

Minutes of the Public Hearing
Denali Borough Assembly
Anderson School
April 08, 2009

CALL TO ORDER The public Hearing was called to order at 6:06 PM

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

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

There were no public comments.

2.) **ORDINANCE 09-05, Version A:** An ordinance amending the Denali Borough Code of Ordinances Chapter 5.15.130 titled Rules for Counting Ballots.

There were no public comments.

ADJOURNMENT The public hearing was adjourned at 6:08 PM

APPROVED:


Armeda Bulard, Presiding Officer

ATTEST:


Gail Pieknik, Borough Clerk

Date Approved: MAY 13, 2009

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**Minutes of the Regular Meeting
Denali Borough Assembly
Cantwell School
April 08, 2009**

CALL TO ORDER Presiding Officer Armeda BULARD called the regular meeting to order at 6:08 PM.

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

HOLMES MOVED to excuse WALKER. MILLER seconded. The VOTE was unanimous.

PUBLIC COMMENTS There were no public comments.

AGENDA KOHLSDORF MOVED to approve. USIBELLI seconded. The VOTE to approve the agenda was unanimous.

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

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

REPORTS 1.) February 2009 Financial Report.

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

2.) Mayor's Report

- The Writ of Certiorari has been denied by the US Supreme Court.
- The planning commission made some small suggestions for changes to the Comprehensive Plan. The suggestions are included in a written report.
- The Denali Borough was awarded an Energy Efficiency Grant from the Department of Energy. The mayor sent a letter of intent to Senator Begich. There will be a resolution included in the next assembly meeting packet.
- The Department of Natural Resources has denied the Denali Borough Municipal Land selections.

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2 USIBELLI MOVED to have the mayor send a letter to the Borough
3 attorney to appeal the DNR decision prior to the DNR deadline.
4 KOHLSDORF seconded. The VOTE was unanimous.
5

- 6
- 7 • The mayor revisited the DOT issue on the installation of a
8 school bus stop sign near the Rex Crossing. There is
9 contention on the siting of the sign. USIBELLI suggested
10 using a student from Anderson and the school superintendent
11 to collaborate on this issue.

12 USIBELLI MOVED to have the mayor and school students to work
13 together on a presentation for Mr. Titus with DOT. HOLMES seconded.
14 The VOTE was unanimous.
15

- 16
- 17 • The mayor discussed SB 108 dealing with the Stampede
18 Recreation Area. The Bill was amended to provide a 1,000
19 foot right-of-way along the road. The mayor suggested
20 saying thanks but no thanks to this amendment.
21 WINKLMANN suggested that this go straight to the governor
22 to try to change her mind. The mayor agreed and suggested
23 that people contact their representatives on this.

24 LAUSEN MOVED that we do not accept the Department of
25 Transportation's proposal on the 1,000 foot right-of way amendment.
26 MILLER seconded. The VOTE was unanimous.
27

- 28
- 29 • The new population determination was reduced because
30 of the City of Anderson. The City will be doing a recount to
31 appeal.

32 KOHLSDORF MOVED to allow the planning commission and mayor
33 make appropriate changes to the Comprehensive Plan. HOLMES
34 seconded. The VOTE was unanimous.
35

- 36
- 37 • Ken Spiers, DEC, explained the Landfill Closure Fund.
38 The fund ensures that the Borough has sufficient funding to
39 cover the cost of closing the landfill and water monitoring for
40 30 years after closure. Each time the permit is renewed,
41 which is every five years, you have to submit the proof of
42 financial responsibility. Mr. Spiers explained that last year
43 when the Borough submitted their renewal, the Borough was
44 sufficiently funded. The Borough has to show the auditors
report, a financial test and some other tests that Mr. Spiers

1 could not explain at this time that must prove that the
2 Borough is financially responsible for closure.
3

4 MERCER was concerned that \$148,000 seems to be not
5 enough to cover the responsibility for thirty years.
6

7 Mayor Talerico explained that Shannon and Wilson's
8 recommendation was \$400,000 for the total close out. This
9 would include inflation. This is different than what we have to
10 cover right now but we will need to continue contributing to
11 the closure fund to get to the \$400,000. It all depends on
12 how many cells that you have active, how many are closed
13 already, and how many years that you have left to total close
14 out.
15

16 Mr. Spiers explained the DEC relies on the engineer's
17 suggestions and the auditor's recommendation.
18

19 Discussion ensued on the permitted area of 80 acres and the
20 current 30 fenced acres. A question was asked about
21 splitting the current footprint of the landfill into two separate
22 landfill's and if this would help with the daily limitations of
23 accepting solid waste. Mr. Spiers felt that it could be possible
24 or you could go outside the fenced area and expand.
25

26 3.) School Report 27

28 Kim Langton, Denali Borough School Superintendant:
29

- 30 • Suggested creating a shop for computer repair.
- 31 • The Peak enrollment has gone down. The school is
32 looking at marketing and reducing teachers.
- 33 • Provide training in computer technology for local
34 residents as possible revenue development for the school.
- 35 • Would like the Borough to pay for the specialized phone
36 system for the school. The system was put in for safety as
37 suggested in safety training by the Borough and state of
38 Alaska. The yearly lease is approximately \$27,000 and it's a
39 lease to purchase contract. This amount is included in the
40 school budget for next year.
- 41 • The Denali Borough is funding the school to the
42 maximum that it can by state law.
43
44
45

1 4.) Planning Commission Report
2

3 Jim Anderson, Denali Borough Planning Commission Chairman,
4 reported that the planning commission would like to be taken off of the
5 assembly agenda because they have minutes provided of every
6 meeting and their meetings are held every third Thursday of the month.
7

8 The base map is still under discussion. John WINKLMANN explained
9 that the Borough already has a program to create maps. He would like
10 the planning commission to research the current program because it
11 would be cheaper to use than to start a new program.
12

13 5.) Assembly Advisory Committee report
14

15 The committee did not have anything to report this month.
16

17 6.) Landfill Issues and Recycling Committee report
18

19 Leroy Lausen reported that e-waste collection is going on in all of the
20 communities. The Landfill Committee is researching recycling.
21

22 7.) Assembly Comments
23

24 Robert KOHLSDORF is interested in annexation with the City of
25 Nenana. KOHLSDORF MOVED to have the mayor attend the Nenana
26 City Council meeting to discuss the possibility of annexation with the
27 Denali Borough. MILLER seconded.
28

29 WINKLMANN MOVED to amend to include the mayor and two
30 assembly members to open dialog with the City Council. KOHLSDORF
31 seconded. The VOTE was unanimous.
32

33 There was concern brought up that the Borough would need to know
34 the amount of their indebtedness.
35

36 The VOTE on the main motion was unanimous.
37

38 KOHLSDORF and MILLER volunteered to go with the mayor.
39

40 John WINKLMANN discussed holding two seats within the Borough
41 simultaneously and what the Borough attorney said according to our
42 Charter Section 2.09. This means that whether you are appointed or
43 elected or you hold a seat with substantive decision powers, you cannot
44 hold two seats with the Borough.
45

1 Eileen HOLMES gave a brief report on the trip to Juneau. The trip was
2 very busy because they met with many representatives.
3

4 Teresa USIBELLI spoke about the courthouse in Healy. The state of
5 Alaska has been requesting more space. The bid to move the court to
6 Nenana was awarded which means that Healy could lose the court.
7 USIBELLI suggested that if anyone has space to lease to contact the
8 court so that we don't lose it.
9

10 David MILLER thanked everyone for coming to the meeting and
11 reminded everyone of the joint meeting with the school board next
12 week.
13

14 Vickie LAUSEN gave a report on the trip to Juneau and what the AML
15 does for the municipalities. She felt that everyone in Juneau cares
16 about what is happening here.
17

18 The assembly took a break at 8:20 PM.
19 The meeting reconvened at 8:45 PM.
20

21 COMMUNICATIONS Mr. Hutchison could not make the meeting however the assembly had a
22 AND copy of the draft financial report. MERCER MOVED to receive the draft.
23 APPEARANCES WINKLMANN seconded. The VOTE was unanimous.
24

25 USIBELLI requested a draft copy of the management letter. The treasurer will
26 request a copy from Mr. Hutchison.
27

28 MERCER MOVED to postpone to the next meeting. WINKLMANN seconded.
29 The VOTE was unanimous.
30

31 EMERGENCY ORDINANCE 09-06: An ordinance amending the Denali Borough
32 ORDINANCE Code of Ordinances Chapters 5.35, 5.40 and 5.45.
33

34 MERCER MOVED to adopt. LAUSEN seconded.
35 The roll call VOTE was unanimous.
36

37 PENDING 1.) ORDINANCE 09-07: An ordinance amending the FY 2009
38 ORDINANCES Budget.
39

40 KOHLSDORF MOVED to introduce. WINKLMANN seconded.
41

42 LAUSEN and WINKLMANN brought up the fact that the numbers were
43 different between the FY 2010 proposed budget and the FY 09
44 amended. The treasurer explained that Ordinance 09-08 needs to read
45 Actual FY'09 in the third column.
46

1 WINKLMANN asked why the staff salary is being amended to a lower
2 figure. Mayor TALERICO explained that the EMPG and Homeland
3 Security grants reimburse the Borough for time spent on administration
4 of the grants.

5
6 MERCER explained that the amended budget must be adopted prior to
7 adopting the FY 2010 budget.

8
9 The roll call VOTE was unanimous.

10
11 WINKLMANN MOVED to postpone to the next meeting. MERCER
12 seconded. The VOTE was unanimous.

13
14 2.) **ORDINANCE 09-08** : An ordinance for the establishment and
15 adoption of the Denali Borough Budget for fiscal year 2010.

16
17 KOHLSDORF MOVED to introduce. WINKLMANN seconded.

18
19 WINKLMANN brought up a concern about the difference between last
20 years budget and the proposed next years budget revenue income
21 versus expenditures. It looks like there is a budget deficit. The mayor
22 explained that there is more than enough unreserved funding for the
23 next years budget because we are forward funded.

24
25 It was brought up that the assembly staff salary increased from \$92,000
26 to \$96,000. It is assumed that there will be a new treasurer and it looks
27 like there will be a raise. The treasurer explained that there will be two
28 treasurers for a few months because of training the new one.

29
30 Borough funding to fire departments has gone up from \$52,000 to
31 \$101,000 on page 6 of 11, a portion of that is the DES insurance for
32 the fire departments.

33
34 The assembly did not receive funding requests from the applicants and
35 requested that they receive the applications.

36
37 MERCER reported that the school must receive an amount in writing
38 from the assembly on what the Borough will be funding to the school by
39 March 31st otherwise they receive the full legal amount.

40
41 There was discussion on doing a 30 percent cut in the expenditures.
42 The mayor explained that the largest increase was the assembly
43 budgetary reserve and that there should be a work session to discuss
44 this so that everyone understands the budget.

1 The assembly decided to have a work session to discuss the budget on
2 Thursday, April 30th at 6:00 PM at the Tri-Valley Community Center.
3 The roll call VOTE was unanimous.
4

5 MERCER MOVED to postpone further action to the next meeting.
6 WINKLMANN seconded. The VOTE was unanimous.
7

8 3.) **ORDINANCE 09-09**: An ordinance establishing the Denali Borough
9 Capital Improvement program for fiscal year 2010 through fiscal year
10 2015.
11

12 HOLMES MOVED to introduce. KOHLSDORF seconded. The roll call
13 VOTE was unanimous.
14

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

18 PENDING ORDINANCES:
19

20 1.) **ORDINANCE 09-03, Version C**: An ordinance allocating funding
21 for the design/development of a new landfill C&D Pit from within the
22 current footprint.
23

24 KOHLSDORF MOVED to postpone indefinitely. HOLMES seconded.
25

26 WINKLMANN spoke against doing this. He feels that this should be in
27 place in case we need to build a separate landfill if we go over our daily
28 limit. He feels that if this ordinance is passed, we don't actually have to
29 do the project, it's just there for insurance reasons.
30

31 KOHLSDORF feels that the C&D Pit is already designed and ready to
32 dig at this point so he doesn't see what this ordinance does. MILLER
33 agreed.
34

35 The mayor explained that the ordinance does not say anything about
36 splitting the current landfill and creating a second landfill. The intent is
37 there but the ordinance does not say what the intent is.
38

39 Leroy Lausen, explained that there was a scare about the landfill hitting
40 their daily limit.
41

42 Vickie LAUSEN agrees.
43

44 The mayor explained that the ordinance needs to fully explain what
45 needs to be done, the intent and where the money will come from.

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The VOTE was 3 – 5 with LAUSEN, BULARD, MERCER, USIBELLI and WINKLMANN opposed. The motion fails.

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

2.) **ORDINANCE 09-05, Version A:** An ordinance amending Denali Borough Code of Ordinances Chapter 8.15.130 titled Rules for Counting Ballots.

MERCER MOVED to postpone further action until the next meeting. WINKLMANN seconded. The VOTE was unanimous.

RESOLUTIONS

1.) **RESOLUTION 09-07:** A resolution to support and encourage methods to achieve the state of Alaska’s goal of “World Class Education.”

MILLER MOVED to approve. MERCER seconded. MERCER would like to see something more substantive in the resolution.

HOLMES would like to see a committee of various people throughout the Borough to work on the Vo-Tech Center.

The roll call VOTE was unanimous.

LAUSEN MOVED to amend as follows:

“NOW, THEREFORE BE IT RESOLVED: that the Denali Borough Assembly will establish a Vo-Tech Advisory Council consisting of three members of the business community, two school board members, two assembly members and two private citizens. The Mayor will be an ex-officio member.”

MERCER seconded.

MILLER MOVED to amend to say that the council members will be appointed by the assembly. HOLMES seconded. The VOTE was unanimous.

The VOTE on the main motion was unanimous.

1
2 OTHER
3 BUSINESS

1.) Loan of Glass Crusher from Denali National Park.

4 WINKLMANN suggested not taking action on this at this time until the
5 assembly knows more about the machine and the cost involved in setting it up.
6

7 MERCER supports proceeding with it because it is a way to get rid of glass.
8

9 WINKLMANN and MILLER are concerned about the cost.

10
11 Mayor Talerico is concerned because Denali Park could not use colored glass.
12

13 LAUSEN is concerned because of the cost of a generator to run the machine.
14

15 2.) An update on the state of Alaska Population determination for the Denali
16 Borough.
17

18 The City of Anderson is going to do their own population determination and
19 there may be an adjustment.
20

21 3.) Public Comments.
22

23 Bill Beaudoin, Anderson School Principal, believes that Resolution 09-07 is
24 vague. It needs to be specific and target what you are doing. It is not about
25 creating an education system but you need to look at what type of education
26 you need to provide so that students have the skills to work within the state of
27 Alaska. A small school needs a focused curriculum. He disagrees with the
28 name Vocational but to use Career Technical. The resolution needs to state
29 what we intend to do and what our objectives are. The University of Alaska
30 Fairbanks (UAF) has to support this if it is going to work. He would like to
31 volunteer for the council.
32

33 Mr. Beaudoin also spoke about glass crushing and feels that anytime you are
34 processing waste you need to consider how you are going to collect it, how
35 you are going to process it and what you are going to do with it.
36

37 ASSEMBLY LAUSEN stated that UAF is involved in the Tech Center idea.
38 COMMENTS

39 WINKLMANN recommended no pay raises. He volunteered to be on
40 the council. He asked who decides who goes to Juneau and would like to
41 see the travel budget cut.
42

43 KOHLSDORF would like to know how much it is to dispose a car at the
44 landfill. One ordinance mentions \$95.00 per ton and Schedule B dealing

1 with Tipping Fees is \$15.00 with wet cars being more. The intent of
2 the inexpensive cost was so that people would throw away their junk
3 cars. He feels that the assembly should deal with this.
4

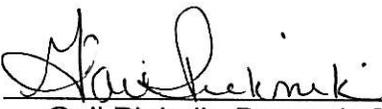
5 Leroy Lausen stated that the Landfill Committee decided that
6 everything should be the same price.
7

8 MERCER would like to see the Susitna Dam on the next agenda.
9 He also stated that he would not be able to attend the next meeting.
10

11 NEXT MEETING 1.) The next regular meeting will be held at the Tri-Valley
12 Community Center on May 13, 2009; Public Hearing at 6:00 PM,
13 and regular meeting to follow.
14

15 ADJOURN. The presiding officer declared the regular meeting adjourned.
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19 APPROVED: 
20 Armeda Bulard, Presiding Officer
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22
23 ATTEST: 
24 Gail Pieknik, Borough Clerk
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28 Date Approved: MAY 13, 2009