

Minutes of the Public Hearing
Denali Borough Assembly
Tri-Valley Community Center
December 10, 2008

CALL TO ORDER The public Hearing was called to order at 6:08 PM.

ROLL CALL Assembly members present: Eileen Holmes, John Winklmann, Armeda Bulard, Clay Walker, Teresa Chepoda Usibelli and Baxter Mercer. David Evans and Josh Hockin were absent. Mayor Talerico was also in attendance.

PUBLIC COMMENTS 1.) **ORDINANCE 08-19, Version A:** An ordinance declaring surplus property and authorizing the sale of Denali Borough Equipment.

There were no comments.

2.) **ORDINANCE 08-20, Version A:** An ordinance amending the Denali Borough Code, Chapter 2.35 titled Travel Allowances.

There were no comments.

3.) **ORDINANCE 08-21, Version C:** An ordinance amending the Denali Borough Code of Ordinances, Chapter 3.20.045 titled Review of Public Funds.

There were no comments.

4.) **ORDINANCE 08-23, Version A:** An ordinance authorizing the sale of a certain parcel to the McKinley Village Volunteer Fire Department and the McKinley Park Community Club for a public purpose.

John Miner, Healy, spoke in favor of this ordinance.

Steve Jones, Denali, encouraged the assembly to pass this ordinance tonight.

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: JANUARY 24, 2009

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**Minutes of the Regular Meeting
Denali Borough Assembly
Tri-Valley Community Center
December 10, 2008**

CALL TO ORDER Presiding Officer Armeda BULARD called the regular meeting to order at 6:11 PM.

ROLL CALL Assembly members present: Eileen HOLMES, John WINKLMANN, Armeda BULARD, Teresa Chepoda USIBELLI, Clay WALKER and Baxter MERCER. David Evans and Josh Hockin were absent. Mayor Talerico was also in attendance.

SELECTION Presiding Officer

OF

OFFICERS

MERCER nominated BULARD. HOLMES seconded. WINKLMANN nominated USIBELLI. USIBELLI declined the nomination. HOLMES MOVED to close the nominations. MERCER seconded. The VOTE was unanimous.

Deputy Presiding Officer

WINKLMANN nominated USIBELLI. MERCER seconded. The VOTE was unanimous.

MERCER explained, for the record, that this is the only municipality that does not vote for their officers by secret ballot.

PUBLIC
COMMENTS

John Miner, Healy, spoke to the financial disclosure that recently passed on the ballot. He would like to see the form implemented as soon as possible.

Jared Zimmerman, Stampede Road and member of the Panguingue Creek Landowners Association and board member of Denali Citizens Council. DCC supports the amendments to the state of Alaska, TBAP, and supports the Municipal Land Entitlement process. DCC supports the legislature to reintroduce the Stampede Road Recreation Bill early in this legislation.

Barbara Brease, Healy, supports the DNR recommendations with some reservations. The Borough should hold off because the Borough would have to sell the property. You will need infrastructure and is the Borough ready for that? There are many environmental reasons to consider.

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Steve Jones, Denali, doesn't see the state conveying the Wolf Townships, Eight Mile Lake and the canyon area to the Borough. He recommends the Borough zone these areas as public recreation. That way if the contract comes up on the Hornet Creek pad, we can have some say in what happens in the area.

Neal Laugman, Healy, feels that the Borough should fight for the integrity of the MLE selections in the way that they have been put together in the last ten years. In reference to the contest of election, he apologized for not being present during the process. He is glad that it was certified. The Borough needs to decide if you are going to take a partisan stance on the election and if you do, you need an ordinance to do so. He felt that he had to do something to get the attention of the assembly. In his opinion, the mail-out was influential.

There was an ethics complaint filed against Laugman. He feels that the Ethics Commission meeting did not follow procedures under the Borough Code 5.45. The Ethics complaint appeared the same day the Contest of Election to the Canvass Committee and the public. He feels his First Amendments rights were violated and he will not accept a letter of reprimand from the Ethics Commission.

AGENDA

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

WINKLMANN would like to amend by adding under J (7) discussion on an ordinance regarding the disclosure form. MERCER seconded. The VOTE was unanimous.

WALKER MOVED to add to the agenda under "Other Business" number 8 the resignation of Josh Hockin. USIBELLI seconded. The VOTE was unanimous.

LAUSEN would like to add as number 9, hiring freeze for the Borough office. WINKLMANN seconded. The VOTE was unanimous.

The VOTE to approve as amended was unanimous.

MINUTES

-1.) October 8, 2008 Public Hearing and Assembly Regular meeting.

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

1 2.) November 6, 2008 Canvass Committee and Special Meeting to
2 Certify the Municipal Election of November 4, 2008.
3

4 WALKER MOVED to approve. MERCER seconded. The VOTE was
5 unanimous.
6

7 3.) November 19, 2008 Public Hearing and Regular Meeting.
8

9 MERCER MOVED to approve. WALKER seconded. The VOTE was
10 unanimous.
11

12 REPORTS

13 1.) September and October 2008 Financial Reports.
14

15 MERCER MOVED to receive the financial reports. LAUSEN seconded.
16 The VOTE was unanimous.
17

18 2.) Mayor's Report

- 19 • The AML Executive Director will come to Denali Borough to
20 give a presentation on what the AML is and does for the
21 municipalities. The mayor also gave an update on the AML
22 annual conference.
- 23 • The Borough orchestrated through Homeland Security, a
24 crisis exercise at the Tri-Valley School that included the
25 Alaska State Troopers, school staff, National Park Law
26 Enforcement Officers and a group of ROTC students from
27 Wasilla. The State Troopers and school staff has
28 recommended that this exercise be performed at the
29 Anderson School.
- 30 • The Adhoc committee has finished the Denali Borough
31 Comprehensive Plan and has requested a joint meeting on
32 January 5 or 6 to review the Plan.
- 33 • The Borough need's to create a priority list to send to the
34 state representatives for next month.
- 35 • Winterfest is scheduled for February 19 - 22, 2009. The
36 mayor asked the assembly if they would be interested in
37 inviting the Northstar and Matanuska Susitna Borough
38 assembly's to have a joint work session during the Winterfest
39 as we have previously done.
- 40 • Holland America has reported that reservations for next year
41 are down 40 percent.
- 42 • We received the new Cantwell fire truck in early November
43 and we were able to get a discount because of paying early.
44 We received a \$306,000 truck for a cost of \$296,000.
- 45 • The new loader for the landfill should arrive soon. We were
able to get the loader for \$350,000 and since the legislative

1 grant was for \$400,000 we were able to buy \$50,000 in future
2 maintenance parts.

- 3 • In November the mayor met with homeowners, DNR and
4 DOT about the Killian and Ranch Road flood control.

5
6 3.) School Report

7
8 Kim Langton, Denali Borough School Superintendent, gave an
9 update.

- 10 • Appreciated the crises training. The school was able to
11 see that more needs to go into the Emergency
12 Preparedness book.
- 13 • Spoke about the school recycling program. Working with
14 organic and can recycling. Appreciates the Lausen's for
15 working with the school on this project.
- 16 • This is a tight year for the school budget. The school will
17 be rebidding their bus contract and it may help since gas
18 prices have gone down.
- 19 • There was a suggestion of moving the district office into
20 the school by an anonymous person through
21 correspondence to the school board. As the budget goes
22 down, the school will need to look at things differently.

23
24 4.) Assembly Advisory Committee

25
26 The committee did not have a meeting and therefore there was
27 not a report for this meeting. The next meeting will be on December 11,
28 2008 at 3:00PM at the Borough office.

29
30 5.) Landfill Issues and Recycling Committee

31
32 Pat Winklmann, committee member, gave a report. The committee has
33 completed the Landfill Operations Plan. Speaking to recycling, the
34 committee has contacted trucking companies and the railroad on what
35 is acceptable for carriage, and the cost of removing recycled items from
36 the Borough. She requested the assembly approve revenue for flyer
37 mail-out to educate the public. The committee received
38 correspondence from a borough employee on possible problems at the
39 landfill and directed the employee to contact their manager.

40
41 6.) Assembly Comments

42
43 HOLMES informed the assembly on the AML annual conference and
44 encouraged other assembly members to attend conferences.
45

1 USIBELLI was concerned about a local company that was closing. This
2 is the only place that has public laundry and shower facilities. There is
3 an assembly seat available and encouraged the public to serve.
4

5 BULARD spoke about the AML annual conference that she attended.
6 She took a tour of the Cantwell fire truck and it is awesome.
7

8 WALKER was happy to report that something has finally happened on
9 the Parks Highway at Grizzley Bear Campground intersection that he
10 has been working on. The DOT is going to put up signs of caution in
11 the area this summer.
12

13 WINKLMANN welcomed the new members to the assembly.
14

15 LAUSEN spoke to the recycling programs that are going belly up. We
16 are taking baby steps and feels that we will be successful.
17

18 COMMUNICATIONS 1.) Suzanne Taylor, WH Pacific, Local Hazard Mitigation Plan
19 AND
20 APPEARANCES

- 21 • Works for the state of Alaska through a FEMA grant.
- 22 • The Denali Borough was chosen by the state for one of
- 23 these plans.
- 24 • It documents what natural hazards the borough is
- 25 vulnerable for.
- 26 • What can we do ahead of time in order to keep going? If
- 27 an earthquake came and knocked the building down, what
- 28 would you do? Where would the clinic or government go?
- 29 • Early next year, the company would like to do a work
- 30 session with community leaders, emergency management
- 31 services and government leaders to come up with what
- 32 needs to be documented and what kind of projects might
- 33 be useful.
- 34 • Once the plan is written by the community leaders and
- 35 emergency management, it goes to the state and then to
- 36 FEMA for approval and then it goes to the assembly for
- 37 final approval.
38

39
40 BREAK The assembly took a break at 8:45 PM. The meeting reconvened at
41 9:15 PM.
42

43 ORDINANCES 1.) **ORDINANCE 08-24:** An ordinance to create Title 1, Chapter 1.30
44 TO BE Titled, Financial Disclosure, and amending Chapters 2.05.070,

1 INTRODUCED 2.10.120, 2.45.010, 2.45.020 and 8.05.120 dealing with financial
2 disclosure.
3
4 WINKLMANN MOVED to introduce. MERCER seconded. The
5 assembly discussed having a firm date instead of a 15 day extension.
6 The roll call VOTE was unanimous.
7
8 MERCER MOVED to amend by deleting in Chapter 1.30 (B) everything
9 after April 15th of each year. USIBELLI seconded. The VOTE was
10 unanimous.
11
12 WINKLMANN MOVED to postpone to the next meeting. MERCER
13 seconded. The VOTE was unanimous.
14
15 2.) **ORDINANCE 08-25:** An ordinance amending the Denali Borough
16 budget for fiscal year 2009.
17
18 MERCER MOVED to introduce. WALKER seconded. The roll call
19 VOTE was unanimous.
20
21 PENDING 1.) **ORDINANCE 08-19, Version A:** An ordinance declaring surplus
22 ORDINANCES property and authorizing the sale of Denali Borough Landfill Equipment.
23
24 MERCER MOVED to adopt. WALKER seconded. The roll call VOTE
25 was unanimous.
26
27 2.) **ORDINANCE 08-20, Version A:** An ordinance amending the
28 Denali Borough Code, Chapter 2.35 titled Travel Allowances.
29
30 HOLMES MOVED to adopt. KOHLSDORF seconded. The roll call
31 VOTE was unanimous.
32
33 3.) **ORDINANCE 08-21, Version C:** An ordinance amending the
34 Denali Borough Code of Ordinances, Chapter 3.20.045 titled Review of
35 Public Funds.
36
37 WINKLMANN MOVED to postpone to the next meeting. LAUSEN
38 seconded. The VOTE was unanimous.
39
40 4.) **ORDINANCE 08-23, Version A:** An ordinance authorizing the
41 sale of a certain parcel of land to the McKinley Village Volunteer Fire
42 Department and the McKinley Village Community Club for a public
43 purpose.
44

1 WINKLMANN MOVED to adopt. KOHLSDORF seconded. The roll call
2 VOTE was unanimous.

3
4 RESOLUTIONS

5 1.) **RESOLUTION 08-26:** A resolution extending appreciation and
6 gratitude to David Evans for the time and energy he dedicated to the
7 Denali Borough Assembly.

8 HOLMES MOVED to approve. WINKLMANN seconded. The roll call
9 VOTE was unanimous.

10
11 OTHER
12 BUSINESS

13 1.) Liquor License Renewal

14 License #: 4467

15 License Type: R/E Place - PC

16 DBA: 229 Parks

17 Owner: 229 Parks, Inc

18 Physical Location: Mile 229.7 Parks Highway

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

21
22 2.) Department of Natural Resources (DNR) TBAP amendment.

23
24 USIBELLI MOVED to send the following comment to DNR in the form of
25 a letter. "The Denali Borough Assembly reserves the right to make
26 comments until the Denali Borough has the time necessary to
27 implement the public participation required by the Denali Borough Code
28 and establish procedure." MERCER seconded.

29
30 WINKLMANN MOVED to amend by changing the written request in the
31 form of a resolution. MERCER seconded. The VOTE was 7-1 with
32 KOHLSDORF opposed.

33
34 The VOTE on the main motion was unanimous.

35
36 The assembly took a break at 10:05 PM to write a resolution.
37 The meeting reconvened at 10:20 PM.

38
39 **RESOLUTION 08-27:** A resolution of the Denali Borough Assembly
40 responding to the Tanana Basin Area Plan (TBAP) amendments.

41
42 MERCER MOVED to approve. LAUSEN seconded.

43
44 MERCER read the resolution into the record.
45

1 MERCER MOVED to amend on the fourth whereas to add the word
2 "and" between canyon corridor and Eight Mile Lake. WINKLMANN
3 seconded. The VOTE was unanimous.
4

5 WALKER MOVED to amend by adding "best suited" in the second
6 whereas after "the Denali Borough Assembly is" and to remove "more"
7 to read, "The Denali Borough Assembly is best suited to conducting
8 appropriate deliberations by local residents for proper use of regional
9 lands." WINKLMANN seconded.
10

11 WALKER MOVED to amend his amendment by deleting on the third
12 whereas "more" and to add the word "best" to read, "the local
13 government is best suited to communicate and designate land use for
14 the benefit of long term impacts." USIBELLI seconded.
15

16 The VOTE on the amendments was unanimous.
17

18 WINKLMANN MOVED to amend to place between the third and fourth
19 whereas to read as follows; "WHEREAS, the local government has
20 initiated the development of a local Comprehensive Land Use Plan."
21 MERCER seconded. The VOTE was unanimous.
22

23 The roll call VOTE on the main motion was unanimous.
24

25 3.) Denali Borough Landfill Permit and Operations Plan. 26

27 WALKER MOVED to postpone to the next meeting. KOHLSDORF
28 seconded.
29

30 Discussion ensued on whether the borough should implement policy on
31 requiring steel-toed boots and the borough providing the boots.
32

33 Pat Winklmann, Landfill Committee, states that the committee looked
34 into this and feels that the employees should provide their own boots
35 but the borough would provide toe strap-ons. This will save the
36 borough money especially since the landfill is running short on funds.
37

38 There was discussion of having a policy like this in the employee policy
39 manual and not in the Operations Plan.
40

41 The VOTE was 4-4 with LAUSEN, WINKLMANN, USIBELLI and
42 WALKER opposed. The mayor broke the tie by voting to postpone to
43 the next meeting.
44
45

1 4.) Woodcutting Permit

2
3 The assembly reviewed the permit. There were questions on whether it
4 should state that there would be no hunting allowed. There is a no
5 hunting buffer currently at the landfill. It was recommended to add to the
6 permit a statement that hunting is not allowed so that the permittee
7 would know the rules.
8

9 5.) Loan of Glass Crusher from Denali National Park

10
11 This letter was given to the assembly for their information. The set up
12 will be expensive because it requires three-phase wiring and a pad to
13 sit on. It is also recommended that it be placed inside a building. This
14 will need more evaluation prior to receiving because of the cost to the
15 Borough. Concern was also brought up if the Borough's insurance
16 would go up because of liability of crushing glass.
17

18 Pat Winklmann commented on the liability. The committee researched
19 this and it was explained to the committee that all that needs to be done
20 is you place the glass in the machine and you walk away. The glass is
21 usable for cement.
22

23 There will be more information on this next month.
24

25 6.) Discussion on an ordinance for next month to add Form W, Denali
26 Borough Financial Disclosure Statement to the Borough Code.
27

28 This is for the assembly's information and will be placed on the agenda
29 for next month.
30

31 7.) Letter of resignation from Denali Borough Assembly member Josh
32 Hockin.
33

34 MERCER MOVED to accept. KOHLSDORF seconded. The VOTE
35 was unanimous.
36

37 8.) Denali Borough Hiring Freeze.
38

39 LAUSEN spoke to this. With the current economical forecast and the
40 fact that the borough is forward funded, she believes that it is time to
41 tighten our belts.
42

43 Discussion ensued on what the process would be. There were
44 statements as to the fact that the assembly controls the purse strings
45 through the budget process.

1
2 Mayor TALERICO believed that the correct procedure would be to do
3 this by ordinance.
4

5 9.) Public Comments
6

7 Barbara Brease, Healy, spoke to the Denali Borough School District
8 and an investigation by the Department of Education in regards to
9 sexual harrasement and bullying. There will be staff and student
10 training provided.
11

12 Anne Beaulaurier spoke in support of the borough receiving the
13 municipal entitlements lands however if only the borough produced a
14 Comprehensive Land Use Plan to classify some lands for wildlife and
15 recreation opportunities.
16

17 Pat Winklmann, Healy, welcomed LAUSEN to the assembly and is
18 disappointed over the mayor having the power to break a tie vote on the
19 postponement of the Landfill Operations Plan especially since the
20 Landfill Committee worked so diligently on the Plan for several months.
21

22 Nan Eagleson, McKinley Village, supports the Stampede State
23 Recreation Area and leaving it in the state hands.
24

25 ASSEMBLY
26 COMMENTS

27 Armeda BULARD attended the Alaska Municipal League annual
28 conference. She announced that the Vic Fisher award is a very
29 prestigious award and the award was presented to Mayor Talerico.
30

31 Robert KOHLSDORF addressed Pat Winklmann's comments. He
32 was unable to read the plan and would like more time.
33

34 Vickie LAUSEN is looking forward to working with the assembly.
35

36 John WINKLMANN spoke about the glass crusher and the AML. He
37 is supportive of having a work session to discuss AML and other
38 things that the assembly needs to work on.
39

40 Clay WALKER asked to be excused from the next meeting because
41 they are expecting a third child that is due around that time.
42

43 Baxter MERCER supports the legislature reintroducing the
44 Stampede Recreation Area. The Denali Borough Comprehensive
45 Plan is being worked on by three former planning commission
members. There is a lack of public participation within the borough
so it is hard to get all of the work done.

1 Teresa USIBELLI will not be able to attend the newly elected
2 officials training on December 17th and requested another training
3 session be set up possibly in January.
4

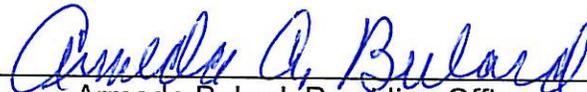
5 Eileen HOLMES thanked everyone for staying to the end of the
6 meeting.
7

8 WINKLMANN MOVED that the next meeting be in Anderson.
9 HOLMES seconded. The following meeting would be at McKinley
10 Village. The VOTE was unanimous.
11

12 NEXT MEETING 1.) The next regular meeting will be held at the Anderson School on
13 January 14, 2009; Public Hearing at 6:00 PM, and regular meeting
14 to follow.
15

16 ADJOURN. The presiding officer declared the regular meeting adjourned at
17 10:15 PM.
18

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21 APPROVED:


Armeda Bulard, Presiding Officer

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25 ATTEST:


Gail Pieknik, Borough Clerk

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30 Date Approved: JANUARY 24, 2009