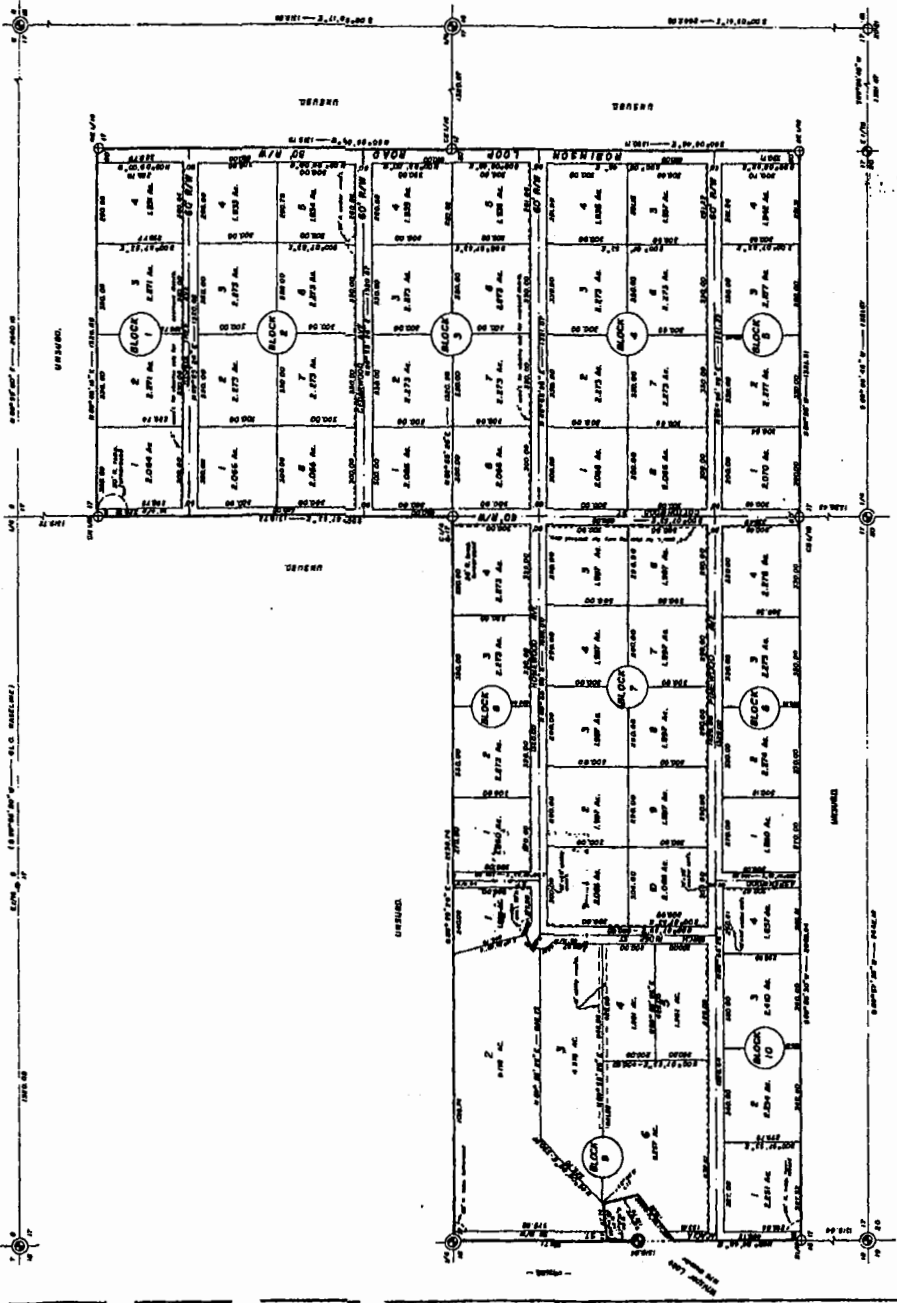
**HOME WOOD SUBDIVISION**

Leased by: [Name]

DESCRIPTION: [Description]

Map of Home Wood Subdivision, [Location]

Scale: 1" = 1/4 MI.



**CERTIFICATE OF OWNERSHIP AND DESIGNATION**

I, the undersigned, do hereby certify that the above described lots and tracts are owned by the persons named in the foregoing list, and are subject to the terms and conditions herein set forth.

*[Signature]*

Notary Public for Oklahoma

**NOTARY'S ACKNOWLEDGEMENT**

I, the undersigned, do hereby certify that the above described lots and tracts are owned by the persons named in the foregoing list, and are subject to the terms and conditions herein set forth.

*[Signature]*

Notary Public for Oklahoma

77-81  
 1937  
 1937  
 1937

**PLAT APPROVAL**

By: [Signature]

Notary Public for Oklahoma

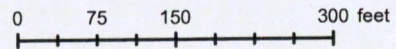






The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Vicinity Map

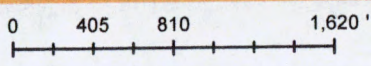


Date: 10/18/2013





The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

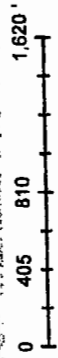
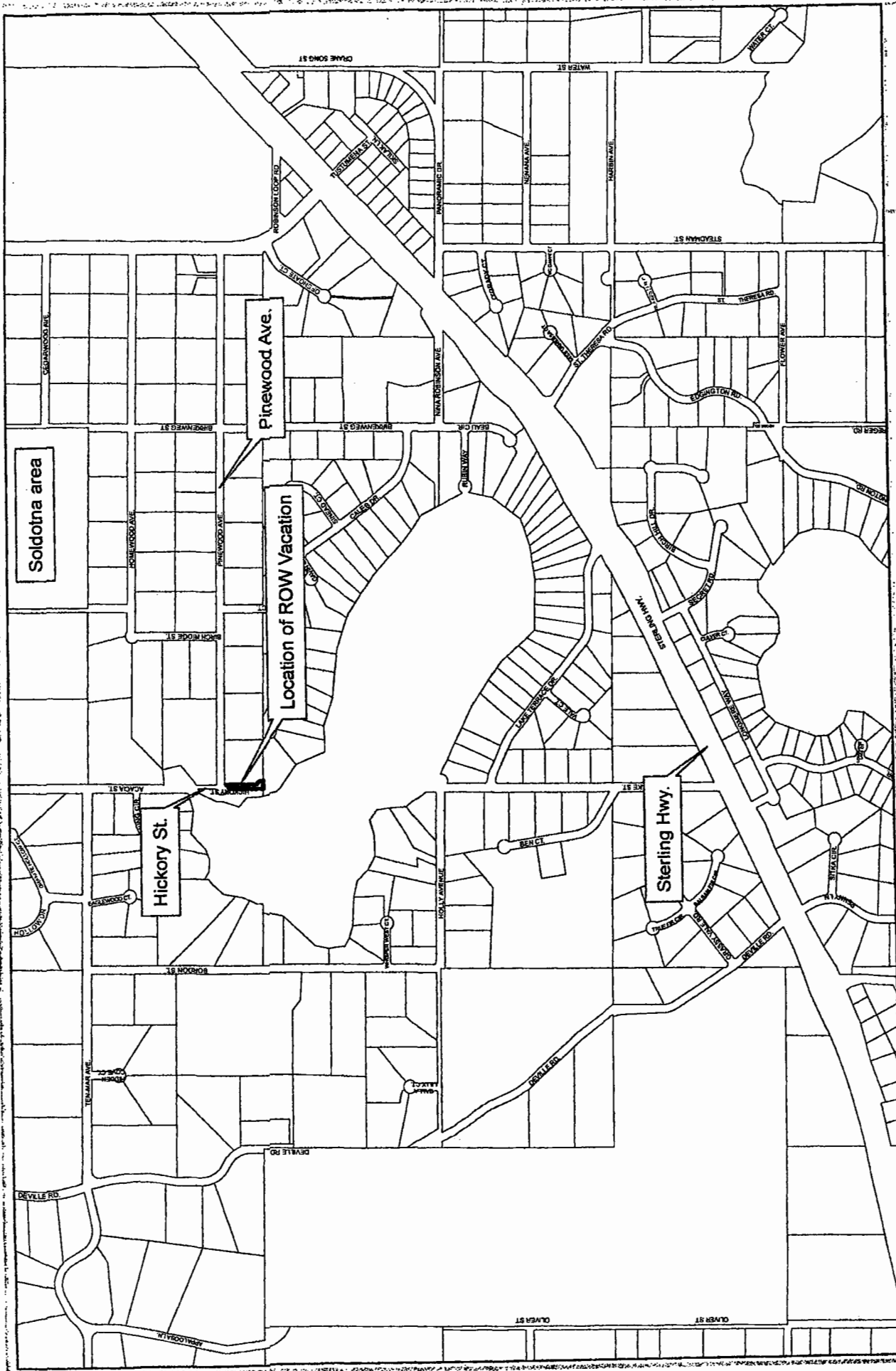


Vicinity Map



Date: 8/29/2013





Date: 8/29/2013

Vicinity Map

The information checked herein is for a graphical representation only of best available sources. The Kasilof Peninsula Borough is not responsible for any errors on this map.





THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

**Department of Natural Resources**

Division of Mining, Land &

Survey Section

550 West 7<sup>th</sup> Avenue, Suite 650  
Anchorage, Alaska 99501-3576  
Main: 907.269.8523  
TDD: 907.269.8411  
Fax: 907.269.8914

October 9, 2013

Maria Sweppy  
Kenai Borough Planning Department  
144 Binkley Street  
Soldotna, Alaska 99669

Subj: Proposed Hickory Street ROW Vacation  
KPB File: 2013-154-- Section 17 T5N, R9W, SM

Ms. Sweppy:

This letter is in response to a "notice of public hearing" for KPB file # 2013-154 pertaining to the proposed Hickory Street ROW Vacation.

The Department of Natural Resources, Division of Mining, Land & Water, Survey Section does not have any objection to the proposed Hickory Street right-of-way vacation. However, please advise the petitioners of the above ROW vacation action that if an underlying 33' section-line easements exists, as is implied on the plat of Lake View Terrace North Shore Addition #3 (Plat 2003-42), the section-line easement will not be vacated without DNR and DOT&PF approval and public access, via the section-line easement, will continue to encumber their parcel; even after Hickory Street is vacated.

To obtain DNR & DOT&PF approval the petitioners must petition the State in order to vacate the State's interest in the section-line easement. Please also advise the petitioners that petitioning to vacate does not guarantee that the proposed vacation will be approved.

Information regarding the State's section-line easement vacation process can be found at <http://dnr.alaska.gov/mlw/survey/ev/index.htm>

Should they have any questions, I may be contacted at 269-8610.

Sincerely,

George Horton  
Land Surveyor I

**RECEIVED**

OCT 11 2013

KENAI PENINSULA BOROUGH  
PLANNING DEPARTMENT

Sec. 29.35.090. Municipal property; rights-of-way.

(b) Notwithstanding AS 29.40.160 or other provisions of law, a municipality may not vacate a right-of-way acquired by the state under former 43 U.S.C. 932. This subsection applies to home rule and general law municipalities.

**Voeller, Paul**

---

**From:** Giefer, Joe (DFG) [joe.giefer@alaska.gov]  
**Sent:** Monday, September 30, 2013 9:23 AM  
**To:** Voeller, Paul  
**Cc:** Fink, Mark J (DFG); Litchfield, Ginny; Breakfield, Jeffery A (DFG)  
**Subject:** KPB #2013-154 : Hickory Street Vacation

Paul,

The Alaska Department of Fish & Game (ADF&G) has reviewed the proposed vacation of a portion of Hickory Street (aka Acacia Street), a 33-foot wide right-of-way easement along the west boundary of Lot 1, Block 10, including the 50-foot radius portion, in the Homewood Subdivision, located in Section 17, T. 5 N., R. 9 W., S.M., Alaska. Provided the proposed vacation does not affect the access route immediately to the north that appears to provide access to Whisper Lake, ADF&G has no objection to the vacation as proposed. Thank you for the opportunity to review and comment on this proposal. If you have questions or would like to discuss this further, please feel free to call or email me.

***Joe Giefer***

*Habitat Biologist  
Alaska Dept. of Fish & Game  
Division of Sport Fish  
333 Raspberry Road, Anchorage AK 99518  
907-267-2336*



Kenai Peninsula Borough Planning Department  
 144 North Binkley  
 Soldotna, Alaska 99669-7599  
 Toll free within the Borough 1-800-478-4441, extension 2200  
 (907) 714-2200

**Petition to Vacate Public Right-of-Way / Section Line Easement  
 Public Hearing Required**

Upon receipt of complete application with fees and all required attachments; a public hearing before the Planning Commission will be scheduled. The petition with all required information and attachments must be in the Planning Department at least 30 days prior to the preferred hearing date. By State Statute and Borough Code, the public hearing must be scheduled within 60 days of receipt of complete application.

- Fees - \$500 non-refundable fees to help defray costs of advertising public hearing. Plat fees will be in addition to vacation fees.
  - City Advisory Planning Commission. Copy of minutes at which this item was acted on, along with a copy of City Staff Report.
  - Name of public right-of-way proposed to be vacated is Hickory Street; dedicated by plat of Lake View Terrace North Shore Add. #3 & Homewood Subdivision, filed as Plat No. 2003-42 & 77-81 in Kenai Recording District.
  - Are there associated utility easements to be vacated?  Yes  No
  - Are easements in use by any utility company, if so which? \_\_\_\_\_
  - Easement for public road or right-of-way as set out in (specify type of document) \_\_\_\_\_ as recorded in Book \_\_\_\_\_ Page \_\_\_\_\_ of the \_\_\_\_\_ Recording District. (Copy of recorded document must be submitted with petition.)
  - Section Line Easement. Width of easement must be shown on sketch.
  - Submit three copies of plat or map showing area proposed to be vacated. Must not exceed 11x17 inches in size. In the case of public right-of-way the submittal must include a sketch showing which parcels the vacated area will be attached to. Proposed alternative dedication is to be shown and labeled on the sketch.
- Has right-of-way been fully or partially constructed?  Yes  No
- Is right-of-way used by vehicles / pedestrians / other?  Yes  No
- Has section line easement been constructed?  Yes  No
- Is section line easement being used?  Yes  No
- Is alternative right-of-way being provided?  Yes  No

**RECEIVED**

AUG 26 2013

The petitioner must provide reasonable justification for the vacation. Reason for vacating: **KENAI PENINSULA BOROUGH PLANNING DEPARTMENT**  
ROW separates properties owned by petitioner, ROW would only provide public access to the lake for which alternate access exists nearby

The petition must be signed (written signature) by owners of majority of the front feet of land fronting part of the right-of-way or section line easement proposed to be vacated. Each must include address and legal description of his / her property.

Submitted by: Signature Gerard L Johnson As  Petitioner  Representative  
 Name Gerard L Johnson  
 Address Box 27  
Clam Gulch, AK 99568  
 Phone 262 5772

**Petitioners:**

Signature Ward Bishop  
 Name Ward Bishop  
 Address PO Box 3372  
Soldotna AK  
99669  
 Owner of Lot 23 + Lot 1 Block 10

Signature \_\_\_\_\_  
 Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Owner of \_\_\_\_\_

Signature Kelly Bishop  
 Name Kelly Bishop  
 Address P.O. Box 3372  
Soldotna AK  
99669  
 Owner of Lot 23 + Lot 1 Block 10

Signature \_\_\_\_\_  
 Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Owner of \_\_\_\_\_

# KENAI PENINSULA BOROUGH

## Kenai Peninsula Borough Assembly

144 North Binkley Street  
Soldotna, AK 99669  
Phone 907-714-2160  
Fax 907-714-2388

Hal Smalley, Assembly President  
Bill Smith, Vice President

### MEMORANDUM

**To:** Kenai Peninsula Borough Assembly Members

**Thru:** Hal Smalley, Assembly President

**From:** Johni Blankenship, Borough Clerk

**Date:** November 5, 2013

**RE:** 2014 Assembly Meeting Schedule **AMENDED**

The November meeting was originally scheduled for 11<sup>th</sup>, Veterans Day, as this day is a borough holiday, I am proposing a new meeting date of the 25<sup>th</sup>. This new November meeting date will require the change of the December meeting date to the 9<sup>th</sup> instead of the 2<sup>nd</sup>, in order to allow for two weeks between meetings. Your consideration of the proposed amendment is requested.

The proposed *amended* meeting schedule for 2014 is as follows:

MONTH	1ST MEETING	2ND MEETING	IMPORTANT DATES
January	7	21	KPBSD Winter Break January 1-3
February	11	25	AML Legislative Conference February 17-20 in Juneau Meetings on 2 <sup>nd</sup> and 4 <sup>th</sup> Tuesday due to AML Conference
March		18	NACo Legislative Conference March 1-5 in Washington DC KPBSD Spring Break March 10-14
April	1	15 (Seward)	
May	6	20	WIR Conference May 21-23 in Anchorage, Alaska
June	3	17	
July	1		NACo Annual Conference July 11-14 in Orleans Parish-New Orleans, Louisiana
August	5	19	AML Summer Legislative Meeting August 13-15 in Nome
September	2	16 (Homer)	
October	14	28	Regular Municipal Election - October 7 Meetings on 2 <sup>nd</sup> and 4 <sup>th</sup> Tuesday due to Election
November	[11] <u>25</u>		AML Annual Conference November 18-22 in Fairbanks
December	[2] <u>9</u>		KPBSD Winter Break December 22-31, 2014

# LAYDOWN

Introduced by: Haggerty, Smith  
Date: 11/05/13  
Action:  
Vote:

## KENAI PENINSULA BOROUGH RESOLUTION 2013-078

### A RESOLUTION SUPPORTING THE EFFORTS OF SNOMADS, INC. TO SECURE A RECREATIONAL TRAILS GRANT FROM THE STATE OF ALASKA

1 **WHEREAS**, Snomads, Inc. (Snomads) is an Alaskan non-profit organization whose mission is  
2 to promote safe and responsible use of snow machines and other off- road  
3 recreational vehicles; and

4 **WHEREAS**, Snomads works to secure and preserve access to recreational lands for all users;  
5 and

6 **WHEREAS**, Snomads develops and rehabilitates existing trails and trailheads for all back  
7 country users; and

8 **WHEREAS**, Snomads provides safety and survival education, including, but not limited to,  
9 hosting educational programs in the local schools; and

10 **WHEREAS**, Snomads finances and maintains an active, trained search and rescue (SAR) team  
11 in Homer and Anchor Point in cooperation with Alaska State Troopers; and

12 **WHEREAS**, Snomads supports and maintains the North Fork Trail, a popular and long used  
13 access route to Caribou Hills; and

14 **WHEREAS**, the lack of a developed parking area off of the North Fork Road Trailhead is  
15 causing environmental damage and traffic problems; and



1 **WHEREAS**, Snomads intends to develop a permanent parking area adjacent to the North Fork  
2 Trailhead and has obtained a land use permit through the State of Alaska for this  
3 project; and

4 **WHEREAS**, Snomads is in the fundraising stages of the project, which includes pursuing a  
5 grant through the Recreational Trails Program that will fund up to 80 percent of  
6 the project costs; and

7 **WHEREAS**, establishment of a safe and legal parking area will enhance the value of this trail  
8 system and benefit the residents of the Kenai Peninsula Borough;

9 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**  
10 **PENINSULA BOROUGH:**

11 **SECTION 1.** That the KPB assembly fully supports the Snomads, Inc. project goals described  
12 above and its efforts in fundraising through the Alaska State Recreational Trails  
13 grant program from the State of Alaska.

14 **SECTION 2.** That this resolution takes effect immediately upon its adoption.

15 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH**  
16 **DAY OF NOVEMBER, 2013.**

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Hal Smalley, Assembly President

ATTEST:

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Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent: