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**Minutes of the Public Hearing
Denali Borough Assembly
Tri-Valley Community Center
December 12, 2007**

CALL TO ORDER The meeting was called to order at 6:50 PM.

ROLL CALL Assembly members present: Teresa Chepoda Usibelli, Clay Walker, Baxter Mercer, Armeda Bulard, Robert Kohlsdorf, David Evans and John Winklmann. Absent were: Josh Hockin and Eileen Holmes. Mayor Talerico was also in attendance.

1.) **ORDINANCE 07-22, VERSION A:** an ordinance authorizing the sale of certain parcels of Denali Borough Municipal Land (MLE).

STEVE JONES encouraged the assembly to act on this ordinance in a timely manner.

WINKLMANN felt that the assembly should move forward and proceed with schedule in order to set the auction on the MLE land up for May or June.

GORDON CARLSON would like to see an incentive for people to build houses on the lots, for example a price reduction with a stipulation that a house be built on the lot within five years.

ADJOURNMENT BULARD declared the Public Hearing adjourned at 6:53 PM.

APPROVED: _____

Armeda A. Bulard
Armeda Bullard, Presiding Officer

ATTEST: _____

Gail Pieknik
Gail Pieknik, Borough Clerk

Date Approved: JANUARY 9, 2008

**Minutes of the Regular Meeting
Denali Borough Assembly
Tri-Valley Community Center
December 12, 2007**

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7 CALL TO ORDER Presiding Officer Armeda Bulard called the regular meeting to order at
8 7:00 PM.
9
10 ROLL CALL Assembly members present: Armeda Bulard, Baxter Mercer, Teresa
11 Usibelli, Robert Kohlsdorf, John Winklmann, Dave Evans, and Clay
12 Walker. Josh Hockin and Eileen Holmes were absent. Mayor Talerico
13 was also in attendance.
14
15 EVANS MOVED to excuse Eileen Holmes. KOHLSDORF seconded.
16 The VOTE was unanimous. WALKER MOVED to excuse Josh Hockin.
17 KOHLSDORF seconded. The VOTE was unanimous.
18
19 PUBLIC Rick Martin, Healy, spoke in favor of a solid waste transfer station in
20 COMMENTS Healy. The borough received grant money years ago to establish a
21 transfer station and he would like to know where the money went.
22
23 Steve Denton, Usibelli Coal Mine, thanked the mayor and assembly
24 members: Usibelli, Mercer and Kohlsdorf for attending the meeting with
25 the state of Alaska, Department of Oil and Gas and Usibelli Coal Mine
26 in Fairbanks to discuss the stalled gas exploration license.
27
28 Julia Potter, Denali Citizens Council, requested that the assembly
29 include the extended area located around Eight Mile Lake into
30 the Stampede Recreation Area. The area would include land
31
32 Charlie Loeb addressed the same area as Julia Potter. Loeb is
33 convinced that it does not make sense to leave out the extended area
34 around Eight Mile Lake and Dry Creek. It would bring management to
35 an area that doesn't have any. It will also provide a reference point to
36 this area. The borough would also have to accept Parks and
37 Recreation powers. Loeb supports a resolution written by the assembly
38 to the legislature that will address this.
39
40 AGENDA MERCER MOVED to approve the agenda. EVANS seconded.
41
42 WINKLMANN MOVED to change item F5 to G2. MERCER seconded.
43 KOHLSDORF MOVED to add the Antlerless Moose Hunt in 20A under
44 resolutions. EVANS seconded. The VOTE to approve the agenda as
45 amended was unanimous.

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MINUTES

- 1.) November 9, 2007 canvass committee meeting.
KOHLSDORF MOVED to approve. MERCER seconded. The VOTE was unanimous.
- 2.) November 9, 2007 special meeting.
MERCER MOVED to approve and WINKLMANN seconded. The VOTE was unanimous.
- 3.) November 14, 2007 assembly regular meeting.
KOHLSDORF MOVED to approve and WALKER seconded. The VOTE was unanimous.

REPORTS

- 1.) August and September 2007 Financial Reports.
MERCER MOVED to receive the financial reports and WALKER seconded. The VOTE was unanimous.
- 2.) Mayor's Report
Mayor Talerico gave a report of his activities. The annual Winterfest is being planned for February 21, 22, 23 and 24. The North Star Borough Assembly would like to come down on Friday, February 22, 2008 to have a work session with us. We should invite the Mat-Su Assembly as well as the Anderson City Council and Nenana City Council to join us. Last year we had a Winterfest Coordinator and it would be nice to have one this year. The mayor would like to have Cynthia McCombs be the borough's coordinator.

There is a request into Dave Sanchez with the Department of Transportation (DOT) to study the traffic count at the McKinley Village intersection.

The Anderson Volunteer Fire department has a tanker truck that froze. The mayor asked that the assembly consider helping them out. It would be approximately \$15,000 to repair.

The negotiations are continuing on the Talerico and McNeal land located near Rex Bridge.

We will probably need to do a budget amendment in January to add a 30 yard container at the Cantwell Transfer station.

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3.) School Report

Superintendent Langdon gave a report of school activities.

4.) Health Care Services Ad Hoc Committee

Rebecca Skrivanek gave an overview of the final report provided by the committee.

Patti Jordan thanked the assembly for setting up the committee. She feels that health care in the borough is in worse shape than she thought prior to doing research with the committee.

MERCER asked about the vocational education plan.

WINKLMANN and TALERICO explained that it is a draft plan to build a vocational/technical school in the Rex Bridge area.

Jenasy Jensen is concerned about the non-existent hospice care in the borough.

5.) Planning Commission

Steve Jones from the Denali Borough Planning Commission spoke about Ordinance 07-22 dealing with the sale of MLE land located within the Panguingue Creek area. There need's to be amendments made in Title 4 of the Denali Borough Code. The planning commission feels that everything should be ready for a June sale and encourages that the borough do land sales every June.

6.) Assembly Advisory Committee

Vernon Carlson, Advisory Committee, gave an update on the committee's first meeting. The committee reviewed the open meetings act and the borough budget. The committee would like to review the borough personnel policy so that they are up to date. He also stated that the committee is against the current APOC forms per the resolution sent to the assembly.

7.) Assembly Comments

WALKER asked about the borough base map. Mayor TALERICO stated that the planning commission is working on an RFP to send out for a professional map maker.

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KOHLSDORF made a comment on the Health Care Services Adhoc. He need's to read over the report before he can make a comment.

EVANS MOVED for the Mayor to have Mr. Anders from Division of Oil and Gas and Mr. Gorski, Denali Borough Attorney, to attend the January assembly meeting to discuss the borough's current ordinance on gas exploration. WINKLMANN seconded.

MERCER MOVED to amend to add Usibelli Coal Mine to the discussion. EVANS seconded.

The VOTE was unanimous.

EVANS asked about the arbitrator from the Regulatory Commission that the assembly voted on for mediation on the solid waste issue. Mayor TALERICO spoke to this. It will still be looked at.

WINKLMANN asked about the Anderson tanker truck cost estimate. Mayor TALERICO stated that it is approximately \$15,000. WINKLMANN asked about using the emergency fund or possibly Homeland Security fund. The mayor stated that the grant money is usually set up for certain things but he will investigate this issue.

COMMUNICATION 1.) GARY HUTCHISON, CPA, KOHLER, SCHMITT &
AND HUTCHISON
APPEARANCES

Mr. Hutchison gave an overview of the FY 2007 annual audit.

INTERIOR COMMUNITY HEALTH CLINIC

Cheryl Kilgore, ICHC Executive Director, provided a hand-out and gave an overview of the health care provided within the Denali Borough.

Jo Ramos, Healy, wanted to know the difference between urgent and emergency care.

Rebecca Skrivanek, Ad Hoc Committee, asked if there are doctors available. Cheryl Kilgore stated that there are doctors available and ICHC works with Tanana Valley Clinic and the Fairbanks Hospital.

Rachel Carlson, Cantwell, asked about the answering system.

1 WINKLMANN thanked ICHC for coming tonight. WINKLMANN
2 brought up some concerns. There was a policy change two years
3 ago that created gaps in coverage. Hockey players from other
4 places are here in the winter, the Winterfest brings many visitors,
5 and we have parents and family that come and they are not covered
6 for medical care.
7

8 Cheryl Kilgore stated that ICHC has doctors coming that will fill
9 some gaps.

10 Cheryl Venechuk, Healy, asked for clarification on after hours care.

11
12
13 ORDINANCES

TO BE INTRODUCED:

14
15 1.) **ORDINANCE 07-23:** An ordinance amending the Denali
16 Borough Code of Ordinances, Chapter 3.05 titled Budget Generally.

17
18 MERCER MOVED to introduce. KOHLSDORF seconded.

19
20 MERCER discussed the ordinance.

21
22 Mayor TALERICO explained that the clerk and the mayor could not
23 find an ordinance that included the word "bond" and the wording
24 "approved by the voters." The mayor felt that when the borough
25 code was codified in 2004, this language ended up in the code by
26 mistake. The roll call VOTE to introduce was unanimous.
27

28 MERCER MOVED to postpone to the next meeting. WINKLMANN
29 seconded. The VOTE was unanimous.

30
31 2.) **ORDINANCE 07-24:** An ordinance to amend Chapter 6.15 of
32 the Denali Borough Code of Ordinances, titled Solid Waste.

33
34 KOHLSDORF MOVED to postpone to the next meeting and
35 WALKER seconded.
36

37 Scott Allen explained the ordinance.

38
39 EVANS questioned the price of C&D and asked why the price went
40 up so much.
41

42 Scott Allen explained that the hotels and building destruction is
43 causing the C&D cell to fill up. We need more revenues to develop
44 new cells and purchase new equipment. The new ordinance is set

1' up so that the residents of the borough don't have to subsidize for
2 the businesses that produce so much more solid waste.

3
4 Mayor TALERICO suggested taking out cottage industry and home
5 occupations listed under commercial. The mayor will bring some
6 language to the next assembly meeting to exempt these businesses
7 from the commercial designation.

8
9 MERCER discussed the fact that within three weeks, the tipping
10 fees are going from \$95.00 to \$114.00 per ton. He spoke against
11 this increase.

12
13 USIBELLI suggested using an ad hoc committee to research data
14 on the landfill and talk with the Lausen's to see if this issue can be
15 taken care of.

16
17 Scott Allen reiterated that in 2009, the borough will need to collect
18 \$114.00 per ton for costs.

19
20 Discussion followed.

21
22 WINKLMANN spoke in favor of having a committee work on this.

23
24 EVANS spoke in favor of having the arbitrator look at this.

25
26 USIBELLI would like to have a committee do a short term and long
27 term plan for the landfill.

28
29 Mayor TALERICO suggested using the auditor's figures. To be
30 solvent in three years, you would need to charge about \$225.00 per
31 ton.

32
33 MERCER explained that the landfill was never designed to make
34 money, it will always need to be subsidized by the general fund.

35
36 Leroy Lausen, Lausen's Dependable Disposal, Inc., explained that the
37 first three years of the landfill was managed by the Lausen's and they
38 had to take care of all maintenance and costs associated with
39 managing it. So it would be hard to look at the history to see if the
40 landfill was making money or not. The borough spent the money
41 wrongly and it should come out of the budget instead of the people
42 paying for it. He asked Mr Allen who needed a permit and Mr Allen said
43 that everybody would need a permit. The permit cost is \$100.00.
44 Leroy spoke about the utilities regulation association. Leroy also
45 explained that the Anchorage CPI also goes down sometimes and

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that if the borough was going to follow it, you need to make stipulations to that fact.

The roll call VOTE to introduce was unanimous.

WINKLMANN MOVED to postpone to the next meeting. WALKER seconded. The VOTE was 7-1. Motion passes.

3.) **ORDINANCE 07-25:** An ordinance amending the Denali Borough Code of Ordinances, Title 5, Chapter 5.20 titled Boards of Review and Adjustments.

MERCER MOVED to introduce and KOHLSDORF seconded. The roll call VOTE was unanimous.

eting and MERCER

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EVANS MOVED to postpone to the next meeting. WALKER seconded. The VOTE was unanimous.

PENDING ORDINANCES

orizing the sale of Land (MLE).

1.) **ORDINANCE 07-22** An ordinance authorizing the sale of certain parcels of Denali Borough Municipal property.

the assembly version A planning commission. unanimous.

MERCER MOVED to amend by substitution with the revised version that came from the planning commission. KOHLSDORF seconded. The VOTE was unanimous.

ey review and possibly as it stays with the intent VOTE was unanimous.

EVANS MOVED to have the borough attorney to rewrite section 4 to make it legal as long as it is as written. KOHLSDORF seconded. The VOTE was unanimous.

and when would it be

WALKER questioned the performance bond required.

The mayor said that he will look into that.

service fees and who is to be defined.

Scott Allen had a concern about the escrow account. WALKER said that the escrow was going to pay those fees. This would need to be defined.

1' EVANS MOVED to postpone to the next meeting. KOHLSDORF
2 seconded. The VOTE was unanimous.
3

4 RESOLUTIONS

5 1.) **RESOLUTION 07-34:** a resolution dealing with the State of
6 Alaska, APOC forms.

7 EVANS MOVED to adopt. KOHLSDORF seconded.
8

9 WINKLMANN had a concern on the fourth whereas. He feels that it
10 is a good rule.

11
12 Teresa Hall, Healy, feels that the new forms are invasive and
13 caused as a knee jerk reaction from Juneau.
14

15 Robert Grose, Healy, felt that if the people in Juneau have to use it,
16 why can't the local candidates use it?
17

18 Mayor TALERICO explained that the local government does not
19 need to know what people make. We only need to know who and
20 what they are affiliated with. It does not matter whether they make
21 \$50.00 or \$10,000. We can create a new form that does not ask a
22 person how much they make.
23

24 Neal Laugman, Healy, spoke about his concerns to these forms. He
25 suggested that it not be a quick process and do it correctly.
26

27 The presiding officer explained that the borough assembly has
28 received resolutions from committee's asking us to opt out of the
29 APOC forms. This would have to go to the voters as soon as
30 possible.
31

32 Neal Laugman suggested having the Assembly Advisory Committee
33 look into creating a form.
34

35 Gordon Carlson, Cantwell, does not have a problem with filling out a
36 form stating who he is affiliated with but he is against stating how
37 much money he makes from these affiliations.
38

39 Steve Jones, Denali, is on the borough planning commission and he
40 has to fill out the APOC form. He is against the current form. It is
41 invasive. He suggested that the change be done by March 15th.
42

43 Mayor TALERICO stated that there are amendments being worked
44 on in the legislature. This is a state wide issue that all of the local
45 governments are dealing with.

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The VOTE was 6 – 1. Motion passes.

2.) **RESOLUTION 07-35:** a resolution extending appreciation to Gerald Pollock II.

WINKLMANN MOVED to adopt and KOHLSDORF seconded. The VOTE was unanimous.

3.) **RESOLUTION 07-36:** a resolution extending appreciation to Teresa L Hall.

EVANS MOVED to adopt and KOHLSDORF seconded. The VOTE was unanimous.

4.) **RESOLUTION 07-37:** a resolution to form a special committee to research solid waste reduction and recycling within the Denali Borough.

MERCER MOVED to adopt and KOHLSDORF seconded.

WINKLMANN MOVED to amend the title to change to “a resolution to form a special committee to research municipal landfill operation, solid waste reduction and recycling, within the Denali Borough.” MERCER seconded. The VOTE was 4-3. The amendment passes.

WALKER MOVED to amend to have the title read, “a resolution to form a special committee to research solid waste issues and recycling within the Denali Borough.” WINKLMANN seconded. The VOTE was 8-1. Motion passes.

In the Now, Therefore be it resolved the Denali Borough Solid Waste Reduction needs to be changed to read Solid Waste Issues and Recycling Committee.

The VOTE on the main motion was unanimous.

5.) **RESOLUTION 07-38:** a resolution in opposition to antlerless moose hunting within Unit 20A.

KOHLSDORF MOVED to adopt and EVANS seconded.

EVANS MOVED to amend by deleting, “request Governor Palin to investigate” to “review”. EVANS does not like the use of

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mismanagement. He suggested using management. There was no second. EVANS withdrew his motion.

KOHLSDORF MOVED to amend to "Be it further resolved that the Denali Borough Assembly requests the Alaska Board of Fish and Game to review the actions of the Alaska Department of Fish and Game and the Fish and Game Advisory Board concerning management of wildlife resources." MERCER seconded. The VOTE was unanimous.

The VOTE on the main motion was unanimous.

OTHER
BUSINESS

1.) Discuss Ordinance 07-14

USIBELLI stated that her questions were covered earlier in the meeting during solid waste Ordinance 07-24.

2.) Update on the landfill equipment.

The mayor stated that the price has not been changed on the equipment and negotiations are continuing.

3.) Denali Borough Business License application.

USIBELLI feels that business type and federal ID number should be removed. There is no reason why the borough needs this.

EVANS stated that the intent was to know what type of businesses there were in the borough and to keep track of severance and overnight accommodations tax payers.

USIBELLI MOVED to amend by deleting the tax ID number from the application. WINKLMANN seconded. The VOTE was unanimous.

4.) Public Comments.

Teresa Hall apologized for not attending the last meeting. She was out of town. Ms. Hall thanked everyone and stated that it was a pleasure to work on the assembly. Ms. Hall gave an update on the Neighbor to Neighbor program.

Cheryl Venechuk, Healy, asked if the borough could get there own emergency dispatch. Ms Venechuk spoke in favor of the borough keeping its own land at Eight Mile Lake and creating our own park.

1 ASSEMBLY
2 COMMENTS

3 USIBELLI asked about an audit committee. Mayor TALERICO
4 stated that it would be a sub-committee of the assembly. USIBELLI
5 MOVED to form a sub-committee of the assembly for an audit
6 committee. WINKLMANN seconded. The VOTE was unanimous.

7 WALKER spoke in favor of the Eight Mile Lake area as the jump off
8 point for the state recreation area so the borough would not have a
9 liability in the area.

10 MERCER MOVED to have the mayor send a letter to the governor
11 in support of the antlerless moose resolution so the governor knows
12 what is going on in our area. KOHLSDORF seconded. The VOTE
13 was unanimous.

14
15 MERCER brought up the fact that there is a tanker truck sitting at
16 HCCP. Maybe it can be used as a loaner for the Anderson
17 Volunteer Fire Department to use in the interim.

18
19 KOHLSDORF thanked everyone for having patients during the long
20 meeting tonight.

21
22 EVANS MOVED for an extension for Healy Hockey Matching Grant
23 funds for one year. WINKLMANN seconded. The VOTE was
24 unanimous.

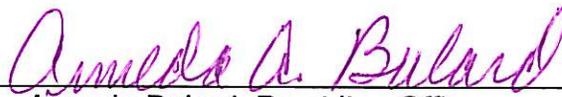
25
26 NEXT MEETING

27 1.) The next regular meeting will be held at the McKinley Village
28 Community Center on January 9, 2008. Assembly work session
29 6:00PM, public hearing 6:45PM, and regular meeting to follow.

30 ADJOURN.

31 The presiding officer declared the regular meeting adjourned at
32 12:30AM.

33
34 APPROVED:

35 
36 Armeda Bulard, Presiding Officer

37
38 ATTEST:

39 
40 Gail Pieknik, Borough Clerk

41
42 Date Approved: JANUARY 9, 2008