

**Minutes of the Regular Meeting
Denali Borough Assembly
Tri-Valley Community Center
December 14, 2005**

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5
6 CALL TO ORDER Presiding Officer Gerald Pollock called the regular meeting to order at
7 7:07PM.
8
9 OATH OF OFFICE Mayor Talerico administered the oath of office to HOLMES.
10
11
12 ROLL CALL Assembly members present were: Gerald Pollock, Bob Shelton, David
13 Evans, Sid Michaels, Teresa Hall, Baxter Mercer, Armeda Bulard,
14 Eileen Holmes and Paul Schenk. Mayor Talerico was also in
15 attendance.
16
17 PUBLIC COMMENTS Gordon Carlson, Cantwell, spoke against the proposed Overnight
18 Accommodation Tax ordinance. He expressed concern for the smaller
19 operators.
20
21 Eric Oberg, Healy, commented on coal bed methane and encouraged
22 the assembly move forward with the issue.
23
24 AGENDA HALL MOVED to approve the agenda, SCHENK seconded.
25
26 HALL MOVED to amend the agenda to add Item H4.) An ordinance
27 amending Ordinance 05-10, regarding the Denali Borough Matching
28 Grant Program. SCHENK seconded. The VOTE was unanimous.
29
30 MICHAELS MOVED to amend the agenda to add Item H5.) An
31 ordinance amending the Denali Borough Code of Ordinances
32 establishing an area wide conditional use permit for coal bed methane
33 exploration and development. MERCER seconded. HALL spoke in
34 favor of this addition. The VOTE was unanimous.
35
36 HALL MOVED to amend the agenda to add H6.) An ordinance of the
37 Denali Borough establishing coal bed methane exploration and
38 development regulations. POLLOCK seconded. The VOTE was
39 unanimous.
40
41 POLLOCK added item G1. Dave Sanchez with DOT&PF to discuss the
42 STIP list. HALL seconded. The VOTE was unanimous.
43

1 HALL MOVED to delete item 1.) A resolution for a special matching
2 grant procedure review committee within the Denali Borough.
3 MICHAELS seconded. The VOTE was unanimous.
4
5 The VOTE on the main motion was unanimous.
6
7 MINUTES 1.) Assembly Meeting: Public Hearing and Regular Meeting held on
8 November 16, 2005.
9
10 The Chair entertained a MOTION to adopt the November 16, 2005
11 minutes. HALL so MOVED and MICHAELS seconded.
12
13 MICHAELS MOVED to insert in page 3 "EVANS withdrew his motion".
14 He also MOVED to correct the vote on Page 4 line 8, to 3-5. HALL
15 seconded. The VOTE on the amendment was unanimous.
16
17 MICHAELS MOVED to strike the paragraph on page 5 starting on line
18 19 and to insert "Gorski spoke extensively regarding Ordinance 96-04."
19 HALL seconded. The VOTE was 8-1 with POLLOCK opposed.
20
21 MICHAELS MOVED to strike Gorski's comments starting on page 6,
22 line 36, and ending on page 7, line 29. HALL seconded. The VOTE
23 was unanimous.
24
25 The VOTE to approve the minutes as amended was unanimous.
26
27 MICHAELS MOVED to approve the Canvass Committee minutes from
28 November 9, 2005 and the November 9, 2005 Special meeting to certify
29 the election results. EVANS seconded. The VOTE was unanimous.
30
31 FINANCIAL 1.) Financial report for October 2005.
32 REPORT
33 HALL MOVED to receive the October 2005 Financial report, MERCER
34 seconded. The VOTE was unanimous.
35
36 MAYOR'S Mayor Talerico gave a brief report of his activities.
37 REPORT
38 Mayor Talerico recognized Dave Sanchez of DOT&PF.
39
40 The mayor will fly to Juneau on January 5-6 for AML.
41
42 The Mayor will be attending the Alaska Railroad Community Briefing
43 Council on Friday December 16, 2005 in Anchorage.
44

1 Mayor Talerico spoke to his draft ordinance regarding land use
2 regulations.
3
4 Mayor Talerico and Eileen Armstrong traveled to Anchorage to meet
5 regarding North Denali Access Study. Discussion followed.
6
7 Mayor Talerico gave the Assembly an update on the status of the Tri-
8 Valley Volunteer Fire Department.
9
10 SCHOOL The School District Superintendent gave a written report.
11 DISTRICT
12
13 PLANNING Mayor Talerico recommended Richard N. Weibel III for Planning
14 COMMISSION Commission Seat C. MICHAELS MOVED to confirm, HALL seconded.
15 EVANS highly recommended Rick. The VOTE was unanimous.
16
17 Mayor Talerico recommended Jon Nierenberg for Planning Commission
18 Seat D. MICHAELS MOVED to confirm, BULARD seconded. The
19 VOTE was unanimous.
20
21 Mayor Talerico recommended Anne Capistrant for Planning
22 Commission Seat I. MICHAELS MOVED to confirm, EVANS seconded.
23 The VOTE was unanimous.
24
25 Mayor Talerico regretfully announced Bill Nordmark's resignation from
26 the Planning Commission. Mr. Nordmark's schedule will no longer
27 allow him to serve on the Planning Commission.
28
29 ASSEMBLY HALL will attend the AML legislative fly-in on January 22-26.
30 COMMENTS
31 EVANS commented how much hockey means to the area and the
32 importance of the matching grant program.
33
34 HOLMES thanked the people in Anderson for voting her onto the
35 Assembly.
36
37 POLLOCK commented on the Comprehensive Plan and the need
38 for a fire department in the Nenana Canyon area.
39
40 SCHENK also commented on the Comprehensive Plan. He also
41 stated the handbook that came out of the Denali Summit was
42 received from the printers yesterday.
43

1 MERCER commented on the HCCP plant. Homer Electric signed a
2 contract with AIDEA to see if it would be viable for Homer Electric to
3 bring the plant online.
4

5 SHELTON welcomed HOLMES and thanked everyone for bringing
6 the food.
7

8 MICHAELS sent his sympathy to the City of Anderson for losing
9 their Mayor and welcomed her to the Assembly. He also
10 commented on the North Access routes. He spoke against the
11 Stampede route for the northern access but supports the other two
12 routes.
13

14 COMM. AND 1.) Dave Sanchez, Department of Transportation and Public
15 APPEARANCES Facilities to discuss the State Transportation Improvements Plan
16 (STIP).
17

18 Sanchez introduced Emily Bratcher, a new Project Planner for
19 DOT&PF.
20

21 Sanchez gave a report on the SAFETEA-LU Bill (Safe, Accountable,
22 Flexible, Effective Transportation Equity Act: A Legacy for Users).
23 He also discussed the STIP and current projects. The comment
24 period for the STIP ends on December 31, 2005.
25

26 BREAK The Presiding Officer called a break at 8:24 PM.
27 The meeting reconvened at 8:41 PM.
28

29 ORDINANCES 1.) An amending the Denali Borough Code of Ordinances, Title III,
30 Chapter 20, titled Overnight Accommodations Tax.
31

32 HALL MOVED to introduce, MICHAELS seconded. Mayor Talerico
33 spoke to the ordinance. Discussion followed.
34

35 The roll call VOTE was unanimous. This will be ordinance 05-18.
36

37 2.) Ordinance 05-17, version A: an ordinance adopting the Denali
38 Borough Code.
39

40 MICHAELS MOVED to adopt, BULARD seconded. The roll call
41 VOTE was unanimous.
42

43 3.) A motion to reconsider and enter on the minutes the motion to
44 amend Ordinance 05-07, version C: an ordinance amending Title V,

1 Chapter 30, of the Denali Borough Code of Ordinances concerning
2 School Board Reapportionment.

3
4 There was discussion regarding the motion. The roll call VOTE to
5 reconsider the motion to amend Ordinance 05-07 was 6-3 with
6 HOLMES, SCHENK, BULARD, HALL, MERCER, and MICHAELS in
7 favor and SHELTON, POLLOCK, and EVANS opposed, motion
8 passes.

9
10 The VOTE on the motion to delete "at-large" from Section 2 and
11 under Section 6 delete "of the Borough" and insert "by their district"
12 was 5-4 with MICHAELS, BULARD, SCHENK, HOLMES, and
13 MERCER in favor and SHELTON, POLLOCK, HALL, and EVANS
14 opposed.

15
16 MICHAELS MOVED to adopt, HOLMES seconded. The roll call
17 VOTE was 7-2 with HALL and POLLOCK opposed.

18
19 4.) An Ordinance amending Ordinance 05-10, an ordinance
20 establishing the Denali Borough Matching Grant Program.

21
22 The Chair entertained a motion to introduce. HOLMES so MOVED
23 and HALL seconded. HALL spoke to the ordinance. The roll call
24 VOTE was unanimous. This will be Ordinance 05-19.

25
26 5.) An ordinance amending the Denali Borough Code of Ordinances
27 establishing an area wide conditional use permit for coal bed methane
28 exploration and development.

29
30 The Chair entertained a motion to introduce. MICHAELS so MOVED
31 and MERCER seconded. Discussion followed. A work session was
32 suggested. It was decided by unanimous consent to hold a work
33 session on January 9, 2005, 6:00 at the Tri-Valley Community Center.

34
35 The roll call VOTE was unanimous. This will be Ordinance 05-20.

36
37 6.) An ordinance of the Denali Borough establishing coal bed methane
38 exploration and development regulations.

39
40 The Chair entertained a MOTION to introduce. HALL so MOVED
41 and EVANS seconded. Mayor Talerico spoke to this ordinance.
42 The roll call VOTE was unanimous. This will be Ordinance 05-21.
43 This will also be discussed at the January 9, 2005 work session.
44

1 RESOLUTIONS 1.) A resolution to form an Ad Hoc Committee to work with the
2 Planning Commission on the Land Use Comprehensive Plan.
3
4 HALL MOVED to adopt, MERCER seconded. Mayor Talerico spoke
5 to the resolution. Discussion followed. The roll call VOTE was
6 unanimous. This will be Resolution 05-21.
7
8 OTHER 1.) An update on the Braun lawsuits.
9 BUSINESS
10 Mayor Talerico gave the Assembly an update on the current
11 lawsuits. There will be a preliminary hearing in May regarding
12 lawsuit number 1. Mr. Walleri is no longer representing Mr. Braun.
13
14 Discussion followed. MICHAELS asked about the settlement offer.
15 Mayor Talerico explained that because Mr. Walleri will no longer be
16 representing Mr. Braun he does not have a response. Discussion
17 followed.
18
19 HALL MOVED to rescind the settlement offer for Braun lawsuits
20 number 3 and 4 with a limit of \$7,500.00. MICHAELS seconded.
21 Discussion followed. The roll call VOTE was 7-2 with MERCER and
22 POLLOCK opposed.
23
24 2.) Discussion on the Middle Nenana Fish and Game Advisory
25 Committee issues.
26
27 Mayor Talerico gave an update on the last Middle Nenana Fish and
28 Game Advisory Committee meeting. The big issue is the cow/calf
29 moose hunt. Discussion followed.
30
31 This item will remain on the agenda.
32
33 3.) Public Comments.
34
35 Gordon Carlson, Native Village of Cantwell, thanked the Assembly
36 for the matching grant. He stated that the project is about 50%
37 complete.
38
39 ASSEMBLY MICHAELS thanked everyone for the food and everyone for
40 COMMENTS attending the meeting.
41
42 SHELTON thanked everyone for the food.
43
44 MERCER MOVED to direct the mayor to contact DOT&PF about the
45 Cantwell gravel to pavement project and the rehabilitation Mile 240-

1 262 rehabilitation project. HALL seconded. The VOTE was
2 unanimous.

3
4 Mayor Talerico suggested adding McKinley Village intersection, the
5 Denali Highway intersection, Anderson/Clear turn lane and Carlo
6 Creek area turn off. Unanimous consent.

7
8 SCHENK and HOLMES wished everyone Happy Holidays!

9
10 EVANS asked the mayor to get information on the Garner tunnel
11 when he attends the railroad function in Anchorage.

12
13 HALL suggested adding AML Legislative priorities on next month's
14 agenda under other business. Unanimous consent.

15
16 BULARD encouraged the Mayor and the Assembly to put pressure
17 on DOT to get some of these things done.

18
19 NEXT MEETING 1.) The next regular meeting will be held in McKinley Village
20 Community Center on January 11, 2006. Work Session at 6:00,
21 Public Hearing 6:45, and Regular Meeting to follow.

22
23 The Chair entertained a MOTION that If the plumbing is not working
24 suggest moving the meeting to Science and Learning Center and
25 second choice to the Tri-Valley Community Center, SHELTON so
26 MOVED and MICHAELS seconded. The VOTE was unanimous.

27
28 Mayor Talerico commented on the Borough Clerk being home sick
29 and thanked Eileen and Amanda for stepping up and helping.

30
31 ADJOURN Presiding Officer Pollock declared the regular meeting adjourned at
32 9:43 PM.

33
34
35
36 ATTEST: SIGNATURE ON FILE APPROVED: SIGNATURE ON FILE
37 Borough Clerk Presiding Officer

38
39
40 Date Approved: JANUARY 11, 2006