

Minutes of the Public Hearing  
Denali Borough Assembly  
Tri-Valley Community Center  
September 8, 2010

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9 CALL TO ORDER: The public hearing was called to order by presiding officer Clay WALKER at  
10 6:00 PM

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12 ROLL CALL: Assembly members present: Cyrus COOPER, John WINKLMANN, Robert MUELLER,  
13 Armeda BULARD, Vickie LAUSEN and Robert KOHLSDORF. Absent: Eileen HOLMES, Teresa  
14 Chepoda USIBELLI.

15  
16 ORDINANCE 10-09, Version A: An ordinance amending the Denali Borough Code of Ordinances,  
17 Chapter 3.45, titled Business Licenses.

18  
19 There were no public comments.

20  
21 ORDINANCE 10-10, Version A: An ordinance amending the Denali Borough Code of Ordinances,  
22 Chapter 5.05.070 titled Budget.

23  
24 There were no public comments.

25  
26  
27 ADJOURNMENT: The public hearing was adjourned at 6:01 PM.  
28  
29

30  
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32 APPROVED: 

33 Clay Walker, Presiding Officer

34  
35  
36 ATTEST: 

37 Gail Pieknik, Borough Clerk

38 Date Approved: OCTOBER 13, 2010

**Minutes of the Regular Meeting  
Denali Borough Assembly  
Tri-Valley Community Center  
September 8, 2010**

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7  
8 CALL TO ORDER: Presiding Officer Clay WALKER called the regular meeting to order at 6:01 PM.  
9 Mayor David Talerico led all present in the Pledge of Allegiance.

10  
11 ROLL CALL: Assembly members present: Armeda BULARD, John WINKLMANN, Robert  
12 MUELLER, Cyrus COOPER, Clay WALKER, Vickie LAUSEN and Robert KOHLSDORF. Absent:  
13 Eileen HOLMES. Teresa Chepoda USIBELLI arrived at 6:02.

14  
15 Armeda BULARD MOVED to excuse Ms. Holmes. Robert KOHLSDORF seconded. The VOTE by  
16 show of hands was unanimous.

17  
18 PUBLIC COMMENTS

19 Kris Capps, representing Kids in Motion and Denali Arts and Humanities Alliance, informed those  
20 present of upcoming arts performances made possible by a partnership with the Fairbanks Concert  
21 Association. Chic Gamine will be performing on September 28, Calo Flamenco on October 10, and  
22 the Calder Quartet in March. Ms. Capps stressed that the arts are good for the local economy, and  
23 requested that Denali Arts and Humanities Alliance be on next month's agenda under Appearances  
24 and Communications to provide an arts update. Ms. Capps also asked the Assembly to consider  
25 passing a resolution in support of the arts.

26  
27 Rusty Lasell, Tri-Valley Volunteer Fire Department, expressed his disappointment at the Assembly's  
28 rejection of Resolution 10-16, and asked Assembly members to support grant resolutions on the  
29 current meeting's agenda.

30  
31 Ron Dane, McKinley Volunteer Fire Department, stated that local emergency responders depend on  
32 grant money to break even or get ahead. Local emergency response organizations have improved  
33 communication because of grant money. Mr. Dane urged the Assembly to support grants that fund  
34 emergency services.

35  
36 Marge Nord, Cantwell Fire Department, stated that federal grants expect that small emergency  
37 services departments will work through the local government when applying. Cantwell Fire  
38 Department has received equipment that contributes to the community through grants, and there is  
39 accountability present within the grants.

40  
41 AGENDA

42 Armeda BULARD MOVED to approve the agenda as submitted. Robert KOHLSDORF seconded.  
43 John WINKLMANN MOVED to amend the agenda to add Item 6) Budget Accounting for Grants  
44 under New Business. Cyrus COOPER seconded. The VOTE by show of hands on the motion to  
45 amend was 5 – 3 as follows: Ayes – Robert KOHLSDORF, Cyrus COOPER, Robert MUELLER,  
46 John WINKLMANN, Teresa Chepoda USIBELLI; Nays – Clay WALKER, Armeda BULARD, Vickie  
47 LAUSEN. The motion carried.

48  
49 The VOTE by show of hands on the motion to approve the agenda was unanimous.

1 MINUTES

2 August 11, 2010 Assembly Public Hearing and Regular Meeting

3 Armeda BULARD MOVED to approve the minutes as submitted. Vickie LAUSEN seconded. The  
4 VOTE by show of hands was unanimous.

5  
6 REPORTS: July 2010 Financial Report

7 The Treasurer distributed a correction to the Balance Sheet in the report. John WINKLMANN  
8 MOVED to receive the financial report. Robert KOHLSDORF seconded. It was noted that a  
9 negative amount on the Balance Sheet under Miscellaneous Income was due to an adjustment for  
10 items deposited, but on hold by the bank. The VOTE by show of hands was unanimous.

11  
12 MAYOR'S REPORT

13 Mayor David Talerico informed the Assembly that a response had been received from the State of  
14 Alaska Department of Military and Veterans Affairs, expressing the opinion that Denali Borough  
15 Homeland Security Grant Property Inventory may be released as public information.

16  
17 A dump truck and pressure washer have been purchased with funds from the Legislative  
18 appropriation for Landfill equipment. Fence materials have also been purchased, and quotes  
19 requested for installation of a four-wire fence. Other planned purchases using these funds are  
20 shoes for the Landfill's D-8 and foundation materials for two equipment shelters. A bear is still  
21 frequenting the Landfill, and Fish and Game has been notified of the situation.

22  
23 Mayor Talerico encouraged Assembly members to consider legislative priorities as an agenda item  
24 for the next meeting, particularly those smaller in scale, and stated that he will contact the  
25 Department of Transportation (DOT) to follow up on Resolution 10-17.

26  
27 The Alaska Municipal League Conference will be held in Juneau November 15 -19.

28  
29 The new construction and demolition pit at the landfill is underway. Berms have been pushed up,  
30 and material is being stock piled for cover.

31  
32 SCHOOL REPORT

33 Kimberly Berge, Denali Borough School District Superintendent, reported that enrollment is up  
34 throughout the School District, the District has successfully completed and submitted their Capital  
35 Improvement Project application to the State, and the School Board is available anytime in  
36 November or December to have a joint work session.

37  
38 ASSEMBLY COMMENTS

39 Teresa Chepoda USIBELLI had no comment.

40  
41 Armeda BULARD reported that she and the Mayor had attended the summer Alaska Municipal  
42 League meeting in Kodiak where much work was done on policies that will be voted on at the  
43 November conference. A highlight of the trip was a visit to Kodiak's wind turbines, which have  
44 saved the city 930,000 gallons of diesel fuel in one year. Ms. Bulard also participated in the trip  
45 into Denali Park, and thanked Aramark for providing the bus for the trip.

46  
47 John WINKLMANN expressed his view that there has been an unnecessary air of controversy  
48 presented regarding grant resolutions. The Assembly is in the process of dealing with

1 accountability for funding from a variety of sources, and the resolutions on the current meeting's  
2 agenda adequately define the amount and purpose of funds being considered.

3  
4 Clay WALKER spoke favorably of the Alaska Municipal League's (AML) Newly Elected Officers  
5 training, which will be offered at the November conference. The 2011 AML Fall conference will  
6 be held in Fairbanks.

7  
8 Robert MUELLER had no comment.

9  
10 Cyrus COOPER expressed his opinion that the issue with Resolution 10-16 was the number of  
11 grant programs contained within. The goal of the Assembly is to develop a process of allocation,  
12 accounting, and management of grant funds.

13  
14 Robert KOHLSDORF encouraged the public to attend meetings to comment on issues as they  
15 are dealt with, not only after a decision has been made. He also spoke of the need for  
16 awareness of "strings" attached to grants.

17  
18 Vickie LAUSEN voiced her condolences to the Take, Graham, and Killian families on the loss of  
19 Lisa Take.

20  
21 Communication and Appearance Request:

22 Correspondence from Jim Gorski, Borough Attorney, in regard to Denali Borough Code, Chapter  
23 3.30, titled Severance Tax amendment to include natural and methane gas. Letter dated August  
24 13, 2010.

25  
26 Robert KOHLSDORF MOVED to receive a letter from Borough legal counsel dated August 13,  
27 2010. Cyrus COOPER seconded. The letter stated that oil and gas may not be legally taxed.

28  
29 John WINKLMANN MOVED to request Borough legal counsel research the feasibility of  
30 instituting a tax on a pipeline that transports products through the Denali Borough. Vickie  
31 LAUSEN seconded. A point of discussion that followed was a possible joint work session with  
32 the Planning Commission. The VOTE by show of hands was unanimous.

33  
34 The VOTE by show of hands on the main motion to receive was unanimous.

35  
36 DRAFT ORDINANCES:

37 ORDINANCE 10-11: An ordinance amending Title 9 of the Denali Borough Code of Ordinances, by  
38 adding Chapter 9.30 titled Wild Land Resources and creating Denali Borough Form X.

39  
40 Robert KOHLSDORF MOVED to introduce Ordinance 10-11. Cyrus COOPER seconded. Points of  
41 discussion that followed included the need to gather data regarding resource use within the Denali  
42 Borough and the potential cost of implementing the ordinance. The roll call VOTE was unanimous.

43  
44 Vickie LAUSEN MOVED to consult Borough legal counsel regarding Ordinance 10-11. Robert  
45 KOHLSDORF seconded. The VOTE by show of hands was unanimous.

46  
47 Armeda BULARD MOVED to postpone Ordinance 10-11 to the next meeting. Vickie LAUSEN  
48 seconded. The VOTE by show of hands was unanimous.

1 PENDING ORDINANCES:

2 ORDINANCE 10-09, Version A: An ordinance amending the Denali Borough Code of  
3 Ordinances, Chapter 3.45, titled Business Licenses.  
4

5 John WINKLMANN MOVED to postpone Ordinance 10-09, Version A. Cyrus COOPER  
6 seconded. Points of discussion that followed included state license information found online, the  
7 ease of purchasing business licenses online, the cost/benefit of requiring business licenses, the  
8 purpose of requiring business licenses, and if the requirement for licenses should be repealed.  
9 The VOTE by show of hands was unanimous.

10  
11 Presiding Officer Clay WALKER called a meeting recess at 7:45 pm. The meeting reconvened at  
12 7:56 pm.  
13

14 John WINKLMANN MOVED to suspend meeting rules. Armeda BULARD seconded. The VOTE by  
15 show of hands was unanimous.  
16

17 John WINKLMANN MOVED to bring Resolution 11-21 to the floor. Armeda BULARD seconded.  
18 The VOTE by show of hands was unanimous.  
19

20 RESOLUTION 10-21: A resolution extending to Mr. David Arthur Townsend II the Denali  
21 Borough's recognition and congratulations for his accomplishments.  
22

23 Armeda BULARD MOVED to approve Resolution 10-21. John WINKLMANN seconded. Ms.  
24 Bulard read the Resolution to the record. The roll call VOTE was unanimous.  
25

26 ORDINANCE 10-10, Version A: An ordinance amending the Denali Borough Code of  
27 Ordinances, Chapter 5.05.070 titled Budget.  
28

29 Vickie LAUSEN MOVED to adopt Ordinance 10-10, Version A. Robert KOHLSDORF seconded.  
30 The roll call VOTE was unanimous.  
31

32 RESOLUTIONS:

33 RESOLUTION 10-19: A resolution approving the state of Alaska, Division of Homeland Security  
34 and Emergency Management grant number 2007-GS-H7-0025 for public safety and inoperable  
35 communications.  
36

37 Armeda BULARD MOVED to approve Resolution 10-19. John WINKLMANN seconded. Mayor  
38 Talerico explained that the intent of this resolution is to give a good understanding of the purpose  
39 of the grant. The roll call VOTE was unanimous.  
40

41 RESOLUTION 10-20: A resolution approving the state of Alaska, Division of Homeland Security  
42 and Emergency Management grant for the Borough Local Emergency Planning Committee.  
43

44 John WINKLMANN MOVED to approve Resolution 10-20. Cyrus COOPER seconded. Mayor  
45 Talerico explained the purpose of the Local Emergency Planning Committee involves planning  
46 training to prepare communities to respond in emergency situations.  
47

1 Teresa Chepoda USIBELLI MOVED to amend the Resolution's second Whereas to read "...  
2 purchase or community awareness materials and clerical support, and reports distributed to the  
3 Assembly." John WINKLMANN seconded. The VOTE by show of hands was unanimous.  
4

5 The roll call VOTE on the original motion to approve was unanimous.  
6

7 OTHER BUSINESS

8 Update on the derelict car removal program.  
9

10 Mayor Talerico reported that a staging area for the derelict and unwanted vehicles program has  
11 been identified, and action will be taken soon to notify the public of vehicle collection dates and  
12 location. Borough partners Golden Valley Electric Association and Usibelli Coal Mine are donating  
13 materials and manpower to this program.  
14

15 USKH Contract: Change order request for an additional \$23,500.  
16

17 The Borough Clerk provided information on the history of this contract to Assembly members in their  
18 meeting packet. Mayor Talerico directed the attention of Assembly members to the most recent  
19 communication dated September 1, which is a change order request. Points of discussion included  
20 contractual requirements, the amount paid already to USKH (\$48,000), timeliness of requests made,  
21 lack of recent written reports on progress, and portion of project completed. Vickie LAUSEN  
22 MOVED to request Borough legal counsel contact USKH to seek resolution of this matter. Robert  
23 MUELLER seconded. The VOTE by show of hands was unanimous.  
24

25 Grant Proceeds Form:  
26

27 Cyrus COOPER MOVED to postpone Grant Proceeds Form to the next meeting. Teresa Chepoda  
28 USIBELLI seconded. The VOTE by show of hands was unanimous.  
29

30 Denali Borough Code, Chapter 5.40, titled Ethics Commission and Chapter 5.45, titled Ethics  
31 Commission Policies and Procedures.  
32

33 Teresa Chepoda USIBELLI MOVED to postpone Chapter 5.40 to the next meeting. Vickie LAUSEN  
34 seconded. The Borough Clerk will provide research at the next meeting. The VOTE by show of  
35 hands was unanimous.  
36

37 John WINKLMANN MOVED to suspend meeting rules to bring Other Business, Item 6.) Budget  
38 Accounting for Grants, to the floor. Teresa Chepoda USIBELLI seconded. The VOTE by show of  
39 hands was unanimous.  
40

41 Budget accounting for Grants.  
42

43 Points of the discussion included Denali Borough Code Chapter 3.10.100, communication with the  
44 Assembly regarding grant activities, the effects of a forward funded budget, and what constitutes  
45 special revenue.  
46  
47  
48  
49

1 PUBLIC COMMENTS

2 Rusty Lasell, Denali Borough Emergency Services Director, commented that information about grant  
3 administration is available by contacting Borough office staff. He also noted that the Denali Borough  
4 does not have fire powers.

5  
6 ASSEMBLY COMMENTS

7 Vickie LAUSEN expressed her desire to attend the November AML conference.

8  
9 Robert KOHLSDORF encouraged those who have input regarding Ordinance 10-11 to contact  
10 an assembly member.

11  
12 Cyrus COOPER thanked emergency service providers for their contributions to their  
13 communities and noted that hard questions are necessary to maintain proper balance.

14  
15 Robert MUELLER had no comment.

16  
17 Clay WALKER expressed his appreciation for emergency services volunteers and noted that  
18 legislative priorities will be included on the agenda for the next meeting.

19  
20 John WINKLMANN expressed his desire to continue the spirit of cooperation present at this  
21 meeting.

22  
23 Armeda BULARD thanked those in attendance for coming to the meeting.

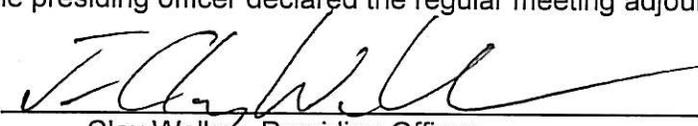
24  
25 Teresa Chepoda USIBELLI requested Borough administration research three quotes for an  
26 emergency siren as well as a public information sign.

27  
28 NEXT ASSEMBLY MEETING:

29 Presiding Officer Clay WALKER will contact the Denali Borough School District School Board  
30 Chair to schedule a date for a joint work session.

31  
32 The next regular meeting will be held at the McKinley Community Center on October 13, 2010;  
33 Public Hearing at 6:00 PM, and regular meeting to follow.

34  
35 ADJOURN: The presiding officer declared the regular meeting adjourned at 9:27 pm.

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38 APPROVED: 

39 Clay Walker, Presiding Officer

40  
41  
42 ATTEST: 

43 Gail Pieknik, Borough Clerk

44  
45  
46 Date Approved: OCTOBER 13, 2010