

**Minutes of the Regular Meeting  
Denali Borough Assembly  
Cantwell School  
October 12, 2005**

1  
2  
3  
4  
5  
6 CALL TO ORDER Presiding Officer Gerald Pollock called the regular meeting to order at  
7 7:01PM.  
8  
9 ROLL CALL Assembly members present were: Gerald Pollock, Bob Shelton, Jim  
10 Caswell, Sid Michaels, David Evans, Teresa Hall, and Paul Schenk.  
11 Absent were: Baxter Mercer and Cynthia Trytko. Mayor Talerico was  
12 also in attendance.  
13  
14 HALL MOVED to excuse TRYTKO and MERCER, MICHAELS  
15 seconded. The VOTE was unanimous.  
16  
17 PUBLIC John Miner, Healy resident, commented on the economic development  
18 COMMENTS that isn't taking place in the borough. He also spoke against recording  
19 executive sessions.  
20  
21 David Braun, Panguingue Creek resident, spoke regarding the  
22 adoption of the reformatted Denali Borough Code. He commented on  
23 the legalities and intention of the current Code.  
24  
25 Jim Wright, asked the Borough Assembly to disregard Mr. Braun's  
26 comments.  
27  
28 AGENDA MICHAELS MOVED to approve the agenda, EVANS seconded.  
29  
30 POLLOCK requested to add Jesse Flores, Alaska Railroad Corporation,  
31 as number 1 under Communication and Appearances. SCHENK asked  
32 to add Jenna Hamm to discuss the Denali Summit as number 3 under  
33 the same heading. MICHAELS MOVED to amend to add under  
34 Ordinances item number 3 to read, "the Motion to reconsider the  
35 affirmative vote and the motion to postpone indefinitely Ordinance 05-  
36 15," HALL seconded. The VOTE was unanimous.  
37  
38 The VOTE on the main motion was unanimous.  
39  
40 MINUTES 1.) Assembly Meeting: Public Hearing and Regular Meeting held on  
41 September 14, 2005.  
42  
43 The Chair entertained a MOTION to adopt the September 14, 2005  
44 minutes. SHELTON so MOVED and MICHAELS seconded. The  
45 VOTE was unanimous.

1  
2 FINANCIAL 1.) Financial report for August 2005.  
3 REPORT  
4 The Chair entertained a motion to receive the August 2005 Financial  
5 Report. MICHAELS so MOVED and EVANS seconded. The VOTE  
6 was unanimous.  
7  
8 MAYOR'S Mayor Talerico gave a brief report of his activities.  
9 REPORT  
10 The Mayor spoke about the Department of Natural Resources (DNR)  
11 October 10, 2005 shallow gas exploration meeting. The DNR asked for  
12 public comments.  
13  
14 MICHAELS MOVED to send a letter to DNR to reserve the right to  
15 make future comments on all other aspects of the project at a later  
16 date, SCHENK seconded. The VOTE was unanimous.  
17  
18 The Local Government Advisory Commission will meet on October 21,  
19 2005 from 9:00am-4:00pm in Fairbanks. Mayor Talerico is planning to  
20 attend.  
21  
22 The landfill dozer is currently at NC Machinery for repairs on the  
23 undercarriage.  
24  
25 The Mayor invited the Assembly to attend a meeting at the McKinley  
26 Village Community Center to discuss two issues. One is the  
27 Classification of Borough lands. There are two lots within the Village  
28 View Subdivision that are owned by the Borough. The Mayor would like  
29 to start the classification process on those two lots. The other issue is  
30 dealing with zoning and the Village View Subdivision Subarea Land  
31 Use Plan. The Borough office received two petitions from residence of  
32 the area. One petition is requesting zoning and the other petition is  
33 requesting annexation of USS 5565 into the Subarea Land Use Plan.  
34 Mayor Talerico explained that the petition on zoning had the word  
35 residential crossed out. This would make the petition null and void  
36 because the borough would not know when the word was crossed out.  
37 CASWELL spoke about the Subarea Land Use Plan and the fact that  
38 the annexation could only happen if the people of USS 5565, the  
39 affected property owners, were supportive of the annex.  
40  
41 There will be a Public Open House on October 25<sup>th</sup> to discuss the  
42 North Denali Reconnaissance Study from 5-8pm. CH2MHILL will be  
43 discussing their findings.  
44

1 Mayor Talerico commented on the marvelous job that the Planning  
2 Commission did on the MLE report.  
3  
4 The Denali Borough officer has received the Full Value Determination  
5 report from the State of Alaska. The total for the borough this year is  
6 \$159,351,900.  
7  
8 SCHOOL The School District Superintendent was not in attendance.  
9 DISTRICT  
10  
11 PLANNING MICHAELS gave a report on the activities of the Planning Commission.  
12 COMMISSION There was also a written report from the commission.  
13  
14 ASSEMBLY HALL encouraged everyone to attend on the Alaska Municipal  
15 COMMENTS League's annual conference which will be held in Anchorage this  
16 year. She also commented on what a pleasure it has been to work  
17 with Mr. Caswell.  
18  
19 SHELTON commented on the Denali Summit.  
20  
21 SCHENK also commented on the Denali Summit.  
22  
23 CASWELL reiterated John Miner's comments regarding economic  
24 trends within the Denali Borough. CASWELL also commented on  
25 the frivolous lawsuits.  
26  
27 MICHAELS commented also on the Denali Summit.  
28  
29 COMMUNICATION 1.) Jesse Flores, Project Manager for the Alaska Railroad  
30 AND Corporation.  
31 APPEARANCES  
32 Flores gave a report on the proposed Alaska Railroad Section  
33 Maintenance Facility to be located in Cantwell. There will be six  
34 facilities constructed throughout the railroad corridor with the  
35 Cantwell facility being the prototype.  
36  
37 2.) Neal Laugman, Laugman Technical Services: MLE report.  
38  
39 Mr. Laugman gave an in-depth report on the municipal land  
40 entitlements.  
41  
42 3.) Denali Summit Steering Committee.  
43  
44 Jenna Hamm, Mile 229.5 McKinley Village area, gave an update of  
45 the Denali Summit.

1  
2 BREAK The Presiding Officer called a break at 8:51PM.  
3 RECONVENED The meeting was reconvened at 9:04PM.  
4  
5 ORDINANCES 1.) An ordinance adopting the Denali Borough Code.  
6  
7 MICHAELS MOVED to postpone to the next meeting, SCHENK  
8 seconded. The VOTE was unanimous.  
9  
10 2.) Ordinance 05-14, Version B: an ordinance amending Title II,  
11 Chapter 9, titled Borough Clerk/Treasurer  
12  
13 HALL MOVED to add a section stating the borough clerk shall  
14 attend executive session acting as the parliamentarian, EVANS  
15 seconded.  
16  
17 MICHAELS spoke against the amendment.  
18  
19 The VOTE was 2–5 with HALL and EVANS in favor. Motion fails.  
20  
21 HALL MOVED to postpone to the next meeting, EVANS seconded.  
22 The VOTE was 6-1 with MICHAELS opposed. The motion passes.  
23  
24 3.) A motion to reconsider the affirmative vote on the motion to  
25 postpone indefinitely Ordinance 05-15, Version A: an ordinance  
26 amending Title II, Chapter 7, Section 6, Executive Session.  
27  
28 MICHAELS spoke about the motion. Discussion followed.  
29  
30 The VOTE to reconsider was 5-2 with CASWELL and MICHAELS  
31 opposed. The motion passes.  
32  
33 HALL MOVED to postpone to the next meeting, CASWELL  
34 seconded. The VOTE was unanimous.  
35  
36 RESOLUTIONS 1.) A resolution authorizing a land selection agent for Borough  
37 Municipal Land Entitlements.  
38  
39 Mayor Talerico spoke to the resolution. MICHAELS MOVED to  
40 adopt, HALL seconded. The roll call VOTE was unanimous. This  
41 will be Resolution 05-14.  
42  
43 2.) A resolution accepting the 2005 MLE report from the Planning  
44 Commission and authorizing the land technician to proceed.  
45

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

SCHENK MOVED to adopt, HALL seconded.

CASWELL spoke in favor of this resolution. Caswell asked that in the future the Assembly direct the Mayor to discuss the 4-1 rule with BLM. The Denali Municipal Entitlement Lands in Cantwell won't have access because AHTNA has selected all of the land along the highway. We may be able to request the lands along the highways that have not yet been conveyed to AHTNA yet so that we can have access. There is no effective public access for all Alaskan's because AHTNA will own all lands off the highway and we can't cross AHTNA lands to get to other lands. He agrees AHTNA should have a say over their privately owned lands but the 4-1 rule was set up and it is not being followed. CASWELL asked that the Mayor pursue this issue.

Mr. Neal Laugman, Healy, spoke about the 17(b) easement and the access being bulldozed closed on AHTNA lands near Village View Subdivision. It would be in the borough's interest to pursue this with BLM.

MICHAELS spoke in favor of the Mayor pursuing the issue.

The roll call VOTE was unanimous. This will be Resolution 05-15.

3.) A resolution awarding up to three matching grants in accordance with Ordinance 05-10.

HALL MOVED to adopt, EVANS seconded.

Mayor Talerico spoke about the Healy Hockey Grant. They had intended on asking for \$7,500 instead of the \$6,000 that is in the resolution. Apparently they had two people working on the grant and they later found that they needed an additional \$1,500 for shipping charges. HALL stated the \$6,000 is what they asked for in the grant and it should not be changed afterwards. SCHENK concurred. POLLOCK spoke about the City of Anderson grant. Discussion followed. The roll call VOTE was unanimous. This will be Resolution 05-16.

OTHER  
BUSINESS

1.) Discussion on the Denali Borough Matching Grant program selection process.

HALL discussed having the Grant Committee meet to come up with a better process. HALL MOVED to continue having the Matching

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45

Grant Committee meet to come up with a check list and possible amendments to the grant ordinance.

MICHAELS suggested appointing an Ad Hoc Committee by resolution to look into this issue and advising the Assembly. The Presiding Officer asked that the Mayor bring back a resolution to the next meeting.

The MOTION and second were withdrawn.

2.) An update on the Braun lawsuits.

Mayor Talerico updated the Assembly on the Braun lawsuit. At this time the Borough Attorney is waiting for a response from Mr. Braun's attorney on discovery items.

3.) An update on the Northern Access Study.

There was a hand-out provided by the Department of Transportation, which included a map that showed three separate accesses that are being studied.

4.) An update on the CIRI easement application to DNR.

The easement was approved by the Department of Natural Resources.

5.) Approval of the Election Board for the November 8, 2005 Municipal Election.

The Assembly members were provided a hand-out with names of the candidates for the Election Board. CASWELL MOVED to approve and HALL seconded. The VOTE was unanimous.

6.) Appoint Canvass Committee.

HALL asked to be excused from the Canvass Committee because she will be attending the AML in Anchorage.

MICHAELS MOVED to appoint the Borough Assembly as the Canvass Committee for the upcoming Municipal Election. EVANS seconded. The VOTE was unanimous.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45

7.) Public Comments.

Mrs. Peggy Talerico spoke in favor of the Borough’s SUV because she does not have to give up her personal transportation anymore. She spoke against the name Glitter Gulch for the Nenana River Canyon.

Mayor Holmes, City of Anderson, thanked the Matching Grant Committee for the grant funding for the City of Anderson. She expressed appreciation to Jim Caswell for all of his years and countless hours he provided on the Assembly. Mayor Holmes spoke in favor of the Denali Summit.

Armeda Bulard, Cantwell, thanked Caswell for all of his work on the Assembly. She also thanked everyone that supported and participated at the Denali Summit.

David Braun offered apologies for interrupting Mr. Wright and his testimony during public comments. He thanked the Assembly for their support of the executive session ordinance. Braun spoke about the Native lands. Braun also spoke about the borough reapportionment issue.

Becky Warren, Carlo Creek, spoke about the importance of economic development needs of this area and the need to diversify. Her concerns are true economic impacts and the borough need’s to mitigate these possible impacts. She spoke against the coal bed methane gas because of negative impacts on the borough.

Jenna Hamm, Denali, wants to reiterate on the negative impacts of coal bed methane on the quality of life in the area including the wildlife and view sheds.

Elwood Lynn, Denali National Park, spoke on the coal bed methane best interest finding. He felt that Usibelli should practice where they currently have leases for coal. Mr. Lynn is in support of the Denali Summit. He also thanked Jim Caswell for his time on the Assembly.

ASSEMBLY  
COMMENTS

HALL spoke to Mrs. Talerico’s statement on Glitter Gulch. She found out that the State of Alaska calls the area Glitter Gulch but agrees with Mrs. Talerico.

EVANS thanked Mr. Caswell.

1 SHELTON thanked everyone for coming to the Assembly meeting.  
2 He also spoke in favor of the Denali Summit and appreciated that  
3 the borough was taking control of the direction things are going. He  
4 also thanked Jim Caswell for his service.

5  
6 POLLOCK thanked Mr. Caswell.

7  
8 SCHENK commented on the lack of diversification of economic  
9 development within this borough. He spoke against coal bed  
10 methane.

11  
12 CASWELL spoke in favor of the railroad project for the Northern  
13 Access. He feels it would be in the borough's best interest if the  
14 borough were to have a stake where we would benefit financially by  
15 leasing the easement to the railroad. He also suggested that by  
16 reducing the overnight accommodations tax by 50 percent in the  
17 winter, it might be an incentive for year round local businesses to  
18 expand winter activities. CASWELL thanked everyone.

19  
20 MICHAELS thanked CASWELL for all of the time he spent on the  
21 Borough Assembly. MICHAELS also showed appreciation to Mayor  
22 Talerico for attending the many meetings in the Northern District  
23 which helps bring the borough together.

24  
25 Mayor Talerico thanked Mr. CASWELL for all of the work and  
26 energy he has put into the Assembly.

27  
28 NEXT MEETING 1.) The next regular meeting will be held at the Anderson School on  
29 November 16, 2005. Work Session at 6:00, Public Hearing 6:45,  
30 and Regular Meeting to follow.

31  
32 ADJOURN. Presiding Officer Pollock declared the regular meeting adjourned at  
33 10:10 PM.

34  
35  
36  
37 ATTEST: SIGNATURE ON FILE  
38 Borough Clerk

APPROVED: SIGNATURE ON FILE  
Presiding Officer

39  
40  
41 Date Approved: November 16, 2005