

Minutes of the Public Hearing
Denali Borough Assembly
McKinley Community Center
October 13, 2010

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9 CALL TO ORDER: The public hearing was called to order by presiding officer Clay WALKER at
10 6:07 PM.

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

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

24 Hannah Ragland, Panguingue Creek Subdivision resident, spoke regarding Ordinance 10-11. Ms.
25 Ragland spoke in favor of monitoring use and sale of resources, but had reservations about the
26 purpose and enforcement of the Ordinance.

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

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34 APPROVED: 
35 Clay Walker, Presiding Officer

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38 ATTEST:  Date Approved: NOVEMBER 10, 2010
39 Gail Pieknik, Borough Clerk
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**Minutes of the Regular Meeting
Denali Borough Assembly
McKinley Community Center
October 13, 2010**

CALL TO ORDER: Presiding Officer Clay WALKER called the regular meeting to order at 6:12 PM. Mayor David Talerico led all present in the Pledge of Allegiance.

ROLL CALL: Assembly members present: Armeda BULARD, John WINKLMANN, Clay WALKER, Vickie LAUSEN, Robert KOHLSDORF, and Teresa Chepoda USIBELLI. Absent: Robert MUELLER, and Eileen HOLMES. Cyrus COOPER arrived at 7:24 PM.

John WINKLMANN MOVED to excuse Mr. Mueller and Ms. Holmes. Robert KOHLSDORF seconded. The VOTE by show of hands was unanimous.

PUBLIC COMMENTS

Hannah Ragland, Panguingue Creek Subdivision resident, requested the Assembly consider a resolution in support of the Stampede Recreation Area with the inclusion of Eight Mile Lake. Ms. Ragland invited all present to attend a meeting of Friends of Stampede, a group forming to advocate for long-term protection of the Stampede area. Their first meeting will be Saturday, October 30 at 3:00 PM at the Panguingue Recreation Hall.

Jared Zimmerman, Panguingue Creek Subdivision resident, spoke in favor of renewing support for the Stampede Recreation Area including Eight Mile Lake.

Kris Capps, Denali Arts and Humanities Alliance, informed those present that Jody Rodwell will be participating in the Leadership Fairbanks program this year, and encouraged community leaders to explore opportunities to participate themselves.

AGENDA

John WINKLMANN MOVED to approve the agenda as submitted. Robert KOHLSDORF seconded. The VOTE by show of hands was unanimous.

MINUTES

September 8, 2010 Assembly Public Hearing and Regular Meeting

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

REPORTS: August 2010 Financial Report

John WINKLMANN MOVED to receive the financial report. Armeda BULARD seconded. The VOTE by show of hands was unanimous.

MAYOR'S REPORT

Mayor David Talerico reported that Golden Valley Electric Association (GVEA) has elected to pursue the purchase of the Kobe area property on which its tower is located, instead of renewing the current lease with the Borough. Mayor Talerico noted that there was an error in GVEA Resolution 110-10, where it is stated that the Denali Borough has agreed to sell the site at fair market value. The

1 Borough has not agreed to sell the site. The Mayor suggested that the Assembly consider GVEA's
2 request to purchase the property, and involve the Planning Commission in their decision.
3

4 The 2010 Full Value Determination of real property has been received from the Department of
5 Commerce, Community and Economic Development. This valuation affects the calculation for
6 school funding.
7

8 The State of Alaska Department of Transportation Northern Region will be hosting a transportation
9 forum in Fairbanks on October 22. Mayor Talerico noted that there will be information presented on
10 the evolution of projects from planning to construction, and recommended that Assembly members
11 and members of the public consider attending.
12

13 The Mayor recommended that the Assembly schedule an audit planning session for early
14 November, and provided them with copies of an email from a constituent regarding shallow gas
15 exploration. There are changes that should be made to update the Borough's Comprehensive Plan
16 to reflect changes within the Borough.
17

18 SCHOOL REPORT

19 Kimberly Berge, Denali Borough School District Superintendent, reported that the schools are in the
20 midst of their annual count period. This year's count will end October 22. Much work has gone into
21 making the enrollment counts rise, and staffing at schools has been adjusted in response to
22 enrollment changes. All schools have reported incidences of bullying, and staff is responding with
23 education and activities to help children find a safe way to address issues.
24

25 APPROVAL OF THE ELECTION BOARD

26 Armeda BULARD MOVED to approve the Denali Borough Election Board. John WINKLMANN
27 seconded. It was noted that there were no conflicts of interest with those on the Board. The
28 Borough Clerk will be providing training to election workers prior to elections. The VOTE by show of
29 hands on the motion to approve the Denali Borough Election Board was unanimous.
30

31 SET THE CANVASS COMMITTEE

32 John WINKLMANN MOVED that the Assembly assume responsibility as the election canvass
33 committee. Vickie LAUSEN seconded. A point of discussion that followed was the necessity of five
34 members being present.
35

36 John WINKLMANN MOVED to amend the motion to add that, in the event that there is not a quorum
37 of Assembly members, any Denali Borough voter with no conflict of interest may also serve on the
38 committee. Teresa Chepoda USIBELLI seconded. The VOTE on the amendment by show of hands
39 was unanimous.
40

41 The VOTE on the main motion by show of hands was unanimous.
42

43 ASSEMBLY COMMENTS

44 Robert KOHLSDORF had no comment.
45

46 Armeda BULARD attended a recent Alaska Municipal League (AML) Board meeting where the
47 agenda for the AML Conference to be held in Juneau in November was finalized, state and
48 federal priorities for 2011 were set, and appointments were made to the AML Investment Pool

1 Board, as well. Ms. Bulard congratulated Vickie Lausen on her appointment to the AML
2 Investment Pool Board.

3
4 John WINKLMANN MOVED to request input from the Planning Commission regarding the GVEA
5 request to purchase Borough property that holds their transmission tower. Vickie LAUSEN
6 seconded. The VOTE by show of hands was 5-1 as follows: Ayes – John WINKLMANN, Teresa
7 Chepoda USIBELLI, Clay WALKER, Armeda BULARD, Vickie LAUSEN; Nays – Robert
8 KOHLSDORF.

9
10 John WINKLMANN MOVED to request the Planning Commission review and update the
11 Borough Comprehensive Plan. Robert KOHLSDORF seconded. The VOTE by show of hands
12 was unanimous.

13
14 Clay WALKER thanked all for attending, and noted that there is a need for more specificity in
15 Other Business agenda items, and spoke in favor of including the names of those who have
16 requested an agenda item.

17
18 Teresa Chepoda USIBELLI informed all present that the Tri-Valley Library Mystery Theater will
19 be October 22 and 23. Ms. Usibelli was recently appointed to GVEA's Good Sense Board,
20 which will determine how contributions collected from monthly billings will be distributed.
21 Legislators will be discussing House Bill 357 when the session begins in January, which allows
22 Alaska Railroad leaseholders to petition for the sale of AKRR properties not necessary to
23 operations. Ms. Usibelli has been attending candidate debates in Fairbanks.

24
25 Vickie LAUSEN asked how it is determined that what transpires at a meeting is recorded in the
26 minutes, and questioned why a disturbance at the September meeting was not included in the
27 minutes. Minutes are action minutes, which record a summary of all motions, proposals,
28 resolutions, and other matters formally voted upon.

29
30 Kris Capps, Denali Arts and Humanities Alliance, arts activities update.

31 Kris Capps, Denali Arts and Humanities Alliance (Denali AHA), explained Denali AHA was formed in
32 2008, and is part of the Denali Borough School District's strategic plan. The mission of Denali AHA
33 is to support, enhance and sustain the arts and humanities in the Denali Borough, and is a
34 committee of representatives from community groups including Denali National Park, Denali
35 Borough School District, Denali Education Center, Alaska Geographic and Kids in Motion. Denali
36 AHA has gone beyond the scope of its stated mission - helping the local economy, providing career
37 opportunities for students, and raising the profile of the Denali Borough statewide. The group's
38 efforts are most visible in the performances that it sponsors through a partnership with the Fairbanks
39 Concert Association. The Borough has gained a positive reputation as a destination for performers.
40 Ms. Capps encouraged those present to attend performances sponsored by Denali AHA, thanked
41 Mayor Talerico for his strong support of the arts and asked the Assembly to consider creating a
42 resolution to present to the Alaska Municipal League in support of the arts and humanities statewide.
43 A short video of the Chicago Children's Choir performance in Denali National Park was shown.

44
45 Presiding Officer Clay WALKER called a meeting recess at 7:30 pm. The meeting reconvened at
46 7:36 pm.

47
48 Teri Simmons, First National Bank of Alaska, to discuss Borough bank account options to reduce
49 bank fees.

1
2 Teri Simmons, First National Bank of Alaska, explained the advantages of moving Borough funds
3 from repurchase accounts to tiered savings accounts. There would be a minimum balance
4 requirement, and all accounts not within FDIC thresholds would be covered by an existing tri-party
5 agreement. Accounts will be reviewed quarterly to ensure the Borough is receiving the best interest
6 rate and low fees.

7
8 Correspondence from Jim Gorski, Borough Attorney, in regards to the feasibility of instituting a tax
9 on a pipeline that transports products through the Denali Borough.

10
11 No correspondence was received.

12
13 DRAFT ORDINANCES:

14 ORDINANCE 10-12: An ordinance amending the Denali Borough Code, Chapter 3.20 by adding
15 3.20.055 titled Grant Procedure.

16
17 John WINKLMANN MOVED to introduce Ordinance 10-12. Teresa Chepoda USIBELLI seconded.
18 The roll call VOTE was unanimous.

19
20 Teresa Chepoda USIBELLI MOVED to postpone Ordinance 10-12 to the next meeting. John
21 WINKLMANN seconded. The VOTE by show of hands was unanimous.

22
23 ORDINANCE 10-13: An ordinance repealing Chapter 3.45 of the Denali Borough Code of
24 Ordinances titles Business Licenses.

25
26 Teresa Chepoda USIBELLI MOVED to introduce Ordinance 10-13. Cyrus COOPER seconded.
27 Points of discussion that followed included implications of repealing the chapter, the availability of
28 state license information, and the cost/benefit of business licensing. The alternatives available to
29 the Assembly are to stick with what is presently in code, adopt or amend Ordinance 10-09, or adopt
30 or amend Ordinance 10-13. The roll call VOTE was unanimous.

31
32 Teresa Chepoda USIBELLI MOVED to contact Borough legal counsel regarding the potential impact
33 of Ordinance 10-13 on revenue streams. Cyrus COOPER seconded. The VOTE by show of hands
34 was unanimous.

35
36 Teresa Chepoda USIBELLI MOVED to postpone Ordinance 10-13 to the next meeting. Vickie
37 LAUSEN seconded. The VOTE by show of hands was unanimous.

38
39 ORDINANCE 10-14: An ordinance amending the Denali Borough Code of Ordinances, Chapter
40 6.15.070 titled Tipping Fees adding charge accounts.

41
42 Robert KOHLSDORF MOVED to introduce Ordinance 10-14. Armeda BULARD seconded. The roll
43 call VOTE was unanimous.

44
45 Armeda BULARD moved to postpone Ordinance 10-14 to the next meeting. John WINKLMANN
46 seconded. The VOTE by show of hands was unanimous.

47
48 PENDING ORDINANCES:

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

4 Teresa Chepoda USIBELLI MOVED to postpone Ordinance 10-09 to the next meeting. John
5 WINKLMANN seconded. The VOTE by show of hands was unanimous.
6

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

11 Robert KOHLSDORF MOVED to postpone Ordinance 10-11 to the next meeting. John
12 WINKLMANN seconded.
13

14 Robert KOHLSDORF MOVED to request Borough legal counsel attend the November meeting to
15 discuss Ordinance 10-11 and other issues. John WINKLMANN seconded. The VOTE by show of
16 hands was unanimous.
17

18 The VOTE by show of hands on the main motion to postpone Ordinance 10-11 was unanimous.
19

20 RESOLUTIONS:

21 RESOLUTION 10-22: A resolution in support of the Denali Arts and Humanities Alliance.
22 John WINKLMANN MOVED to approve Resolution 10-22. Vickie LAUSEN seconded. The roll call
23 VOTE was unanimous.
24

25 RESOLUTION 10-23: A resolution supporting funding in the governor's budget for continued
26 construction of the rail extension to Port Mackenzie (South Central Rail Extension) from the Alaska
27 Railroad mainline.
28

29 Teresa Chepoda USIBELLI MOVED to approve Resolution 10-23. Robert KOHLSDORF seconded.
30 The roll call VOTE was unanimous.
31

32 RESOLUTION 10-24: A resolution supporting a Healy River airport lighting replacement project.
33 Teresa Chepoda USIBELLI MOVED to approve Resolution 10-24. Armeda BULARD seconded.
34

35 Vickie LAUSEN MOVED to amend Resolution 10-24 by adding a fourth WHEREAS to read,
36 "WHEREAS, the Denali Borough recommends a mobile Instrument Landing System be installed."
37 John WINKLMANN seconded. The roll call VOTE was unanimous
38

39 RESOLUTION 10-25: A resolution identifying State of Alaska budget requests for fiscal year 2011.
40

41 John WINKLMANN MOVED to approve Resolution 10-25. Robert KOHLSDORF seconded.
42

43 John WINKLMANN MOVED to amend Resolution 10-25 to supplant item 1 with "\$75,000 for
44 planning, permitting and other fundamental activity to develop a borough-wide system of multiuse
45 pathways," and to adjust remaining item numbers accordingly. Vickie LAUSEN seconded. The
46 VOTE by show of hands was unanimous.
47

48 Teresa Chepoda USIBELLI MOVED to amend Resolution 10-25 to supplant item 2 with "\$40,000 for
49 an outdoor siren system that is a warning siren sentry," and to adjust remaining item numbers

1 accordingly. Cyrus COOPER seconded. Points of discussion that followed included what the
2 purpose of the sirens would be, and the need to poll fire departments and communities regarding the
3 need for sirens. The VOTE by show of hands was 4-3 as follows: Ayes – Vickie LAUSEN, Cyrus
4 COOPER, Teresa Chepoda USIBELLI, John WINKLMANN; Nays – Armeda BULARD, Clay
5 WALKER, Robert KOHLSDORF. The motion passed.
6

7 The roll call VOTE on main motion to approve Resolution 10-25 was 5-2 as follows: AYES – Armeda
8 BULARD, Vickie LAUSEN, John WINKLMANN, Clay WALKER, Robert KOHLSDORF; Nays – Cyrus
9 COOPER, Teresa Chepoda USIBELLI. Motion passed.
10

11 RESOLUTION 10-26: A resolution approving the Alaska State Division of Homeland Security and
12 Emergency Management Grant for 2010.
13

14 Armeda BULARD MOVED to approve Resolution 10-26. Robert KOHLSDORF seconded. The roll
15 call VOTE was unanimous.
16

17 OTHER BUSINESS

18 USKH Contract
19

20 Mayor David Talerico noted that correspondence from Borough legal counsel had been received
21 regarding the USKH geodatabase contract suggesting two options for course of action. John
22 WINKLMANN MOVED to invite USKH to present a proposal for contract completion to the
23 Assembly. Vickie LAUSEN seconded. The VOTE by show of hands was 2-5 as follows: Ayes –
24 Clay WALKER, John WINKLMANN; Nays – Vickie LAUSEN, Cyrus COOPER, Teresa Chepoda
25 USIBELLI, Armeda BULARD, Robert KOHLSDORF. Motion failed.
26

27 Robert KOHLSDORF MOVED to request Borough legal counsel contact USKH to request
28 completion of contract, and to pursue legal recourse if necessary. Cyrus COOPER seconded. The
29 VOTE by show of hands was unanimous.
30

31 Ethics Commission Procedures DBC 5.45

32 Teresa Chepoda USIBELLI MOVED to postpone DBC 5.45 to the January meeting. Cyrus
33 COOPER seconded. The VOTE by show of hands was unanimous.
34

35 Election Procedures

36 A key point of discussion pertained to procedures to be followed in the event of a vacancy in the
37 office of the mayor. Per Denali Borough Code 2.10.090, if a vacancy occurs more than six months
38 before a regular election, the assembly shall call a special election to fill the unexpired term.
39

40 Presiding Officer Clay WALKER called a meeting recess at 9:37 pm. The meeting reconvened at
41 9:45 pm.
42

43 Grant Proceeds Form

44 Points of discussion involved various proposals for a form to be used to track equipment purchased
45 with grant monies, and passed through to local agencies.
46

47
48 Bids for Emergency Sirens

- 1 Cyrus COOPER MOVED to postpone Bids for Emergency Sirens until the Borough Emergency
 2 Services Director has had an opportunity to poll local fire departments, and within a 90 day period,
 3 provide a written report. Teresa Chepoda USIBELLI seconded. The VOTE by specifications are needed to deter-
 mine what type of
 9 sign is wanted.
 10
 11 Teresa Chepoda USIBELLI MOVED to request administration pursue quotes for
 12 options in the size range 2' X 6' to 5' X 12'. Vickie LAUSEN seconded. Points
 13 followed included the ideal size of signage and the programming software requi-
 14 show of hands was 5 – 2 as follows: Ayes – Vickie LAUSEN, Cyrus COOPER,
 15 USIBELLI, John WINKLMANN, Armeda BULARD; Nays – Clay WALKER, Robe-
 16 Motion passed.
 17
 18 Discussion on the Denali Borough Audit contract
 19 Points of discussion included the length of time the current auditor has been eng-
 20 the accountant and auditor, and the scope of the annual audit required in Denal-
 21 Mayor Talerico suggested the Assembly consider a work session with the audito-
 22 records could be reviewed.
 23
 24 Teresa Chepoda USIBELLI MOVED to request the auditor have a separate eng-
 25 Denali Borough Assembly with an Agreed Upon Procedure to audit all Homeland
 26 since inception in 2003. Cyrus COOPER seconded. Assembly Chair Clay Wal-
 27 Assembly of the importance of acting as a body, not as individuals, and question-
 28 was a violation of the open meetings act. It was noted that a separate engagem-
 29 not a budgeted item, could run to \$7,000, and would require a budget amendme-
 30 VOTE was 4 – 3 as follows: Ayes – Vickie LAUSEN, Cyrus COOPER, Teresa C
 31 John WINKLMANN; Nays – Armeda BULARD, Clay WALKER, Robert KOHLSD
 32 passed.
 33
 34 Homeland Security Grants
 35 John WINKLMANN MOVED to request administration produce a complete inven-
 36 inventory for Department of Homeland Security grants received and passed thro-
 37 from 2003 to present to include equipment and supplies. Cyrus COOPER secon-
 38 show of hands was 4 – 3 as follows: Ayes – Vickie LAUSEN, Cyrus COOPER, T
 39 USIBELLI, John WINKLMANN; Nays – Armeda BULARD, Clay WALKER, Robe-
 40 The motion passed.
 41
 42 Policies and Procedures regarding conduct of Borough employees and officials -
 43 procedures
 44
 45 Points of discussion included the manner in which meetings should be conducted
 46 should be taken when issues arise. Further points of discussion included the rig-
 47 responsibilities of employees regarding perceived conflicts of interest and in rela-
 48 officials.
 49

1 John WINKLMANN MOVED that the administration take remedial action against an individual
2 involved in inappropriate behavior at the September Assembly meeting. Cyrus COOPER seconded.
3 It was noted that Newly Elected Officers training covers conduct at meetings and that a training in
4 the Denali Borough might be helpful. The VOTE by show of hands was 3 – 4 as follows: Ayes –
5 Vickie LAUSEN, Cyrus COOPER, John WINKLMANN; Nays – Teresa Chepoda USIBELLI, Clay
6 WALKER, Armeda BULARD, Robert KOHLSDORF. The motion failed
7

8 Discussion on Denali Borough Code 2.40.010, titled Conduct in Office – Investigation.
9 Key points of discussion included the importance and effectiveness of the Assembly acting as one
10 body, the value of discussion in coming to agreement, and the need to assume the role of an elected
11 official without personal bias.
12

13 PUBLIC COMMENTS

14 Rusty Lasell declared that he was speaking as a member of the public, and expressed his frustration
15 in interacting with the Assembly as Borough Emergency Services Director and as a member of the
16 Tri-Valley Fire Department. Mr. Lasell stated that his resignation as Emergency Services Director is
17 a result of this frustration. Mr. Lasell noted that emergency services provided in the Denali Borough
18 are excellent.
19

20 ASSEMBLY COMMENTS

21 Vickie LAUSEN had no comment.
22

23 Cyrus COOPER appreciated discussion of everybody working as a body.
24

25 Teresa Chepoda USIBELLI had no comment.
26

27 Clay WALKER thanked Emergency Services Director Rusty Lasell for his work for the Borough,
28 and thanked the Assembly for the opportunity to serve as Presiding Officer. Mr. Walker will not
29 be able to attend the November meeting.
30

31 John WINKLMANN commented that it is important to deal with hard issues, and that it is
32 important to follow rules.
33

34 Armeda BULARD thanked Clay Walker for his service on the Assembly. The Cantwell
35 community has discussed mobile lighting options on the Summit airstrip, a 5,000 foot runway
36 that is unlit and has no power.
37

38 Robert KOHLSDORF expressed his disappointment at the resignation of Emergency Services
39 Director Rusty Lasell.
40

41 NEXT ASSEMBLY MEETING:

42 An audit planning work session with the auditor will be held at 4:00 PM on October 27, 2010 at the
43 Tri-Valley Community Center.
44

45 The joint work session with the Denali Borough School Board will be held at 6:00 PM on October 27,
46 2010 at the Tri-Valley School Cafeteria.
47

48 The Canvass Committee Meeting and Assembly Special Meeting to certify the November 2, 2010
49 Municipal Election will be held in Healy at the Tri-Valley Community Center on Thursday, November

1 4, 2010 at 6:00 PM.
2

3 The next regular meeting will be held at the Cantwell School on November 10, 2010; Public
4 Hearing at 6:00 PM, and regular meeting to follow.
5

6 ADJOURN: The presiding officer declared the regular meeting adjourned at 11:41pm.
7

8
9 APPROVED: 
10

Clay Walker, Presiding Officer

11
12
13 ATTEST: 
14

Gail Pieknik, Borough Clerk
15
16

17 Date Approved: NOVEMBER 10, 2010
18