

**Minutes of the Regular Meeting
Denali Borough Assembly
Tri-Valley Community Center
April 13, 2005**

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6 CALL TO ORDER Presiding Officer Gerald Pollock called the regular meeting
7 to order at 7:04 PM.
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9 ROLL CALL Assembly members present were: Gerald Pollock, Bob
10 Shelton, David Evans, Teresa Hall, Cynthia Trytko, Baxter
11 Mercer and Paul Schenk. Absent were: Sid Michaels and
12 Jim Caswell. Mayor Talerico was also in attendance.
13

14 The Chair entertained a motion to excuse CASWELL and
15 MICHAELS. EVANS so MOVED and HALL seconded. The
16 VOTE was unanimous.
17

18 PUBLIC Debra Cizmowski, Healy resident, spoke in favor of the
19 COMMENTS proposed matching grants ordinance.
20

21 Chuck Tomkiewicz, Planning Commission, gave an update
22 on the Gateway Communities work shop which was held in
23 Anchorage. There was a diverse group from the Denali
24 Borough that attended. We were given tools and introduced
25 to different techniques used in planning for the future.
26

27 Joann Wallace, Healy resident, spoke in favor of the
28 matching grant program. The Chamber of Commerce will be
29 applying for a septic system for the new building.
30

31 Mark Menke, President of Healy Hockey, thanked the
32 Borough and Mayor for the Matching Grant Program.
33

34 Elwood Lynn, Denali National Park, commented on the
35 Gateway Communities Seminar. There will be a Fire Wise
36 workshop on April 30 at the Science and Learning Center.
37

38 Linda Pagineilli, Healy resident, thanked the Assembly for
39 attending the Stampede Summit. She also commented on
40 the Gateway Communities seminar.
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42 Jennifer Wolk, Healy resident, spoke in support of the
43 Borough matching grant. She felt that it should include in-
44 kind support. Wolk also spoke about the Governor's
45 Stampede Road initiative. There are other things that could

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benefit from the 5 million dollars such as a left turn lane into the Denali National Park and a bike path.

Armeda Bulard, Cantwell resident, spoke in favor of having a steering committee for the Gateway Community Workshop.

Jean Bailey spoke in favor of the Stampede Road resolution.

Cheryl Venechuk, a 27 year resident in Healy, supports the matching grant program. Venechuk would like to see \$20,000 because just to get \$2,000 does not build anything and \$5,000 won't pay for a septic system.

Bo Harris, Healy Hockey, is supportive of the matching grant. This community is driven by volunteers. Harris agrees with Venechuk that \$2,000 won't even pay the heating bill and \$5,000 would not put in a septic system but a larger amount would. A larger amount would put in a septic system and maybe a swimming pool. It is nice to see the Denali Borough trying to help out those volunteers.

Chris Basil, Healy resident, supports the matching grant program and Kid Stop.

Peggy Menke, Healy, spoke in support of the matching grant program for the library.

Rachel Carlson, Cantwell resident, spoke in favor of the matching grant program. She also commented on the Gateway Communities Workshop.

AGENDA

SCHENK MOVED to approve the agenda and MERCER seconded.

MERCER MOVED to add item D1 plaque presentation to Mayor Talerico. This amendment was approved by unanimous consent.

The VOTE to approve the agenda as amended was unanimous.

1 PRESENTATION Lieutenant Colonel Thad Kolwicz gave an update of the
2 housing situation near Clear Air Force within the City of
3 Anderson. A plaque was presented to Mayor Talerico in
4 appreciation for his support and assistance of the Clear Air
5 Force Base and the Air National Guard.
6

7 MINUTES 1.) Assembly Meeting: Public Hearing and Regular Meeting
8 held on February 9, 2005.
9

10 The Presiding Officer entertained a motion to adopt the
11 March 9, 2005 minutes, HALL so MOVED and TRYTKO
12 seconded. The VOTE was unanimous.
13

14 FINANCIAL 1.) Financial report for February 2005.
15 REPORT
16 The Presiding Officer entertained a motion to receive the
17 February 2005 Financial Report. HALL so MOVED and
18 MERCER seconded. The VOTE was unanimous.
19

20 MAYOR'S Mayor Talerico gave a brief report of his activities.
21 REPORT
22 On April 18-20 the Mayor and staff are heading to Juneau for
23 the AML Legislative fly-in to discuss the Governor's 5 million
24 dollar initiative for Stampede Road, and municipal revenue
25 sharing.
26

27 SCHOOL Eileen Armstrong, School Board Member, introduced the
28 DISTRICT interim superintendent of the school district, John Holst.
29 REPORT
30 Mr. John Holst gave a brief report and thanked the Assembly
31 for their support of the local schools. This year the school did
32 not request funds for capital projects other than the money
33 that is currently being used in Cantwell however, there is a
34 bill in the Legislature to spend money out of the Permanent
35 Fund which will bring \$600,000 into the district and it
36 requires a Borough match of approximately \$182,000. This
37 would be used for the Cantwell School sprinkler system
38 upgrade.
39

40 FINANCE SCHENK gave a brief report on the Finance Committee and
41 COMMITTEE expressed the committee recommendations. The
42 Committee voted unanimously to recommend to the
43 Assembly to have the administrator hire the real estate
44 appraiser for the Otto Lake parcel.
45

1 The Finance Committee voted unanimously to send the
2 Fiscal Year 2006 budget back to the Assembly with the
3 recommendation to increase the Mayor's salary to \$65,000
4 since after the next election the Mayor's position will be a full
5 time position instead of part time.
6

7 PLANNING
8 COMMISSION John Miner gave a report on the activities of the Planning
9 Commission. The Planning Commission is currently
10 reviewing the Municipal Land Entitlement (MLE) selections
11 for the Borough and the Comprehensive Land Use Plan.
12

13 The Commission will be going to each of the communities
14 within the Borough to make a presentation to the public and
15 take public testimony on the MLE relinquishment and
16 selections. The Commission hopes to start using the video
17 conferencing equipment so the work sessions can be
18 broadcast to all members of the community. The
19 Commission hopes to have a recommendation to the
20 Assembly by the October meeting. The recommendation will
21 include a list of lands to relinquish and reselect.
22

23 The Commission has just started on the Comprehensive
24 Land Use Plan. This will be on their agenda until it is
25 finished.
26

27 There is a consensus with the Planning Commission that the
28 Northern Access Study should be done first and therefore
29 spoke against the Governor's \$5M initiative for Stampede
30 Road.
31

32 The Commission agrees with the Finance Committee to
33 have the Borough hire and pay for the appraisal on the Otto
34 Lake parcel.
35

36 PLANNING
37 COMMISSION
38 SEAT I Mayor Talerico recommended Anne Capistrant.
39 HALL MOVED to appoint Anne Capistrant to Planning
40 Commission Seat I. EVANS seconded. The roll call VOTE
41 was unanimous.
42

43 ASSEMBLY
44 COMMENTS HALL is going to Juneau with the Mayor next week to
attend the AML Legislative fly-in.
SHELTON thanked everyone for attending the meeting.

1 EVANS MOVED to have the Mayor make a proclamation
2 for William James Remembrance Day on May 15 as a
3 memorial service. POLLOCK seconded. The VOTE was
4 unanimous.

5
6 EVANS spoke in favor on the Healy Hockey Association.

7
8 SCHENK thanked everyone for the letters, phone calls
9 and emails received regarding the lease of Otto Lake
10 land and the \$5M Stampede Road initiative. He also
11 thanked the people who attended the Gateways
12 Community Workshop.

13
14 TRYTKO thanked everyone for attending the meeting this
15 evening and spoke in favor of pushing for more recycling
16 in the Borough.

17
18 RECESS The Presiding Officer called a recess at 7:57 PM.

19
20 The meeting was reconvened at 8:10 PM.

21
22 COMMUNICATION 1.) Edie Mercer: Boys and Girls Club of America.

23 AND

24 APPEARANCES Mercer gave an overview the Boys and Girls Club of
25 America. She would like to see a club started in Healy.
26 The Tri-Valley Community Center would be a good place
27 for the club to meet especially since it is centrally located
28 and there are plans to remodel the building. This could
29 be a part of the remodeling project. Mercer will be bringing
30 this idea to the Fire Board. Mercer requested that the
31 Assembly speak with their constituents to see if there is
32 any support for this project.

33
34 2.) Janet Brown, Department of Transportation, to
35 discuss the Northern District Access Reconnaissance
36 Study (NARS).

37
38 Janet Brown, DOT, gave an update on NARS.
39 CH2MHILL was hired as a subcontractor to complete the
40 study. Plans for the summer of 2005, is to complete
41 traffic demand forecasting, environmental resource
42 inventory, and identification of feasible corridors.
43 Updates will be provided at the Borough Assembly
44 meetings in June, August, October 2005, and February
45 2006.

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3.) Neal Technologies: 1. GIS Mapping; 2. Black Diamond as-built.

Neal Laugman gave an overview of the new GIS mapping program at the Borough land office.

ORDINANCES

1.) An ordinance amending the Denali Borough budget for fiscal year 2005.

The Chair entertained a motion to introduce. HALL so MOVED and MERCER seconded.

Mayor Talerico explained the proposed amendments.

The roll call VOTE was unanimous.

This will be Ordinance 05-04.

2.) An ordinance for the Denali Borough providing for the establishment and adoption of the budget for the fiscal year 2006.

HALL MOVED to introduce and SCHENK seconded. The Mayor gave a Power Point presentation explaining the proposed budget for fiscal year 2006.

The roll call VOTE was unanimous.

This will be Ordinance 05-05.

3.) An ordinance establishing the Denali Borough Capital Improvements Program (CIP) for fiscal year 2006-2011.

The Chair entertained a motion to introduce. MERCER so MOVED and EVANS seconded.

The roll call VOTE was unanimous.

This will be Ordinance 05-06.

4.) An ordinance amending Title V, Chapter 30, of the Denali Borough Code of Ordinances concerning School Board Reapportionment. (7 member at-large).

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The Chair entertained a motion to introduce. MERCER so MOVED and HALL seconded. HALL suggested that the Assembly have a work session with the School District to discuss the reapportionment ordinances.

The roll call VOTE was unanimous.

This will be Ordinance 05-07.

5.) An ordinance amending Title V, Chapter 30, of the Denali Borough Code of Ordinances concerning School Board Reapportionment. (9 member at-large).

HALL MOVED to introduce, MERCER seconded.

The roll call VOTE was unanimous.

This will be Ordinance 05-08.

6.) An ordinance amending Article VII, Section 8.02 and 8.03 of the Denali Borough Charter concerning School Board Reapportionment.

The Chair entertained a motion to introduce. HALL so MOVED and MERCER seconded. The Mayor explained that this ordinance was to clean up language in the Charter by removing the breakdown of the districts which only need to be in the Code of Ordinances and not the Charter.

The roll call VOTE was unanimous.

This will be Ordinance 05-09.

7.) An ordinance establishing the Denali Borough matching grants program.

The Chair entertained a motion to introduce. HALL so MOVED and EVANS seconded.

Mayor Talerico gave an explanation of the ordinance.

The roll call VOTE was unanimous.

This will be Ordinance 05-10.

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8.) Ordinance 05-01: An ordinance amending the Denali Borough Code of Ordinances Title IV, Chapter 24, titled Management of Borough Real Property.

EVANS MOVED to adopt, SCHENK seconded.

The roll call VOTE was unanimous.

9.) Ordinance 05-02: An ordinance amending the Denali Borough Code of Ordinances, adding Chapter 19, Section 7, creating a Borough Capital Projects Fund.

The Chair entertained a motion to adopt. HALL so MOVED and MERCER seconded.

The roll call VOTE was unanimous.

10.) Ordinance 05-03: An ordinance repealing Title V, Chapter 33 of the Denali Borough Code of Ordinances dealing with the Land Use Committee.

The Chair entertained a motion to adopt. HALL so MOVED and MERCER seconded.

Mayor Talerico spoke against this ordinance.

The roll call VOTE was 3-4 with SHELTON, POLLOCK, HALL, and EVANS opposed. The MOTION fails.

BREAK

The Presiding Officer called a recess at 9:24 PM. The meeting was reconvened at 9:42 PM.

RESOLUTIONS

1.) A resolution regarding the Governor's Stampede Road initiative.

MERCER MOVED to adopt, SCHENK seconded. Discussion followed.

HALL MOVED to delete "including paving it and extending it to the Savage River" and SCHENK seconded.

The VOTE was unanimous.

1 HALL MOVED to delete the second "Whereas" and
2 POLLOCK seconded. The MOTION and the second to
3 the MOTION were withdrawn.
4

5 The roll call VOTE to adopt as amended was unanimous.
6

7 This will be Resolution 05-02.
8

9 2.) A resolution determining the total amount of funding
10 to be made available from Denali Borough sources for
11 school purposes in accordance with Denali Borough
12 Code of Ordinances, Chapter 30, Section 9.
13

14 The Chair entertained a motion to adopt. MERCER so
15 MOVED and HALL seconded.
16

17 The roll call VOTE was unanimous.
18

19 This will be Resolution 05-03.
20

21 3.) A resolution in support of House Bill 49.
22

23 The Chair entertained a motion to adopt. HALL so
24 MOVED and EVANS seconded.
25

26 The roll call VOTE was unanimous.
27

28 This will be Resolution 05-04.
29

30 4.) A resolution honoring the Healy Hockey Association's
31 Healy Coal King Pee Wee Team.
32

33 HALL MOVED to adopt and EVANS seconded.
34

35 The roll call VOTE was unanimous.
36

37 This will be Resolution 05-05.
38

39 5.) A resolution to form a Coal Bed Methane Ad Hoc
40 Committee within the Denali Borough.
41

42 The Chair entertained a motion to adopt. HALL so
43 MOVED and MERCER seconded.
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45 The roll call VOTE was 0-7. The MOTION fails.

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SCHENK MOVED to send this issue to the Planning Commission, MERCER seconded. The VOTE was unanimous.

6.) A resolution giving support to Black Diamond Resort Corporation to lease 280 +/- acres of Denali Borough land near Otto Lake, Alaska.

The Chair entertained a motion to adopt. MERCER so MOVED and EVANS seconded. Discussion followed.

EVANS spoke in favor of this resolution because the contention comes down to the trails and Black Diamond must be flexible on the trail systems. It doesn't look like Black Diamond is interested in blocking access to the public on the Borough parcel.

MERCER questioned section line easements and vacating them.

Frank Talerico, Black Diamond Corporation, gave an explanation of section line easements. It is possible to cross section lines if you receive a permit from the State of Alaska. The road or easement across the section line must go somewhere. There is a start and finish.

TRYTKO MOVED to add "and authorizes the Administrator to hire an appraiser and surveyor." under the NOW THEREFORE after Denali Borough land. HALL seconded. The VOTE was 6-1 with EVANS opposed.

SCHENK MOVED to remove in the fourth WHEREAS "and is committed to pursuing the lease." TRYTKO seconded. The VOTE was 3-4 with MERCER, SHELTON, POLLOCK, and EVANS opposed. The MOTION fails.

The roll call VOTE to adopt as amended was unanimous.

This will be Resolution 05-06.

OTHER

1.) Long Term Leases: Mr. Frank Talerico/Black

1 BUSINESS

Diamond Resort; Location: Otto Lake area, Healy, Alaska; Acres: 280+.

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3
4 There was no discussion.

5
6 2.) Liquor License Renewals:

7
8 A.) Alpenglow Restaurant/Tourism Seasonal; Location: Mile
9 238.2 Parks Highway; Owner: Grande Denali Lodge LLC.

10
11 B.) Mountaineer Grill/Tourism Seasonal; Location: Mile
12 238.4 Parks Highway; Owner: Grande Denali Lodge LLC.

13
14 C.) Type: Beverage Dispensary – Tourism Seasonal;
15 License: Denali River Cabins – 05/06 - #3920; Location: Mile
16 231.1 Parks Highway; Owner: Denali River Cabins, Inc.;
17 Agent: Allen M. Todd; Phone: 459-2000; Mailing Address: 1
18 Doyon Place suite 300 Fairbanks AK 99701-2941.

19
20 D.) Type: Beverage Dispensary – Tourism Seasonal;
21 License: Totem Inn – 05/06 - #2694; Location: Mile 248.7
22 Parks Highway; Owner: Totem Inn Enterprises Inc.; Agent:
23 Kevin Hamel; Phone: 683-6500; Mailing Address: PO Box
24 417 Healy AK 99743.

25
26 E.) Type: Beverage Dispensary; License: Dew Drop Inn
27 #308; Location: 105 B Street; Owner: Neil F and Jeanette
28 Witte; Agent: Neil Witte.

29
30 F.) Type: Package Liquor; License: Dew Drop Inn #309;
31 Location: 105 B Street; Owner: Neil F and Jeanette Witte;
32 Agent: Neil Witte.

33
34 HALL MOVED to take no action and MERCER seconded.
35 The VOTE was unanimous.

36
37 3.) Update on the lawsuit filed by Mr. David Braun.

38
39 MERCER gave an update on the hearing on lawsuit #4
40 that was held on March 31, 2005 with Judge Pengilly,
41 Fairbanks Superior Court, Fairbanks, Alaska.

42
43 4.) Public Comments.

44 Neal Laugman, Healy resident, commented on the term
45 “North Healy” which Mr. Braun is using in court recently.

1 Laugman feels that the majority of the people that live
2 along the highway near Ferry would be highly resentful
3 that their name is being used in a lawsuit. When
4 Laugman was on the Assembly he never heard from the
5 people in his district that lived along the highway on how
6 they would like their own representation. He never heard
7 from them at all on Borough business.

8
9 Mayor Holmes, City of Anderson, gave an update on the
10 City of Anderson's subdivision teleconference.

11
12 Cheryl Venechuk, Healy resident, supports a 20% match
13 or in-kind labor. She would like number 4 under Section
14 4 of Ordinance 05-10 changed to include in-kind labor. It
15 is easier for an entity to come up with in-kind labor than
16 the cash.

17
18 Elwood Lynn, Denali Park, the match needs to be
19 clarified.

20
21 Joann Wallace, Healy resident, commented on awarding
22 a 35 year lease, which is a very long time to lease. The
23 State of Alaska only deals with 5 to 10 year leases at this
24 time. She would like to see the competitive bid process
25 used for long term leases. Wallace felt that the Borough
26 should include animal husbandry in the lease.

27
28 ASSEMBLY
29 COMMENTS

30
31 SCHENK announced the next Northern District Work
32 Session on March 9, 2005 from 6-8 PM.

33
34 EVANS asked if the Borough contacted Village
35 Safewater about a grant for a recycle center and/ or
36 transfer station in Healy.

37
38 EVANS made a comment about a letter the Borough
39 office received from the State of Alaska, Department of
40 Natural Resources (DNR). The DNR feels that it is up to
41 the Borough to contact all contractors to inform them of
42 the tax. The DNR does not feel it is up to them to inform
43 anyone. EVANS feels that the Borough needs to pursue
44 the permitting process. The permitting process creates
more control for the Administration to keep track of who
is doing business within the Denali Borough.

1 MERCER asked about the new kiosk in the Nenana
2 Canyon.

3
4 NEXT MEETING 1.) The next regular meeting will be held at the McKinley
5 Village Community Center on May 11, 2005. Work
6 Session at 6:00, Public Hearing 6:45, and Regular
7 Meeting to follow

8
9 ADJOURN. The Presiding Officer entertained a motion to adjourn.
10 HALL so MOVED and EVANS seconded. The VOTE
11 was unanimous. Pollock declared the regular meeting
12 adjourned at 11:06 PM.

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15
16 ATTEST: SIGNATURE ON FILE APPROVED: SIGNATURE ON FILE
17 Borough Clerk Presiding Officer

18
19
20 Date Approved: May 11, 2005