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**Minutes of the Public Hearing
Denali Borough Assembly
McKinley Village Community Center
February 11, 2009**

CALL TO ORDER The public Hearing was called to order at 6:01 PM

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

PUBLIC 1.) **ORDINANCE 08-25, Version A:** An ordinance amending the Denali
COMMENTS Borough budget for fiscal year 2009.

There were no comments.

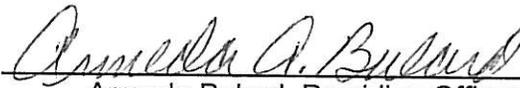
2.) **ORDINANCE 09-01, Version A:** An ordinance amending the Denali Borough Code of Ordinances, Appendix of Forms, adding Form "W", pertaining to the Denali Borough Disclosure Ordinance.

There were no comments.

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

There were no comments.

ADJOURNMENT The public hearing was adjourned at 6:04 PM

APPROVED: 
Armeda Bulard, Presiding Officer

ATTEST: 
Gail Pieknik, Borough Clerk

Date Approved: March 11, 2009

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**Minutes of the Regular Meeting
Denali Borough Assembly
McKinley Village Community Center
February 11, 2009**

CALL TO ORDER Presiding Officer Armeda BULARD called the regular meeting to order at 6:04 PM.

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

USIBELLI MOVED to excuse LAUSEN. WINKLMANN seconded. The VOTE was unanimous.

PUBLIC COMMENTS Ron Dane, McKinley Volunteer Fire Department, requested a hearing on their budget before it is finalized.

AGENDA USIBELLI MOVED to approve. WINKLMANN seconded.
USIBELLI MOVED to amend by adding under F (4) (E) Cyrus Cooper to 5 under Assembly Advisory Committee. MERCER seconded. The VOTE was unanimous.

The VOTE to approve the agenda as amended was unanimous.

MINUTES 1.) January 24, 2009 Assembly Public Hearing and Special meeting.

HOLMES MOVED to approve. MERCER seconded. The VOTE to approve the minutes was unanimous.

REPORTS 1.) December 2008 Financial Report.

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

2.) Mayor's Report

- The mayor requested the attorney give us an interpretation on the Denali Borough Charter 2.09 (1) on if a school board member could serve on the planning commission. The reply from the attorney was handed out to the assembly.

- The office received a letter from the Tri-Valley Volunteer Fire Department Board that the Borough lease may be raised for fiscal year 2010.
- The state of Alaska lowered the Borough's population determination from 1893 to 1785. There was a suggestion that the Borough staff perform a residence count by using the housing unit method. It would have to be done by April 1.

John WINKLMANN MOVED to direct the mayor to develop a resolution to contest the state of Alaska, DCCED, population determination. KOHLSDORF seconded. The VOTE was unanimous. USIBELLI requested that this subject be on the next agenda.

- The mayor received a letter from the Legislative Research Services about the railroad leases.
- The assembly received a form from the Legislative Finance Division to submit the Legislative Capital request online. The information will be online for the public to review the requests.
- The Mat-Su Borough has requested a joint work session at the Mat-Su Chamber building at the end of February or first of March.
- Enstar would like to be placed on the next agenda to discuss the proposed gas line along the Parks Highway.
- The Trapping work shop will be on February 26th at the Tri-Valley School.
- There was a bid to complete the Landfill laundry facility and wash room. It will be under \$8,400 if we provide the materials.
- A Writ of Certiorari was submitted to the US Supreme Court appealing the Borough lawsuit. There will be more information at the next meeting.

3.) School Report

- Kim Langton reported that Tri-Valley students earned a trip to the annual Young Alaskans Conference. There were 500 applications from ages 16 to 25 from the United States and 55 won. Out of the 55, there were 2 from Tri-Valley that won. It was sponsored by UAF.
- Denali Chamber of Commerce sponsored 9 students from Tri-Valley School to attend Model United Nations at the end of the month.

- Tri-Valley students conducted a Borough-wide economic survey and met with professors at the UAF School of Management to discuss their findings.
- Nenana School District asked if the Denali Borough School District would be interested in applying for a technology grant from the state since either school district would not qualify on their own. They won the \$100,000 grant which is split between the schools.
- The Denali Borough School Board extends an invitation to have a joint work session with the Denali Borough Assembly.

4.) Planning Commission

Appoint Seats:

Seat A: Tammany Straughn

MERCER MOVED to approve the appointment of Tammany Straughn. WINKLMANN seconded. The VOTE was unanimous.

Seat E: Cyrus Cooper

KOHLSDORF MOVED to postpone to the next meeting. MERCER seconded. The VOTE was unanimous.

Seat F: Elizabeth Usibelli

MERCER MOVED to approve the appointment of Elizabeth Usibelli. WINKLMANN seconded. The VOTE was 6-1. USIBELLI abstained.

5.) Assembly Advisory Committee

Seat Appointment: Catherine Peterson Hall
Josephine Ramos

Both applicants rescinded their applications.

6.) Landfill Issues and Recycling Committee report

Pat Winklmann gave an update of the activities of the committee.

There will be posters advertising recycling throughout the Borough. Armeda Bulard reported that this is not a standing committee and therefore another ordinance will need to be written.

1
2 7.) Assembly Comments
3

4 Teresa USIBELLI apologized for not attending the training.
5

6 Clay WALKER missed the last assembly meeting because his wife was
7 having a baby on that day. We may need to have a town hall meeting
8 devoted to the trapping issue. He is happy to see our planning
9 commission back to work.
10

11 John WINKLMANN reported that the USA Hockey Healy Coal Kings
12 Pee Wee team went to Anchorage for the Presidents Day Tournament.
13 They played a team that they lost to all year long. They played them
14 twice in the tournament and won both times.
15

16 Baxter MERCER is happy that the planning commission is back
17 together.
18

19 Eileen HOLMES thanked the planning commission for stepping up.
20 She was not able to go to Juneau and will be reimbursing the Borough.
21

22 Armeda BULARD gave a verbal and written report of the trip to Juneau
23 for the AML Board meeting and meeting with the legislature at the State
24 Capital.
25

26 COMMUNICATIONS
27 AND
28 APPEARANCES

Dave Hoffman, Golden Valley Electric Association (GVEA) gave a report on
the Healy Clean Coal Project (HCCP)

- The plant is currently owned by Alaska Industrial Development Association (AIDEA) and negotiations are continuing on the sale of the plant to GVEA.
- GVEA and Homer Electric are negotiating on the sale of power to Homer.
- Time frame is estimated at 18 to 24 months to start up.
- Impact on the community is 15 to 20 new employees to operate the facility.
- 30 – 50 people hired to get the plant up and going.

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39 PENDING
40 ORDINANCES

3.) **ORDINANCE 08-25, Version A:** An ordinance amending the Denali
Borough budget for fiscal year 2009.

MERCER MOVED to adopt. KOHLSDORF seconded. The roll call
VOTE was unanimous.
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1 2.) **ORDINANCE 09-01, Version A:** An ordinance amending the
2 Denali Borough Code of Ordinances, Appendix of Forms, adding Form
3 "W", pertaining to the Denali Borough Disclosure ordinance.
4 WINKLMANN MOVED to adopt. WALKER seconded. The roll call
5 VOTE was unanimous.
6

7 3.) **ORDINANCE 09-03:** An ordinance allocating funding for the
8 design/development of a new landfill C&D Pit from within the current
9 footprint.
10

11 WINKLMANN MOVED to amend by adding a period after footprint and
12 to delete "to extend the potential life of the current landfill." MERCER
13 seconded. The VOTE was unanimous.
14

15 WINKLMANN MOVED to postpone to the next meeting. MERCER
16 seconded. The VOTE was unanimous.
17

18 RESOLUTIONS None

19 OTHER BUSINESS
20 1.) Liquor Licenses
21

22 Application Type: NEW _____ X TRANSFER
23 X Ownership
24 _____
25

26 License #: 4313
27 License Type: **Beverage Dispensary Tourism (4/29 – 10/29)**
28 D.B.A.*: McKinley Chalet Resort-Cabin Nite Dinner Theatre
29 Licensee/Applicant: **ARAMARK Corporation**
30 Physical Location: Mile 238.9 Parks Hwy
31

32 Application Type: NEW _____ X TRANSFER
33 X Ownership
34 _____ Location
35 X Name Change
36

37 License #: 4308
38 License Type: **Beverage Dispensary Tourism (4/29 – 10/29)**
39 D.B.A.*: McKinley Chalet Resort-Nenana View Bar and Grille
40 Licensee/Applicant: **ARAMARK Corporation**
41 Physical Location: Mile 238.9 Parks Hwy
42

43 HOLMES MOVED to approve. MERCER seconded. The VOTE was unanimous.
44

45 2.) Trapping near populated areas within the Denali Borough.
46

1 Anya Phenix, Healy, spoke about local dogs getting caught in traps that are
2 set on property lines or too close to residential areas.
3

4 Martin Weiner, Denali, is a trapper and understands that this is a sensitive
5 issue. He teaches and promotes responsible trapping and responsible dog
6 owners. He would like to have a town hall meeting to see how everyone can
7 work together to come up with solutions.
8

9 Kristin Frieson, Healy, requested three things:

- 10
11 1.) to give this issue to the planning commission to work on
12 2.) have numbers placed on traps
13 3.) that the assembly listen to the concerns
14

15 William Ward, Cantwell, had his dog get caught in a trap and felt that it was
16 his fault because his dog was running loose. He supports trapping but we
17 need to abide by the laws of the state. The state of Alaska troopers will not
18 enforce municipal ordinances.
19

20 Gordon Carlson, Cantwell, informed the assembly that trapping laws are
21 enforced by the State of Alaska, Board of Game. If you want something done
22 you have to show up at the Board meetings and request it. The Borough
23 Assembly can put the pressure on the Board to act.
24

25 Robert KOHLSDORF informed everyone this issue is on the Board of Game's
26 agenda.
27

28 Mayor TALERICO mentioned that there is a railroad boundary in Healy. The
29 boundary is private land owned by the Alaska Railroad and therefore there are
30 no trespassing signs posted. That means dogs, people and trapping are not
31 permitted.
32

33 Barbara Brease, Healy, is upset about the trapping situation close to her
34 home.
35

36 Gretchen Shaw, Healy, feels that her neighborhood is no longer safe.
37

38 Brenda Maury is a recreational dog musher and took it upon herself to meet
39 the local trappers and learn where the trapping trails are. She feels the group
40 needs to go to the Alaska Game Board.
41

42 Mike Giannechini, Healy, informed the assembly that his son was attacked by
43 a dog when he was 11 years old. He feels that along with trapping, there is an
44 issue of dogs running loose.
45

1 Others spoke about this issue and decided that getting together in a town hall
2 meeting would be the best way to come up with ideas.
3 There was a break called at 9:15PM.
4

5 The meeting reconvened at 9:30PM.
6

7 KOHLSDORF MOVED to have the Borough sponsor the town hall meeting on
8 February 26, 2009 at 7:00 PM. They will meet at the Tri-Valley School library.
9 WINKLMANN seconded. The VOTE was unanimous.
10

11 3.) Personnel Policy: Page 23 of 46 as suggested by the Assembly Advisory
12 Committee.
13

14 WALKER MOVED to approve. WINKLMANN seconded. The VOTE was
15 unanimous.
16

17 4.) Loan of Glass Crusher from Denali National Park.
18

19 The mayor reported that he does not have the proposal for the cost of
20 installation of the three phase power yet. However, the poles will cost
21 approximately \$22,000 to place at the landfill.
22

23 5.) Denali Borough Code of Ordinances Chapters 5.35, 5.40 and 5.45 dealing
24 with the Denali Borough Ethics Code.
25

26 There was discussion on whether to continue with the current Ethics
27 Commission. USIBELLI would like to see the CODE updated to include the
28 following:
29

- 30 • Commissioners should fill out a financial disclosure form
- 31 • Use people from the school board, planning commission and
32 assembly to fill the seats
- 33 • Make sure people are trained
34

35 MERCER discussed the difference between commissions and committees.
36 He spoke in favor of all commissioners filling out a financial disclosure form.
37

38 WINKLMANN spoke against having the Advisory Committee as the Ethics
39 Commission.
40

41 Mayor TALERICO informed the assembly that the Code does not have an
42 appeal process set up for the Ethics Commission.
43

44 MERCER felt that the assembly could not be the Ethics Commission because
45 there would not be an appeal process.

1
2 Gordon Carlson, Ethics Commission, spoke in favor of having the
3 commissioners fill out the financial disclosure form.
4

5 Steve Jones, Planning Commission, supports the disclosure form and the
6 need for an appeal process.
7

8 Neal Laugman, Ethics Commission, spoke in favor of changing the chapter in
9 the Code dealing with Ethics.
10

11 Brad Fabrizio, Ethics Commission, requested that the Ethics Commission
12 complete its due process.
13

14 USIBELLI MOVED to have a special meeting of the Denali Borough Assembly
15 to write an emergency ordinance on Chapters 5.35, 5.40 and 5.45 dealing with
16 Ethics. MERCER seconded. The VOTE was unanimous.
17

18 6.) Public comments.
19

20 Rachel Carlson, Cantwell, requested that the Borough treat complaints to the
21 Ethics Commission confidentially because you are making a decision about
22 someone. What you decide must be in the best interest of the Borough.
23

24 ASSEMBLY COMMENTS HOLMES, MERCER WINKLMANN and WALKER thanked everyone
25 for their patience tonight.
26

27 KOHLSDORF feels that something good will come out of the
28 meeting tonight.
29

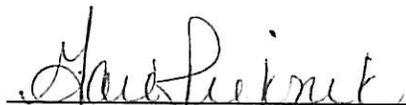
30 NEXT MEETING 1.) The next regular meeting will be held at the Cantwell School on
31 March 11, 2009; Public Hearing at 6:00 PM, and regular meeting to
32 follow.
33

34 ADJOURN. The presiding officer declared the regular meeting adjourned at
35 11:37 PM.
36

37 APPROVED:


Armeda Bulard, Presiding Officer

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39
40
41 ATTEST:


Gail Pieknik, Borough Clerk

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44 Date Approved: March 11, 2009