

Introduced	Mayor
Date:	8/5/97
Action:	Adopted
Vote:	Unanimous

**KENAI PENINSULA BOROUGH
RESOLUTION 97-058**

**A RESOLUTION AUTHORIZING THE MAYOR TO CLEAR HAZARD SPRUCE
BARK BEETLE INFESTED TREES FROM SCHOOL PROPERTIES**

- WHEREAS,** the Kenai Peninsula Borough is heavily infested with the spruce bark beetles; and
- WHEREAS,** this infestation has spread rapidly throughout the Southern Peninsula adversely affecting school property by killing numerous trees on the school grounds; and
- WHEREAS,** due to the level of infestation the assembly is concerned that these trees may present a danger to the students, teachers and community and exacerbate the fire hazard in the community; and
- WHEREAS,** the school sites in the Homer and Nikolaevsk areas appear to present the greatest safety risk; and
- WHEREAS,** schools will reopen on August 27, 1997; and
- WHEREAS,** the Kenai Peninsula Borough Code of Ordinances requires the assembly to approve certain cooperative agreements regarding borough-owned timber resources; and
- WHEREAS,** classification of these school sites for resource management is not necessary or appropriate under KPB 17.10.170 because these trees are to be removed for safety purposes, and the lands shall continue to be used for school sites and not for resource extraction;

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


- SECTION 1.** That the Borough Mayor is authorized to declare an emergency pursuant to KPB 17.50.030(B) for the public school sites located in Homer and Nikolaevsk areas.
- SECTION 2.** That the Borough Mayor is authorized to remove trees from all school sites in Homer and Nikolaevsk areas which the mayor determines pose a safety hazard due to the spruce bark beetle infestation.
- SECTION 3.** That the Borough Mayor is authorized to cause such trees to be removed without classification of these lands as resource management.

SECTION 4. That the Borough Mayor is authorized to enter into necessary contracts to identify trees to be cleared, to remove trees, to plant trees, and to enter into a contract for the administration of these activities.

SECTION 5. That the Borough Mayor shall provide the Assembly with periodic reports on the status of these sites.

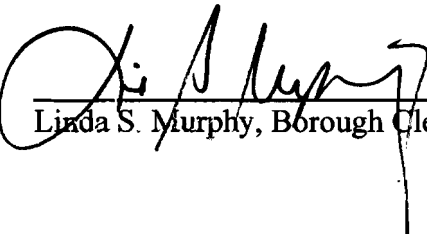
SECTION 6. This resolution shall take effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH DAY OF AUGUST, 1997.



Jack E. Brown, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk