

Minutes of the Public Hearing
Denali Borough Assembly
Cantwell School
March 11, 2009

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7 CALL TO ORDER The public Hearing was called to order at 6:04 PM

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9 ROLL CALL Assembly members present: Eileen Holmes, John Winklmann, Clay Walker,
10 Armeda Bulard, Baxter Mercer, Vickie Lausen and Robert Kohlsdorf. Absent
11 was Teresa Chepoda Usibelli. Mayor Talerico was also in attendance.
12

13 PUBLIC 1.) **ORDINANCE 09-03, Version C:** An ordinance allocating funding for the
14 design/development of a new landfill C&D Pit from within the current footprint.
15

16 Leroy Lausen, Healy, spoke in favor of this ordinance.
17

18
19 ADJOURNMENT The public hearing was adjourned at 6:06 PM
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25 APPROVED: Armeda B. Bulard
26 Armeda Bulard, Presiding Officer
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31 ATTEST: Gail Pieknik
32 Gail Pieknik, Borough Clerk
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35 Date Approved: APRIL 8, 2009

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**Minutes of the Regular Meeting
Denali Borough Assembly
Cantwell School
March 11, 2009**

CALL TO ORDER Presiding Officer Armeda BULARD called the regular meeting to order at 6:06 PM.

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

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

PUBLIC COMMENTS Marge Nord, Cantwell Volunteer Fire Department, thanked the assembly for their support of the fire department.

AGENDA MERCER MOVED to approve. KOHLSDORF seconded.

WALKER MOVED to amend by deleting Gary Hutchison because he could not attend tonight. HOLMES seconded. The VOTE was unanimous.

The VOTE to approve the agenda as amended was unanimous.

MINUTES 1.) February 11, 2009 Assembly Public Hearing and Regular Meeting.

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

2.) February 16, 2009 Assembly Special Meeting

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

REPORTS 1.) January 2009 Financial Report.

WINKLMANN MOVED to receive the financial report. HOLMES seconded. There were questions on deposits and a check written to Arctic Fire. There was also discussion on the Homeland Security deposit. The VOTE was unanimous.

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2.) Mayor's Report

- The mayor heard from Ken Spiers with the Department of Environmental Conservation (DEC) in regards to the Denali Borough Landfill Operations Plan. The DEC had some questions about the changes that were made in the plan. The mayor will be in contact with DEC to clarify the changes.
- There will be a Senate Resource Committee meeting in reference to the Stampede Road Bill on March 20th at 3:30 PM.
- Mayor TALERICO requested a budget work session to discuss the FY 2010 budget.
- The Borough Treasurer will be moving out of state and the Borough will be posting the position soon.
- There will be a DNR meeting on the TBAP amendment in Healy on April 29, 2009 from 6:00 – 8:30 PM.
- The mayor informed the assembly that if anyone is interested in going to Juneau for a legislative fly-in, it would need to be planned immediately because this session ends the middle of April.
- The tentative joint work session with Mat-Su Borough will be April 21. We will inform the assembly of the time and place.

3.) School Report

- Vern Carlson, Denali Borough School Board, reported that the state of Alaska is now forward funding the schools which will help in the budget process. The budget looks very grim. The next meeting of the school board will be April 19, 2009 in Anderson.

4.) Planning Commission Report

Mayor TALERICO reported that the planning commission held their first meeting. Steve Jones, Denali Borough Planning Commission, reported that the planning commission started where they left off 13 months ago.

Appoint Seats:

Seat E: Cyrus Cooper

Jim Gorski, Denali Borough Attorney, reviewed his letter about simultaneously serving on the school board and planning commission.

1 MERCER MOVED to notify Mr. Cooper that he cannot serve on the
2 school board and planning commission simultaneously per the Denali
3 Borough Code but to thank him for his interest. KOHLSDORF
4 seconded. The VOTE was unanimous.
5

6 5.) Assembly Advisory Committee Report.
7

8 Julia Potter gave a written and verbal report of the recent activities of
9 the committee. They are currently working on the Ethics Chapter of the
10 Denali Borough Code.
11

12 6.) Landfill Issues and Recycling Committee report
13

14 Leroy Lausen gave an update on the recent activities of the committee.
15 They did not have a February meeting for lack of a quorum. The next
16 meeting will be March 18, 2009 at 6:00 PM at the Borough office. They
17 are looking forward to continuing on recycling.
18

19 7.) Assembly Comments.
20

21 Vickie LAUSEN would like to travel to Juneau for the legislative fly-in to
22 promote a Denali Borough Technology campus.
23

24 HOLMES would also like to travel to Juneau.
25

26 WINKLMANN MOVED to have the mayor confer with the Landfill
27 Committee to discuss the Operations Plan and the report from DEC.
28 MERCER seconded. The VOTE was unanimous.
29

30 KOHLSDORF thanked the Landfill Committee for working on the
31 Operations Plan. KOHLSDORF MOVED to appoint David Miller from
32 Anderson to Seat H on the Denali Borough Assembly. HOLMES
33 seconded. The roll call VOTE was unanimous.
34

35 The assembly took a meeting break at 7:11PM. The meeting
36 reconvened at 7:21 PM.
37

38 The Borough Clerk gave the Oath of Office to David MILLER. MILLER
39 took his seat.
40

41 COMMUNICATIONS There were none.
42 AND
43 APPEARANCES
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2 ORDINANCES **DRAFT ORDINANCE 09-05:** An ordinance amending the Denali Borough
3 TO BE Code of Ordinances Chapter 5.15.130 titled Rules for Counting Ballots.
4 INTRODUCED
5
6
7 WINKLMANN and KOHLSDORF spoke against this ordinance.
8
9 The roll call VOTE was 6-2 with WINKLMANN and KOHLSDORF
10 opposed.
11
12 MERCER MOVED to postpone to the next meeting. HOLMES
13 seconded. The VOTE was unanimous.
14
15 PENDING 1.) **ORDINANCE 09-03, Version C:** An ordinance allocating funding
16 for the ORDINANCES design/development of a new landfill C&D Pit from within the
17 current footprint.
18
19 WINKLMANN MOVED to postpone to the next meeting. HOLMES
20 seconded.
21
22 KOHLSDORF spoke against spending money on this project because
23 revenues are down in the coming year.
24
25 The VOTE was unanimous.
26
27 RESOLUTIONS **RESOLUTION 09-04:** A resolution approving certain unincorporated
28 communities and their respective Native Village Council and/or
29 incorporated nonprofit entity for participation in the FY 2010 Community
30 Revenue Sharing Program.
31
32 MERCER MOVED to approve. WINKLMANN seconded. The roll call
33 VOTE was unanimous.
34
35 **RESOLUTION 09-05:** A resolution pertaining to the asset allocation of
36 the Permanent Investment Fund.
37
38 HOLMES MOVED to approve. WINKLMANN seconded. The roll call
39 VOTE was unanimous.
40
41 **RESOLUTION 09-06:** A resolution for the continuation of the Solid
42 Waste Issues and Recycling Committee.
43
44 WINKLMANN MOVED to approve. LAUSEN seconded.
45

1 LAUSEN MOVED to amend by deleting the second whereas.
2 WINKLMANN seconded. The VOTE was 7-1 with BULARD opposed.

3
4 The roll call VOTE on the main MOTION was unanimous.

5 OTHER
6 BUSINESS

7
8 1.) Liquor Licenses

9 Application Type: NEW X

10 Governing Body: **Denali Borough**

11 Community Councils: None

12 License #: **4876**

13 License Type: **Beverage Dispensary Tourism Duplicate – Seasonal (4/29 – 10/29)**

14 D.B.A.*: **McKinley Chalet Resort – Courtyard Café**

15 Licensee/Applicant: **ARAMARK Corporation**

16 Physical Location: **Mile 238.9 Parks Hwy**

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20 MERCER MOVED to approve. HOLMES seconded. The VOTE was unanimous.

21
22 2.) Trapping near populated areas within the Denali Borough.

23
24 Martin Weiner, Denali, gave an update on the trapping meeting which was
25 held on February 26, 2009 at the Tri-Valley School Library. He feels that this
26 subject is frustrating and emotional. Some of the ideas that he reported that
27 came out of the meeting were:

- 28
29
 - Proposals to the Board of Game including marking the traps and trails.
 - Trapper education
 - Buffer zones
 - Notices in the newspaper advertising the problems to the trappers from outside our area
 - Local education programs for new trappers

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37 3.) State of Alaska, Land Use Permit #24466, Applicant: Alaska Travel
38 Adventures.

39
40 MERCER MOVED to approve. HOLMES seconded. The VOTE was
41 unanimous.

42
43 4.) Loan of Glass Crusher from Denali National Park.

44
45 Mayor TALERICO would like to talk about this subject at the landfill work
46 session next month.

1
2 MERCER MOVED to postpone to the next meeting. LAUSEN seconded. The
3 VOTE was unanimous.
4

5 5.) An update on the state of Alaska Population determination for the Denali
6 Borough.
7

8 The mayor informed the assembly that the state of Alaska made a mistake in
9 the formula when determining the population of all municipalities and there
10 would be a new report coming out in the near future.
11

12 6.) Board of Appeals for the Ethics Commission's decisions.
13

14 The clerk informed the assembly that this was placed on the agenda by an
15 assembly member a few weeks ago and since then the Advisory Committee
16 has taken up the Chapter dealing with ethics. MERCER would like to see
17 something placed in the Denali Borough Code dealing with an appeals
18 process.
19

20 7.) Denali Borough Code of Ordinances Chapters 5.35, 5.40 and 5.45 and
21 Ordinance 09-04, dealing with Ethics.
22

23 The assembly did not discuss this subject because the Advisory Committee is
24 currently working on these Chapters.
25

26 8.) Jim Gorski, Denali Borough Attorney, to give an update on the Denali
27 Borough Lawsuit with David Braun.
28

29 Jim Gorski gave a history of the lawsuits. Mr. Braun recently filed a Writ of
30 Certiorari with the US Supreme Court. The assembly requested receiving
31 more reports.
32

33 9.) Public Comments.
34

35 Kristin Frieson, Healy, reported that she believes the trapping issues are:
36

- 37 • Abandoned traps
 - 38 • Trail access
 - 39 • Trapping by non-Borough trappers
 - 40 • Loose dogs
 - 41 • Trapping near homes
- 42

43 She would like the Borough to set up an 800 number for people to call on
44 trapping issues.
45

1 Brenda Mowery, Cantwell, would like the Borough to consider a leash law
2 because there are too many loose dogs.
3

4 Vern Carlson, Denali Borough School Board, spoke against the ordinance on
5 changing the election count.

6 Steve Jones, Denali Park, spoke about the history of apportionment in the
7 Denali Borough. Speaking to the trapping issue, Mr. Jones believes that self
8 regulation is the best solution through education and working with the Board of
9 Game.

10
11 ASSEMBLY
12 COMMENTS

KOHLSDORF requested to be informed on the TBAP meeting and
the March 20th legislative call-in on Stampede Recreation Area. He
suggested a work session with office staff on the laptop computer
use.

15
16 WINKLMANN thanked everyone for coming tonight.

17
18 HOLMES suggested going to Juneau on March 30 or April 6 and 7.

19
20 MILLER has been involved in local government in Anderson and is
21 willing to continue to learn. He feels that loose dogs are the
22 responsibility of the owner. He suggested that the trappers register
23 their traps with the Borough so that if people want to go hiking, they
24 can come into the Borough office to locate the traps on a map. He
25 works at the Anderson School and feels that the schools are in
26 trouble with lower revenues and teachers confidence of the schools
27 abilities. He would like the Denali Borough do more to try to
28 preserve our schools and maintain our enrollment.

29
30 MERCER thanked Mr. MILLER for joining the assembly.

31
32 LAUSEN thanked everyone for their suggestions and comments on
33 the trapping issue. LAUSEN MOVED to have the mayor contact the
34 school board to suggest a joint work session. MILLER seconded.
35 The VOTE was unanimous.

36
37 WALKER thanked MILLER for taking his seat on the assembly. He
38 supports a resolution from the assembly to the Board of Game in
39 regards to the trapping issue.

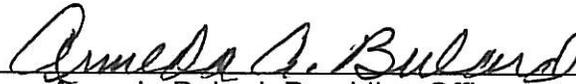
40
41 NEXT MEETING

1.) The next work session will be at the Denali Borough Landfill on
42 April 8, 2009 at 4:30 PM.
43

1 2.) The next regular meeting will be held at the Anderson School on
2 April 8, 2009; Public Hearing at 6:00 PM, and regular meeting to
3 follow.
4

5 ADJOURN. The presiding officer declared the regular meeting adjourned at 9:44
6 PM.
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10 APPROVED:



Armeda Bulard, Presiding Officer

11 ATTEST:



Gail Pieknik, Borough Clerk

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18 Date Approved: APRIL 8, 2009