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**Minutes of the Public Hearing
Denali Borough Assembly
Tri-Valley Community Center
May 13, 2009**

CALL TO ORDER: The public Hearing was called to order at 6:00 PM

ROLL CALL: _Assembly members present: Eileen Holmes, John Winklmann, David Miller, Armeda Bulard, Baxter Mercer, Vickie Lausen, Robert Kohlsdorf, Teresa Chepoda Usibelli and Clay Walker. Mayor Talerico was also in attendance.

PUBLIC COMMENTS

ORDINANCE 09-03, Version C: An ordinance allocating funding for the design/development of a new landfill C&D Pit from within the current footprint.

Leroy Lausen, Healy, spoke in favor of this ordinance.

ORDINANCE 09-05, Version A: An ordinance amending Denali Borough Code of Ordinances Chapter 8.15.130 titled Rules for Counting Ballots.

There were no comments.

ORDINANCE 09-07, Version A: An ordinance of the Denali Borough amending the Denali Borough budget for fiscal year 2009.

There were no comments.

ORDINANCE 09-08, Version A: An ordinance for the establishment and adoption of the Denali Borough Budget for fiscal year 2010.

Neal Laugman, Healy, distributed a spreadsheet that he created that shows the difference between the audited figures and the actual for FY 2008.

ORDINANCE 09-09, Version A: An ordinance establishing the Denali Borough Capital Improvement program for fiscal year 2010 through fiscal year 2015.

There were no comments.

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ADJOURNMENT The public hearing was adjourned at 6:11PM.

APPROVED: Armeda A. Bulard
Armeda Bulard, Presiding Officer

ATTEST: Gail Pieknik
Gail Pieknik, Borough Clerk

Date Approved: JUNE 10, 2009

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**Minutes of the Regular Meeting
Denali Borough Assembly
Tri-Valley Community Center
May 13, 2009**

CALL TO ORDER: Presiding Officer Armeda BULARD called the regular meeting to order at 6:12 PM.

ROLL CALL: Assembly members present: Eileen HOLMES, John WINKLMANN, Armeda BULARD, David MILLER, Robert KOHLSDORF, Vickie LAUSEN, Baxter MERCER, Teresa Chepoda USIBELLI and Clay WALKER. Mayor Talerico was also in attendance.

PUBLIC COMMENTS: Steve Jones, McKinley Village, supports Resolution 09-13 except there should be some limitations as far as what the designation can do. He would like to have the Planning Commission work on the resolution to bring it up to date.

AGENDA: MERCER MOVED to approve. KOHLSDORF seconded. WALKER MOVED to amend to add under Resolutions, Resolution 09-15. LAUSEN seconded. The VOTE was unanimous. USIBELLI MOVED to add Planning Commission report to the agenda under reports. WALKER seconded. The VOTE was unanimous. The VOTE to approve the agenda was unanimous.

MINUTES: April 08, 2009 Assembly Public Hearing and Regular Meeting. HOLMES MOVED to approve. KOHLSDORF seconded. The VOTE to approve the minutes was unanimous.

REPORTS: March 2009 Financial Report

MERCER MOVED to receive the financial report. WALKER seconded. The VOTE was unanimous.

Mayor's Report

- The Corps of Engineers came to Healy to look at the Dry Creek flood area. The Corps would like the borough to maintain it once it has been repaired. The residents could sign off and make an agreement to maintain the area.
- The mayor discussed the Rex Trail and Easy Street bridge washout. The Alaska Fish and Wildlife may get involved to keep the integrity of the stream.
- Princess Tours would like to come to the next meeting to discuss the future of tourism.
- The office hired a new treasurer. There were four applicants of very qualified people. Annette Ziegman has a Business Administration degree and currently works at the Tri-Valley School. She will start on June 1 at the Borough office. The assembly will need to vote on the appointment at the next meeting.
- The mayor discussed his handout showing the carryover funds from the FY 2009 budget.

1 • Braun would like to settle and close lawsuit number three. He requested that the
2 Borough pay the \$150.00 court filing fees to settle.
3

4 WINKLMANN MOVED to approve the \$150.00 expenditure to pay the filing fees for lawsuit
5 number three. MERCER seconded. The roll call VOTE was unanimous.
6

7 There are new audit regulations from the state of Alaska, DCCED, which states that if an
8 entity receives over \$500,000 in state grants they must send their yearly audit to the
9 agency. The mayor suggested that this be placed in the Code so that it is not forgotten.
10

11 There was discussion on the hiring of the treasurer. USIBELLI feels that the assembly
12 should be hiring or involved in the hiring of the treasurer.
13

14 WINKLMANN stated that the Denali Borough Code does not state that the assembly hires
15 the treasurer.
16

17 School Report: Kim Langton, Denali Borough School Superintendent:

- 18 • Congratulations to the 15 students who went to state for musicians and vocalists to
19 compete.
- 20 • A student from Denali Borough became Alaska's Junior Miss.
- 21 • Dr. Langton had a meeting at Denali National Park. There were exhibitors that
22 included students from the school. They did very well with their presentations.
- 23 • The Borough and school district are working together on a grant application for a
24 Career Tech information training seminar. It would include people ages 14 to 24.
- 25 • Dr. Langton requested support from the assembly to fund the \$27,000 for the phone
26 system. It is a lease with option to buy contract.
27

28 Assembly Advisory Committee report: Julia Potter gave a report on the activities of the
29 committee. The committee is working on revenue diversification and the Ethics Code.
30

31 Landfill Issues and Recycling Committee report: Leroy Lausen reported that the e-waste
32 collection was a success and thanked community members and local businesses for their
33 help.
34

35 Planning Commission report: Steve Jones gave an update on the activities of the planning
36 commission and suggested relinquishing a parcel of land under Resolution 09-14. The
37 commission is currently working on numerous projects including the Comprehensive Plan,
38 mapping, Land Use Plan and local option zoning. The base map of the Borough will be
39 provided with the software Arc View. Some planning commission members traveled to
40 Fairbanks to discuss mapping and software with the planner from the Fairbanks North Star
41 Borough. There has been much discussion on what the Borough could afford and what
42 software would produce what the Borough needs. There is also a trainer in Fairbanks that
43 we can use for Arc View Training and support.
44

1 USIBELLI MOVED to receive future reports from the Planning Commission. WINKLMANN
2 seconded. The VOTE was unanimous.

3
4 Planning Commission Seat Appointment:

5
6 Seat E: William Mitchell: MERCER MOVED to appoint. WINKLMANN seconded. The
7 VOTE was unanimous.

8
9 Assembly Comments:

10
11 WINKLMANN mentioned that the Healy Coal Queens went to Anchorage and won the State
12 Championship.

13
14 USIBELLI spoke about Denali National Park receiving 16 million dollars from Stimulus
15 Money. The school board had a hard job tackling the budget this year. She admires the
16 school board for their hard work.

17
18 WALKER announced that there will be a pancake feed on Saturday to raise money for the
19 playground located at the McKinley Park Community Club.

20
21 LAUSEN appreciates the diversity of the assembly to be able to deliberate and then come
22 to agreement. The phone system is important and asked the assembly to support it.

23
24 BULARD gave a written and verbal report of the trip to Juneau and Anchorage for the AML.
25 Mayor Talerico and BULARD met in Cantwell with representatives from Guttenberg's and
26 Thomas' offices and the Cantwell Village Council to discuss the proposed bike trails in
27 Cantwell.

28
29 COMMUNICATIONS AND APPEARANCES:

30
31 1.) Gary Hutchison, Kohler, Schmitt & Hutchison

32
33 Mr. Hutchison gave an overview of the Denali Borough FY 2008 audit.

34
35 USIBELLI MOVED to have the office create a check request form policy. WALKER
36 seconded. The VOTE was unanimous.

37
38 HOLMES MOVED to accept the Denali Borough FY 2008 audit. KOHLSDORF seconded.
39 The roll call VOTE was 8 -1 with WINKLMANN opposed.

40
41 MERCER moved to suspend the rules to move item J1 "Liquor Licenses" on the agenda to
42 take up as the next item of business. WALKER seconded. The VOTE was unanimous.

43
44 Liquor Licenses:

1 License #: 4901
2 License Type: Beverage Dispensary Tourism D.B.A.*: Denali Princess Wilderness Lodge
3 – Base Camp Bistro
4 Licensee/Applicant: Alaska Hotel Properties LLC
5 Physical Location: 238.5 Parks Hwy
6
7

8 License #: 4899
9 License Type: Brewpub (May 1 – October 1) D.B.A.*: Panorama Pizza Pub
10 Licensee/Applicant: Leslie LeQuire
11 Physical Location: Mile 224 Parks Hwy
12

13 License #: 4898
14 License Type: Beverage Dispensary Tourism Seasonal (May 1 – October 1)
15 D.B.A.*: Panorama Pizza Pub
16 Licensee/Applicant: Leslie LeQuire
17 Physical Location: Mile 224 Parks Hwy
18

19 KOHLSDORF MOVED to approve. MERCER seconded. The VOTE was unanimous.
20

21 ORDINANCES TO BE INTRODUCED
22

23 ORDINANCE 09-10: An ordinance to amend the Denali Borough Code of Ordinances,
24 Chapter 1.15 titled Ordinances – Resolutions – Regulations.
25

26 MERCER MOVED to introduce. LAUSEN seconded.
27

28 KOHLSDORF questioned why this is being placed before the assembly again.
29

30 WINKLMANN stated that this will set up a legal review automatically unless there is a 2/3
31 vote against it. There were instances where the assembly has had to rescind ordinances
32 because they were not legal. This would only be on Code ordinances.
33

34 MILLER is concerned about the cost to the Borough.
35

36 LAUSEN spoke in favor of the ordinance.
37

38 The roll call VOTE was 5 – 4 with KOHLSDORF, BULARD, MILLER and HOLMES
39 opposed. Motion passes.
40

41 WINKLMANN MOVED to postpone to the next meeting. MERCER seconded. The VOTE
42 was unanimous.
43

44 ORDINANCE 09-11: An ordinance to amend the Denali Borough Code of Ordinances
45 Chapter 8.05.060 titled Election Notices.

1
2 MERCER MOVED to introduce. WINKLMANN seconded. The roll call VOTE was
3 unanimous.

4
5 HOLMES MOVED to postpone to the next meeting. MERCER seconded. The VOTE was
6 unanimous.

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11 PENDING ORDINANCES

12
13 ORDINANCE 09-03, Version C: An ordinance allocating funding ORDINANCES for the
14 design/development of a new landfill C&D Pit from within the current footprint.

15
16 WINKLMANN MOVED to substitute Version E for Version C. MERCER seconded.

17
18 WINKLMANN MOVED to amend to take "Purpose" from Version D and place it in Version E
19 and delete "Purpose" in Version D. LAUSEN seconded. The VOTE was unanimous.

20
21 The VOTE on the main motion was unanimous.

22
23 WINKLMANN MOVED to adopt Version E as amended. USIBELLI seconded. The roll call
24 VOTE was 5 – 4 with KOHLSDORF, BULARD, MILLER and HOLMES opposed. Motion
25 passes.

26
27 ORDINANCE 09-05, Version A: An ordinance amending Denali Borough Code of
28 Ordinances Chapter 8.15.130 titled Rules for Counting Ballots.

29
30 WALKER MOVED to postpone to the next meeting. WINKLMANN seconded. The VOTE
31 was unanimous.

32
33 ORDINANCE 09-07, Version A : An ordinance of the Denali Borough amending the Denali
34 Borough budget for fiscal year 2009.

35
36 MERCER MOVED to substitute Version B for Version A. KOHLSDORF seconded.

37
38 LAUSEN MOVED to amend to take \$27,000 from the Capital Improvement Fund for the
39 school phones. WINKLMANN seconded. The VOTE was unanimous.

40
41 The VOTE on the main motion was unanimous.

42
43 MILLER MOVED to adopt. KOHLSDORF seconded. The roll call VOTE was unanimous.
44

1 ORDINANCE 09-08, Version A: An ordinance for the establishment and adoption of the
2 Denali Borough Budget for fiscal year 2010.

3
4 MERCER MOVED to adopt. HOLMES seconded.

5
6 WINKLMANN MOVED to amend by substitution Version B for Version A. HOLMES
7 seconded. The VOTE was unanimous.

8
9 WINKLMANN MOVED to amend to add a new line item "C&D Landfill Design and
10 Permitting" \$40,000. LAUSEN seconded. The VOTE was unanimous.

11
12 The roll call VOTE on the main motion was unanimous.

13
14 ORDINANCE 09-09, Version A: An ordinance establishing the Denali Borough Capital
15 Improvement program for fiscal year 2010 through fiscal year 2015.

16
17 MERCER MOVED to adopt. HOLMES seconded. The roll call VOTE was unanimous.

18
19 RESOLUTIONS

20
21 RESOLUTION 09-07: A resolution to support and encourage methods to achieve the State
22 of Alaska goal of "World Class Education" and create a Career Technical Advisory
23 Committee.

24
25 This resolution was approved at the April 8, 2009 assembly regular meeting. It was brought
26 back for amendment.

27
28 MERCER MOVED to amend Resolution 09-07 as follows:

29
30 In the headline add "AND CREATE A CAREER TECHNICAL ADVISORY COMMITTEE."

31 Delete the current "Now, therefore be it further resolved" and add, "BE IT FURTHER
32 RESOLVED: that the Denali Borough Assembly will create a special committee called the
33 Career Technical Advisory Committee which will consist of three members of the Denali
34 Borough business community, two school board members, two assembly members, two
35 faculty members and two private citizens. The Mayor and District Superintendent will be ex-
36 officio members. Members shall be selected and appointed by the Denali Borough Assembly.
37 The Assembly shall designate a chairperson. All meetings will be conducted in accordance
38 with Denali Borough Code 2.45.050."

39
40 WINKLMANN seconded. The VOTE was unanimous.

41
42 RESOLUTION 09-08: A resolution accepting a 2009 Energy Efficiency and Conservation
43 Block Grant funded by the American Recovery and Reinvestment Act through the
44 Department of Energy.

1
2 HOLMES MOVED to approve. WINKLMANN seconded. The roll call VOTE was
3 unanimous.
4
5 RESOLUTION 09-09: A resolution accepting a 2009 Emergency Management Performance
6 Grant (EMPG), 2010 Local Emergency Planning Committee Grant (LEPC), and 2010 Alaska
7 Division of Homeland Security and Emergency Management Grant.
8
9 MERCER MOVED to approve. MILLER seconded. The roll call VOTE was unanimous.
10
11 RESOLUTION 09-10: A resolution awarding the Matching Grant Selection/Review
12 Committee recommendation for matching grant priority.
13
14 HOLMES MOVED to approve. KOHLSDORF seconded. The roll call VOTE was
15 unanimous.
16
17 RESOLUTION 09-11: A resolution awarding the Matching Grant Selection/Review
18 Committee recommendation for matching grant priority.
19
20 MERCER MOVED to approve. WINKLMANN seconded. The roll call VOTE was
21 unanimous.
22
23 RESOLUTION 09-12: A resolution extending to Miss Anastasia Brease Denali Borough's
24 appreciation and congratulations for her accomplishments.
25
26 WINKLMANN MOVED to postpone to the next meeting. KOHLSDORF seconded. The
27 VOTE was unanimous.
28
29 RESOLUTION 09-13: A resolution authorizing a land selecting agent for Denali Borough
30 Municipal Entitlement Lands.
31
32 MERCER MOVED to approve. LAUSEN seconded.
33
34 MERCER MOVED to amend by adding, "WHEREAS, the land selection agent will perform
35 actions approved by the Denali Borough Assembly." KOHLSDORF seconded. The VOTE
36 was unanimous.
37
38 The roll call VOTE on the main MOTION was unanimous.
39
40 RESOLUTION 09-14: A resolution relinquishing Denali Borough Municipal Land Entitlement
41 selection for Browns Court, ADL 415797.
42
43 MERCER MOVED to approve. KOHLSDORF seconded. The roll call VOTE was
44 unanimous.
45

1 RESOLUTION 09-15: A resolution recognizing Erika Flagg for her dedication and
2 contributions to the Denali Borough and McKinley Park Community Club.

3
4 WALKER MOVED to approve. KOHLSDORF seconded. The roll call VOTE was
5 unanimous.

6
7 OTHER BUSINESS

8
9 1.) Loan of Glass Crusher from Denali National Park:

10
11 Pat WINKLMANN, Landfill Committee, reported that the Landfill Committee would like to
12 see this project placed on hold temporarily because of the cost of setting it up.

13
14 The Mayor would like to make a proposal to Denali National Park to move it to the landfill if
15 they pay for the move. We would store it until we are able to use it. MERCER spoke in
16 support of this idea.

17
18 2.) Career Technical Advisory Committee seat appointment

19
20 USIBELLI MOVED to accept the seat appointments of Vickie Lausen, John Winklmann,
21 Charles (Chip) Saylor and Bill Beaudoin. KOHLSDORF seconded. The VOTE was
22 unanimous.

23
24 KOHLSDORF MOVED to nominate Chip Saylor as Chairman of the committee. WALKER
25 seconded. The VOTE was unanimous.

26
27 3.) Susitna Dam Project.

28
29 MERCER spoke to this issue and the Best Interest Finding on the Healy Clean Coal Project.
30 The mayor suggested speaking with AHTNA to see how they feel about the Susitna Dam
31 Project and the Jack River Project.

32
33 WINKLMANN MOVED to postpone to the next meeting. HOLMES seconded. The VOTE
34 was unanimous

35
36 4.) Update on TBAP and the Denali Borough Municipal Land Entitlement selections.

37
38 There will be a meeting at the Tri-Valley Community Center on June 9, 2009 at 7:00 PM.
39 The meeting is to divide the TBAP into two pieces.

40
41 5.) Department of Transportation and the Rex Crossing.

42
43 The mayor received a response this afternoon from our local area DOT Planner which
44 explained that the Parks Highway and Alaska Railroad project at Rex had nothing to do with
45 the water in front of the homes.

1
2 6.) Stampede Recreation Area SB 108.

3
4 Senate Bill 108 has moved to the Senate Finance Committee to be picked up in the next
5 Legislative Session. The mayor suggested that the assembly write a letter in support of this
6 Bill. The state of Alaska, DOT, will be bringing up the right-of way issue as soon as the Bill
7 comes to the table so we need to jump on this.
8

9 7.) City of Nenana Council meeting update.

10
11 The mayor spoke with Mayor Mayrand in Nenana. They will be having a meeting tomorrow
12 night. Mayor Mayrand suggested holding off because they have been discussing organizing
13 their own borough. They are looking for some of the pipeline revenues.
14

15 8.) Tentative assembly regular meeting date change from August 12, 2009 to August 5,
16 2009 because Assembly members BULARD and HOLMES and Mayor Talerico will be in
17 Palmer to attend the AML Board summer meeting.
18

19 9.) Public comments. (Please limit comments to three minutes per person.)

20
21 Steve Jones suggested zoning the Stampede Road to recreational development.
22

23 10.) Assembly Comments.

24
25 The assembly thanked everyone for attending the meeting this evening.
26

27 NEXT MEETING: The next regular meeting will be held at the McKinley Village
28 Community Center on June 10, 2009; Public Hearing at 6:00 PM, and regular meeting to
29 follow.
30

31 ADJOURN: The presiding officer declared the regular meeting adjourned at 11:51PM.
32
33

34
35 APPROVED: Armeda Bulard
36 Armeda Bulard, Presiding Officer
37

38
39 ATTEST: Gail Pieknik
40 Gail Pieknik, Borough Clerk
41
42
43

44 Date Approved: JUNE 10, 2009