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**Minutes of the Public Hearing
Denali Borough Assembly
Tri-Valley Community Center
April 09, 2008**

CALL TO ORDER The public Hearing was called to order at 6:45 PM.

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

PUBLIC COMMENTS 1.) **ORDINANCE 08-05, Version A:** An ordinance setting the Denali Borough Solid Waste Tipping Fees.

Leroy Lausen, Healy, would like to see the tipping fees reduced to \$75.00 to \$85.00 per ton.

2.) **ORDINANCE 08-06, Version A:** An ordinance amending the Denali Borough Code of Ordinances, Chapter 2.35 titled Travel Allowances.

There were no comments.

3.) **ORDINANCE 08-12, Version A:** An ordinance amending the Denali Borough Code of Ordinances to create Chapter 3.50 titled Enhanced 911 Services.

There were no comments.

4.) **ORDINANCE 07-24, Version B:** An ordinance to amend Chapter 6.15 of the Denali Borough Code of Ordinances, titled Solid Waste.

Gordon Carlson, Cantwell, supports residential and commercial waste being combined.

Leroy Lausen, Healy, supports not having a three tiered pricing structure.

1 5.) **ORDINANCE 08-02, Version A:** An ordinance amending the
2 Denali Borough Code of Ordinances Chapter 1.15.030 titled Ordinance
3 Procedures.
4

5 There were no comments.
6

7 6.) **ORDINANCE 08-04, Version A:** an ordinance appropriating
8 \$400,000 from the Permanent Investment Funds to balance out the
9 Denali Borough Landfill Closure Fund.
10

11 Jim Caswell, Cantwell and former assembly member, the assembly
12 saved all of the money that the borough received from the state when
13 the borough was getting started for the Permanent Investment Fund
14 (PIF). This money was set aside because the borough was totally
15 reliant on the tourist industry. The assembly felt that if something
16 catastrophic happened to borough, there would be revenues available.
17 He spoke against taking money from the PIF for the landfill.
18

19 John Miner, Healy, supports having the closure fund totally funded
20 using the PIF.
21

22 Gordon Carlson, Cantwell, supports taking the money from the PIF.
23

24 7.) **ORDINANCE 08-07, Version A:** an ordinance amending the
25 Denali Borough Code, Chapter 9.25 titled, Gas Exploration and
26 Development Regulations.
27

28 John Miner, Healy, feels that the assembly is making progress with
29 bringing restrictions down from whole townships to subdivisions.
30 However he still sees a problem with the ordinance. You cannot deny
31 an owner of a subsurface estate access. There is statutory and
32 constitutional law that dictates that the subsurface owner must be able
33 to access that property. He supports deleting the section on
34 subdivisions and leaving the 500' and 1500' setbacks. If someone
35 doesn't want oil and gas development on their property they could just
36 make a subdivision and then they wouldn't have to deal with subsurface
37 rights per this ordinance. Will this be a moving target?
38

39 Jim Caswell, Cantwell, encouraged the assembly to support the
40 creation and development of jobs. He feels that the 500' for a well and
41 1500' set back for a compressor station are excessive. There should
42 be an option such as engineering standards that if they are met, the

1
2
3 setbacks could be closer. On a compressor station the concern would
4 be with noise, and if the engineers could show that they could build
5 some kind of noise containment around it and if it could not be heard at
6 1500 feet, then it should be allowed. Mr. Caswell encourages the
7 development of natural resources here as long as we are not depleting
8 the water table.
9

10 Grady Wilson, Healy, encourages the assembly to defeat this ordinance
11 and keep the other ordinance intact. The original ordinance expresses
12 the will of the people. Many people spoke out against gas exploration.
13

14 Teresa Hall, Healy and previous assembly member, changing
15 townships to subdivision does not change the illegalities of this
16 ordinance. She encouraged everyone to look at state law. You cannot
17 take away the states rights to get to its resources. State law
18 supersedes borough law.
19

20 Andrea Blakely, Healy, supports striking this ordinance including
21 version A and version B and to stay with the original ordinance that was
22 passed, and leave it to the courts to decide.
23

24 8.) **ORDINANCE 08-08, Version A:** an ordinance amending the Denali
25 Borough Code, Chapter 4.15, titled Disposal of Borough Property.
26

27 John Miner, Healy, would like clarification under 4.15.030 (C). If the
28 land is not suitable for development it will be placed in permanent
29 conservation status. What does suitable for development mean?
30 Does it mean in the current market or not ever suitable for
31 development? What is permanent conservation status? There is no
32 classification in any Denali Borough ordinance that is permanent
33 classification.
34

35 Miner also spoke to 4.15.060 and the deletion of only natural persons
36 may participate in a lottery sale. This was placed in the ordinance by
37 the planning commission because it was a way for the borough to sell
38 land to locals. In other types of land sales, if a corporation wants to
39 purchase land, they would be able to do so.
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9.) **ORDINANCE 08-09, Version A:** an ordinance amending the Denali Borough Code, chapter 4.25, titled Classification of Borough-Owned Lands.

There were no comments.

10) **ORDINANCE 08-10, Version A:** an ordinance amending the Denali Borough Code, Chapter 4.05, titled Disposal of Borough Real Property.

John Miner, Healy, this ordinance deals with borough owned property and not other property in the borough. He feels that it should be extended to privately held lands and not only borough lands.

Steve Jones, Denali, disagrees with Miner. The ordinance protects everyone's property rights not only borough property rights.

ADJOURNMENT BULARD declared the public hearing adjourned at 7:15 PM

APPROVED: 
Armeda Bulard, Presiding Officer

ATTEST: 
Gail Pieknik, Borough Clerk

Date Approved: MAY 14, 2008

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**Minutes of the Regular Meeting
Denali Borough Assembly
Tri-Valley Community Center
April 9, 2008**

CALL TO ORDER Presiding Officer Armeda Bulard called the regular meeting to order at 7:30 PM.

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

EVANS MOVED to excuse HOCKIN. WINKLMANN seconded. The VOTE was unanimous.

1.) Accept Assembly Seat Resignation.

MERCER MOVED to accept the resignation of assembly member KOHLSDORF. EVANS seconded. The roll call VOTE was unanimous.

2.) Nomination of Assembly Deputy Presiding Officer.

HOLMES MOVED to nominate MERCER. EVANS seconded.

MERCER MOVED to nominate EVANS. WALKER seconded.

WINKLMANN MOVED to close the nominations. HOLMES seconded. The VOTE was unanimous.

The VOTE to nominate EVANS was unanimous.

PUBLIC COMMENT Steve Jones, Denali Park, commented on the Scenic-Byway Partnership. He requested that the assembly write a resolution of support. Mr. Jones supports the passage of the emergency ordinance to have the assembly act as the planning commission. Mr. Jones encouraged the borough work to on the RFP for creating a base map of the borough and reinstating the Comprehensive Plan Adhoc Committee to finish the Plan.

Jim Caswell, Cantwell, supports not separating the solid waste between commercial and residential. Mr. Caswell attended the annual Golden Valley Electric Association Board meeting in Fairbanks. The Healy Clean Coal Project (HCCP) was brought up in the meeting and GVEA

1 had received reasonable offers to run the plant but the GVEA Board
2 had turned them down. Mr. Caswell requested that the assembly do
3 something to pressure the GVEA Board to get the HCCP plant going.
4

5 John Miner, Healy, supports the development of the Comprehensive
6 Plan and the generation of an official borough map.
7

8 Vicky and Leroy Lausen, local business owners from Healy, spoke
9 against the solid waste regulations and rules that are being required by
10 the borough.
11

12 Solutions: Vote down Ordinance 07-24, version B
13 Tipping fees down to \$75.00 per ton
14 Do away with the haulers permit
15 It is illegal to ask the hauler for a customer list
16 Against reading the solid waste permit and operations plan
17 Against locking the customer dumpsters
18

19 Mitch Usibelli, Usibelli Energy and Usibelli Coal Mine, is available for
20 any questions regarding Ordinance 08-07.
21

22 Elwood Lynn, Denali National Park, is willing to give assistance and
23 discuss what the Park's concerns are in dealing with the Coal Bed
24 Methane Gas ordinance and the area close to the Denali National Park
25 Boundary. The Park has concerns about the critical resources in the
26 area and providing protection whether it's the caribou herd in the area,
27 the air shed and water shed and also the introduction of exotic weeds
28 when putting in roads and pads.
29

30 Dave Lundgren, Healy, spoke to the solid waste ordinances. His
31 business has two dumpsters at their construction site, one for food
32 waste and one for construction waste and the construction guys that
33 come here from outside of the borough do not care about separating
34 their garbage. The more regulations that we put on the landfill the more
35 people will dispose their trash in the ditches or the gravel pits.
36

37 David Tomeo, McKinley Village, spoke to the McKinley Village Matching
38 Grant. There was a calculation error in the grant. The materials were
39 left off by mistake. He thanked the Matching Grant Committee for their
40 consideration on the grants.
41

42 Bill Rodwell, McKinley Park, spoke to the McKinley Park Community
43 Club. He thanked everyone for the support of their projects on the
44 community center and the playground project. He feels that there is a
45 need to keep our children and adults occupied. This is why they are

1 proposing a playground and basketball court to be added to the
2 community center.

3
4 Paul Hanley, ARAMARK, has a problem with the landfill not receiving
5 mattresses. This is maybe too restrictive on the businesses. He would
6 like to see a reduction in tipping fees.

7
8 Rachel Carlson, Cantwell, spoke to Ordinance 08-04 and would like an
9 explanation on the ballot of why you are appropriating funds. On the
10 solid waste issue, she would like to understand what is being accepted
11 and what isn't for commercial businesses at the Cantwell Transfer
12 Station. At the training meeting, commercial businesses were told that
13 the transfer station no longer takes trash from commercial businesses.
14 This will have a great impact on the businesses in Cantwell.

15
16 Mark Menke, Healy, thanked the mayor and the assembly for
17 considering funding for Healy Hockey to continue the remodel of their
18 concession building. He also thanked them for their past financial
19 support. The current funding that they are requesting is to remodel
20 some of the utilities that need to be moved to expand the concession
21 building kitchen and general gathering area. The building is used by
22 other non-profits for meetings and celebrations. He also requested that
23 the assembly work with the local hauler to keep their business running
24 efficiently.

25
26 Cheryl Venechuk, Healy, thanked the assembly for looking at and
27 reconsidering their application for funding. She supports the local
28 hauler.

29
30 BREAK The presiding officer called a ten minute break.
31 The meeting reconvened.

32
33 AGENDA EVANS MOVED to approve the agenda. HOLMES seconded.
34 USIBELLI MOVED to amend by adding under F-7 Solid Waste, F-8
35 Comprehensive Plan Adhoc Committee, and under G-3 Transfer of
36 Responsibility Agreement (TORA), G-4 RFP, G-5 Meeting with the
37 Borough Accountant and I-5 Healy Hockey Grant. HOLMES seconded.
38 The VOTE to amend was unanimous. The VOTE to approve the
39 agenda as amended was unanimous.

40
41 MINUTES 1.) March 12, 2008 Public Hearing and Assembly Regular meeting.

42
43 MERCER MOVED to approve. EVANS seconded. WINKLMANN
44 stated that on page 9, Line 31, the word jive should be jibe. HOLMES
45 stated that on page 2, Line 8, "this is a time to be creative" and on page

1 3, Line 36, Jeffery Berger should be Geoffery Buerger, and on page 13,
2 Line 28, Body should be Boddy. The VOTE to approve the minutes as
3 amended was unanimous.
4

5 2.) Assembly Special Meeting of March 21, 2008
6

7 WALKER MOVED to approve. WINKLMANN seconded. WINKLMANN
8 stated that on page 1, Line 7, it should say special meeting not regular
9 meeting. The VOTE to approve as amended was unanimous.
10

11 REPORTS

12 1.) February 2008 Financial Reports.

13 MERCER MOVED to receive the financial reports. HOLMES
14 seconded. The VOTE was unanimous.
15

16 2.) Mayor's Report
17

- 18 • The mayor is concerned with the amount of tonnage that the
19 landfill is receiving. The Denali Borough Landfill has had a 100%
20 increase within 2 years. The maximum that the landfill can take
21 in a one-year period is 7,000 ton. The estimate for 2008 is 6,200
22 ton. We will have to watch our tonnage this year because we
23 may have to close the landfill if we reach the 7,000 ton
24 maximum. If this were to happen, the landfill would reopen in a
25 new year. The mayor feels that an inert pit, which will be built
26 outside of the current landfill, would help with this problem
27 because it would be considered a new landfill.
- 28 • The mayor supports an Adhoc Committee Resolution that would
29 allow previous planning commission members to finish the
30 Comprehensive Plan.
- 31 • The McKinley Community Club has written a Land Use Plan for
32 planning commission review and assembly approval. The Land
33 Use Plan will be included in the planning commission meeting
34 packets. There are some suggestions from the staff to add to it.
- 35 • In reference to Ordinance 08-10, the mayor requested that the
36 assembly not pass the ordinance at this meeting. There should
37 be some broader language instead of choking the borough's
38 rights down. The mayor will have some suggestions at the next
39 meeting.
- 40 • Since there are misconceptions of all of the revenues that the
41 landfill made, the mayor pulled some figures from past years
42 audit. The landfill income for prior years were:
43 1999: \$6,707
44 2000: \$12,144
45 2002 – 2007 total \$34,000

1 The above figures do not include depreciation such as in 2001, the
2 borough actually had a net loss of \$40,415 which includes
3 depreciation.

- 4 • For the Cantwell Transfer Station, the mayor would like to
5 purchase two 30-yard trash bins for \$29,000. This would save the
6 borough money in transportation costs of hauling to the landfill.
- 7 • The mayor spoke about the Juneau trip. Senate Bill 221 is the
8 Capital Budget Bill and includes an appropriation of \$450,000 for a
9 new loader for the landfill and \$50,000 for a piece of heavy
10 equipment for the City of Anderson. This bill has not been passed
11 yet.

12
13 3.) School Report

14
15 Kim Langton, Denali Borough School District:

- 16 • The school district had turned in the budget to the borough
17 office. The school district is just barely in the black.
- 18 • SB 221 includes \$20M to help school districts with energy costs.
19 The school district could receive \$92,000.
- 20 • The district received \$10,000 from Usibelli Coal Mine.
- 21 • First National Bank started teaching Junior Achievement locally.
- 22 • The school district supports the Kids in Motion program.
- 23 • There is a program in Cantwell to learn to build a moose hide
24 boat.
- 25 • Students will be traveling for a debate program.
- 26 • Encouraged everyone to look at the schools website. It has
27 been updated. The budget update is on there, along with other
28 programs that are happening in the school district.

29
30 4.) Accept Planning Commission seat resignations.

31
32 EVANS MOVED to accept the resignations of Anne Capistrant,
33 Alan Renshaw and Bill Friesen. MERCER seconded. The VOTE was
34 unanimous.

35
36 EMERGENCY
37 ORDINANCE

38 WINKLMANN MOVED to suspend the rules for the purposes of
39 introducing an emergency ordinance. HOLMES seconded. The VOTE
40 was unanimous.

41 WINKLMANN MOVED to introduce Ordinance 08-16. HOLMES
42 seconded. The roll call VOTE was unanimous.

43 USIBELLI MOVED to adopt. WINKLMANN seconded. The roll call
44 VOTE was unanimous.
45

1 5.) Assembly Advisory Committee report

2
3 Julia Potter, Assembly Advisory Committee, gave an update of the
4 activities of the committee:

- 5
 - 6 • The committee reviewed bank statements.
 - 7 • Composed a letter to the assembly regarding recommending a
8 joint meeting with the assembly.
 - 9 • The next meeting will be April 24th at 1:30PM.

10 6.) Assembly Comments

11
12 Teresa USIBELLI would like a resolution created supporting GVEA
13 working on opening HCCP.

14
15 David EVANS spoke to the separation of C&D and MSW waste. These
16 are two different waste streams that must be separated at the landfill.
17 C&D is for construction and demolition and MSW is for food waste.

18
19 John WINKLMANN is interested in creating a resolution to create the
20 Comprehensive Plan Adhoc Committee.

21
22 Eileen HOLMES spoke to the Juneau trip. They were able to meet with
23 Governor Palin. They also met with about a dozen legislatures and
24 attended a committee meeting on for the Stampede Recreational Site.

25
26 Presiding Officer BULARD stated that they also testified at the
27 committee meeting on Stampede Recreation Site.

28
29 BREAK

The Presiding Officer called for a break.
The meeting was called back to order.

30
31
32
33 RESOLUTION

RESOLUTION 08-07: a resolution to create a sub-committee of the
Denali Borough Assembly.

34
35
36 John WINKLMANN read Resolution 08-07 into the record to create a
37 subcommittee of the Denali Borough to work on the Denali Borough
38 Comprehensive Plan. USIBELLI MOVED to adopt. WINKLMANN
39 seconded. The roll call VOTE was unanimous.

40
41 COMMUNICATION
42 AND
43 APPEARANCES

1.) Kris Capps: Presentation on water safety. Discuss the Denali
Health Fair - May 3 - and the week leading up to it, featuring Health and
Nutrition as part of National Library Week.

1 Ms. Capps spoke about the difficulties that she encountered with
2 agencies in Alaska. About a year ago she had nominated a teacher for
3 British Petroleum's Alaska State Teacher of the Year. British Petroleum
4 sent back the nomination stating that they would only accept
5 nominations from Anchorage, Wasilla and Fairbanks. She then
6 nominated someone for United Way's volunteers in the area. She was
7 informed that the program was only for Fairbanks. The borough is not
8 thought of as a part of Fairbanks economics.
9

10 Ms. Capps and the mayor proposed to the students here to have a
11 borough-wide economic survey to find out how much money people in
12 the borough actually spend in Fairbanks.
13

14 Kris Capps gave a presentation on the Health Fair scheduled for May 3,
15 2008 sponsored by Kids in Motion.
16

17 2.) Receive correspondence to the Denali Borough Assembly from
18 Scott Stowell.
19

20 USIBELLI MOVED to send the letter to the solid waste committee.
21 MERCER seconded. The VOTE was unanimous.
22

23 3.) Transfer of Responsibility Agreement (TORA) and Accountant.
24

25 USIBELLI MOVED to have the borough prepare a TORA between the
26 borough and the school for the purposes of receiving grants. MERCER
27 seconded. The VOTE was unanimous.
28

29 4.) CPA and Borough Base Map Request for Proposals (RFP's)
30

31 USIBELLI MOVED to have the borough prepare an RFP to hire a CPA
32 firm to prepare the one-time annual financial report of the borough and
33 to prepare an RFP for the borough base maps. WINKLMANN
34 seconded. The VOTE was unanimous.
35

36 ORDINANCES
37 TO BE
38 INTRODUCED

39 1.) **ORDINANCE 08-13** : An ordinance of the Denali Borough
40 amending the Denali Borough budget for fiscal 2008.
41

42 MERCER MOVED to introduce. WALKER seconded. The roll call
43 VOTE was unanimous.
44

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

2.) **ORDINANCE 08-14** : An ordinance for the establishment and

1 adoption of the Denali Borough Budget for fiscal year 2009.

2
3 MERCER moved to introduce. WINKLMANN seconded. The roll call
4 VOTE was unanimous.

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

8
9 3.) **ORDINANCE 08-15:** An ordinance establishing the Denali Borough
10 Capital Improvement program for fiscal year 2009 through fiscal year
11 2014.

12
13 MERCER MOVED to introduce. USIBELLI seconded. The roll call
14 VOTE was unanimous.

15
16 USIBELLI MOVED to postpone to the next meeting. EVANS seconded.
17 The VOTE was unanimous.

18
19 PENDING
20 ORDINANCES

21 1.) **ORDINANCE 08-05, Version A:** An ordinance setting the Denali
22 Borough Solid Waste Tipping Fees.

23 WINKLMANN MOVED to send to the Solid Waste Committee.
24 USIBELLI seconded.

25 MERCER MOVED to amend to add "and bring back to the assembly's
26 May meeting. HOLMES seconded. The VOTE was unanimous.

27
28 The VOTE on the main motion was unanimous.

29
30 2.) **ORDINANCE 08-06, Version A:** An ordinance amending the
31 Denali Borough Code of Ordinances, Chapter 2.35 titled Travel
32 Allowances.

33
34 MERCER MOVED to postpone to the next meeting. WALKER
35 seconded. The VOTE was unanimous.

36
37 3.) **ORDINANCE 08-12, Version A:** An ordinance amending the
38 Denali Borough Code of Ordinances to create Chapter 3.50 titled
39 Enhanced 911 Services.

40
41 MERCER MOVED to postpone to the next meeting. EVANS seconded.
42 The VOTE was unanimous.

43
44 4.) **ORDINANCE 07-24, Version B:** An ordinance to amend Chapter
45 6.15 of the Denali Borough Code of Ordinances, titled Solid Waste.

1
2 WALKER MOVED to delete under 6.15.050 number 1 and 2 and under
3 6.15.070 delete (A) CPI and (C) Tipping Fee. MERCER seconded.
4 The VOTE was unanimous.
5

6 WINKLMANN MOVED to amend by adding under 6.15.020 A (3) "and
7 approved by the Denali Borough Assembly." MERCER seconded. The
8 VOTE was unanimous.
9

10 WALKER MOVED under 6.15.070 (D) to add "Any changes shall be
11 made by non-code ordinance." MERCER seconded. The VOTE was
12 unanimous.
13

14 WINKLMANN MOVED to send this ordinance to the Solid Waste
15 Committee and to bring it back to the next assembly meeting. EVANS
16 seconded. The VOTE was unanimous.
17

18 5.) **ORDINANCE 08-02, Version A:** An ordinance amending the
19 Denali Borough Code of Ordinances Chapter 1.15.030 titled Ordinance
20 Procedures.
21

22 EVANS MOVED to postpone to the next meeting. WALKER seconded.
23 The VOTE was unanimous.
24

25 6.) **ORDINANCE 08-04, Version A:** an ordinance appropriating
26 \$400,000 from the Permanent Investment Funds to balance out the
27 Denali Borough Landfill Closure Fund.
28

29 MERCER MOVED to postpone to the next meeting. EVANS seconded.
30 The VOTE was unanimous.
31

32 7.) **ORDINANCE 08-07, Version A:** an ordinance amending the
33 Denali Borough Code, Chapter 9.25 titled, Gas Exploration and
34 Development Regulations.
35

36 EVANS MOVED to delete Sections A and C. MERCER seconded. The
37 VOTE was 5-2 with WINKLMANN and WALKER opposed.
38

39 MERCER MOVED to postpone to the next meeting. EVANS seconded.
40 The VOTE was unanimous.
41

42 8.) **ORDINANCE 08-08, Version A:** an ordinance amending the Denali
43 Borough Code, Chapter 4.15, titled Disposal of Borough Property.
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MERCER MOVED to amend page 2 by reinserting "Only natural persons may participate in a lottery sale" and to reinsert the word "natural" in the next sentence. WALKER seconded. The VOTE was unanimous.

MERCER MOVED to adopt. HOLMES seconded.

USIBELI MOVED to amend by deleting on page 2 "This type of sale should only be used for public and charitable entities and land found not suitable for development should be placed in permanent conservation status." EVANS seconded. The VOTE was 5-2 with WALKER and MERCER opposed.

EVANS MOVED to substitute Version B for Version A. MERCER seconded. The VOTE was unanimous.

The roll call VOTE to adopt was unanimous.

9.) **ORDINANCE 08-09, Version A:** an ordinance amending the Denali Borough Code, chapter 4.25, titled Classification of Borough-Owned Lands.

MERCER MOVED to substitute Version B for Version A. WALKER seconded. The VOTE was unanimous.

MERCER MOVED to adopt. WINKLMANN seconded. The roll call VOTE was unanimous.

10) **ORDINANCE 08-10, Version A:** an ordinance amending the Denali Borough Code, Chapter 4.05, titled Disposal of Borough Real Property.

MERCER MOVED to postpone to the next meeting. USIBELLI seconded. The VOTE was unanimous.

RESOLUTIONS

1.) **RESOLUTION 08-03:** A resolution determining the total amount of funding to be made available from Denali Borough sources for school purposes in accordance with DB Code 5.05.090.

MERCER MOVED to adopt. WINKLMANN seconded. The roll call VOTE was unanimous.

2.) **RESOLUTION 08-04:** A resolution awarding Denali Borough Matching Grant Funds for FY 2009 (priority 1)

1 WINKLMANN MOVED to adopt. MERCER seconded.
2

3 The assembly inserted the following: Priority 1 "City of Anderson."
4 Borough Funding "\$5,000." 20% match "1,000" and Total Project
5 "\$20,000." "With the borough providing tipping fees up to \$14,000."
6

7 The roll call VOTE was unanimous.
8

9 3.) **RESOLUTION 08-05:** A resolution awarding Denali Borough
10 Matching Grant Funds for FY 2009 (priority2)
11

12 WALKER MOVED to adopt. MERCER seconded.
13

14 The assembly inserted the following: Priority 2 "McKinley Village
15 Playground" Borough Funding "\$13,648." 20% match "3,411" and
16 Total Project "\$17,000."
17

18 EVANS requested to abstain from the vote. Mayor Talerico approved.
19

20 The roll call VOTE was 6 in favor. EVANS abstained.
21

22 4.) **RESOLUTION 08-06:** A resolution awarding Denali Borough
23 Matching Grant Funds for FY 2009 (priority 3)
24

25 MERCER MOVED to adopt. HOLMES seconded.
26

27 The assembly inserted the following: "Priority 3 . Borough Funding
28 "\$6,775" 20% match "1,725" and Total Project "\$8,500."
29

30 The roll call VOTE was unanimous.
31

32 USIBELLI spoke to Healy Hockey and the grant application that they
33 turned in. She would like to keep them in mind when working on the
34 budget to see if there is any extra money to give to them.
35

36 EVANS asked if there was any other vehicle that can be used to place
37 them in the budget.
38

39 Mayor Talerico stated that the only way would be a direct appropriation.
40

41 Rusty Lasell, stated that the grant application was ineligible for the
42 matching grant program because of the other grants that Healy Hockey
43 has that are outstanding.
44

1 WINKLMANN explained that he has an issue with this. A penalty was
2 issued because Healy Hockey applied for an extension in good faith.
3 They have agreed that they went over their limit. It was suggested that
4 they go for direct appropriation.
5

6 WINKLMANN MOVED to rescind any penalty under the circumstances.
7 We should be encouraging our non-profits and not discouraging them.
8 They are the real fabric and backbone of our community. There was no
9 second.
10

11 Gordon Carlson, Cantwell, as a recipient of grants for the Village of
12 Cantwell opposes WINKLMANN'S statements because we didn't ask
13 the borough staff to be responsible for the grants. It is our responsibility
14 as the recipient of the grant and it should be that way. This was talked
15 about a couple of years ago and there was a hard line drawn by the
16 assembly at that time that if you don't follow through, then there will be
17 penalties. You don't wait for the borough to call on the grants. There
18 are no other grants that have the agency contacting the recipients. It
19 should be incumbent on the individual that asked for that grant to follow
20 through the steps.
21

22 WINKLMANN stated that the intent was good. Healy Hockey is alright
23 with not being a part of the selection process. The assembly just made
24 exceptions this evening for other grant recipients because of the way
25 things go. We should be working to not punish the non-profits.
26

27 Rusty Lasell stated that these grants are competitive so there has to be
28 rules. It is up to the assembly to make the rules. It isn't that the staff is
29 against Healy Hockey but we have to follow the rules set by the
30 assembly. There are many grant recipients that have not spent their
31 money this year so the assembly will have to decide what to do. The
32 borough currently has 21 grant recipients. The number of grant
33 applications will increase because of the amount of non-profits in the
34 borough.
35

36 MERCER stated that he agrees with Carlson. There are a maximum of
37 three recipients per the Denali Borough Code. We will need to see
38 what happens with the budget next month.
39

40 Mark Menke, President of Healy Hockey, appreciates the grant program
41 and is not asking to be placed in the grant program. Healy Hockey is
42 only asking for financial assistance. Not all building projects can be
43 done for \$20,000 or less. We were under the understanding when the
44 program began that we could accrue money and hold it for future years
45 hoping to accumulate enough for a large project. We are extending our

1 concession building up to the Zamboni building to expand the kitchen
2 and seating area. Last years project was for building products and
3 putting up the structure. The money we are asking for now is for direct
4 funding to take care of the utility issues. We are trying to put the money
5 to good use.

6
7 Presiding Officer BULARD asked when the deadline is for the extension
8 of the grant.

9
10 Menke stated that it is October 31st. They were given a one-year
11 extension.

12
13 The presiding officer asked about all of Healy Hockey's outstanding
14 grants.

15
16 The presiding officer asked that this be on the next agenda.

17
18 **OTHER**
19 **BUSINESS**

20 1.) Liquor Licenses:

21

LIC #: 69
DBA: Anderson-Clear Lions Club
TYPE: 1104
LOCATION: 2nd & A Street
OWNER: Anderson-Clear Lions Club
MAILING ADDRESS: PO Box 3118, Anderson,
AK 99744
PHONE: (907) 582-2967
CITY LOC: Anderson

LIC #: 1969
DBA: Kantishna Roadhouse
TYPE: 1102
LOCATION: Kantishna Townsite
OWNER: Kantishna Roadhouse, Inc.
MAILING ADDRESS: PO Box 130, Denali Park,
AK 99755
PHONE: (907) 683-1475
CITY LOC: Outside City Limits

LIC #: 2823
DBA: Perch, The
TYPE: 1104
LOCATION: Mile 224 Parks Hwy
OWNER: Leslie LeQuire
MAILING ADDRESS: HC 2 Box 1525, Healy, AK
99743
PHONE: (907) 683-2523
CITY LOC: Outside City Limits

LIC #: 3327
DBA: Denali Backcountry Lodge
TYPE: 1103
LOCATION: Mile 97 Denali Park Rd
OWNER: Denali Backcountry Lodge LLC
MAILING ADDRESS: 1301 Parks Hwy #5,
Wasilla, AK 99654
PHONE: (907) 783-1342
CITY LOC: Outside City Limits

LIC #: 4006
DBA: McKinley Creekside Cabins
TYPE: 1139
LOCATION: Mile 224 Parks Hwy
OWNER: Slinkard & Smith Co LLC
MAILING ADDRESS: PO Box 89, Denali National Park, AK 99755
PHONE: (907) 683-2277
CITY LOC: Outside City Limits

LIC #: 4599
DBA: Panorama Pizza Pub
TYPE: 1139
LOCATION: Mile 224 Parks Hwy
OWNER: Leslie LeQuire
MAILING ADDRESS: HC 2 Box 1525, Healy, AK 99743
PHONE: 9076832523
CITY LOC: Outside City Limits

LIC #: 3036
DBA: Kantishna Roadhouse
TYPE: 1150
LOCATION: Kantishna Townsite
OWNER: Kantishna Roadhouse, Inc.
MAILING ADDRESS: PO Box 130, Denali Park, AK 99755
PHONE: (907) 683-1475
CITY LOC: Outside City Limits

- 1
- 2 MERCER MOVED to approve the above liquor licenses. WALKER
3 seconded. The VOTE was unanimous.
- 4 2.) Day care and pre-school center
- 5 Mayor Talerico gave an update stating that Usibelli Coal Mine is in the
6 process of purchasing the building.
- 7 USIBELLI MOVED to have the mayor lift the Lis Pendens. WALKER
8 seconded. The VOTE was unanimous.
- 9 3.) APOC Financial Disclosure
- 10 MERCER discussed opting out of the state Financial Disclosure and
11 creating the borough's own form. We need to do this because we have
12 lost too many people already.
- 13 4.) Public comments.
- 14 Gordon Carlson, Cantwell, supports the methane gas ordinance with
15 changes. He is opposed to direct appropriation to Healy Hockey

1 because if you open that door, there will be other people coming along
2 and asking for appropriations. Cantwell has been trying to get a bike
3 path for 10-years; can we come up and get our money?

4 Cheryl Venechuk, Healy Hockey, made a phone call to the mayor and
5 asked if she could bring the grant application to the assembly and he
6 said yes.

7 Teresa Hall, Denali Borough School District, thank-you.

8 ASSEMBLY COMMENTS Teresa USIBELLI asked to set the joint work session with the
9 Assembly Advisory Committee and the auditor on May 14, 2008 at
10 the Tri-Valley Community Center at 2:00PM.

11
12 NEXT MEETING 1.) The next regular meeting will be held at the McKinley Village
13 Community Center on May 14, 2008. Assembly work session
14 6:00PM, public hearing 6:45PM, and regular meeting to follow.

15
16 The next regular meeting of the planning commission will be held at
17 the Tri-Valley Community Center on Tuesday, April 22, 2008 at 6:15
18 PM.

19
20 ADJOURN. The presiding officer declared the regular meeting adjourned at
21 12:25AM.

22
23
24
25
26 APPROVED: Armeda A. Bulard
27 Armeda Bulard, Presiding Officer

28
29
30
31
32 ATTEST: Gail Pieknik
33 Gail Pieknik, Borough Clerk

34
35
36
37
38 Date Approved: MAY 14, 2008