

**Minutes of the Special Meeting  
Denali Borough Assembly  
Tri-Valley Community Center  
December 2, 2008**

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- CALL TO ORDER Presiding Officer Armeda Bulard called the Special Meeting to order at 6:02 PM.
- ROLL CALL Assembly members present: Armeda BULARD, Clay WALKER, David EVANS, Baxter MERCER, John WINKLMANN and Teresa Chepoda USIBELLI. Josh Hockin and Eileen Holmes were absent: Mayor Talerico was also in attendance.
- AGENDA EVANS MOVED to approve the agenda, MERCER seconded. The VOTE was unanimous.
- CERTIFY ELECTION MERCER MOVED to declare the affidavit of election contest without merit and certify the results of the election. EVANS seconded. The roll call VOTE was unanimous.
- Discussion ensued about the November 17, 2008 letter from Mr. Neal Laugman. WINKLMANN stated that per the letter, Mr. Laugman is not contesting the election but is contesting the procedures leading up to the election. The pamphlet was distributed in the borough without coming through the assembly. Mr. Laugman claimed that state law was violated. The law says that the borough can put out a pamphlet in favor or against a proposition or a candidate only if there is an ordinance to spend the money to do so.
- What also bothers WINKLMANN is that any information can be distributed without assembly approval. There is nothing in the borough code that states that however. He feels that something needs to be placed in the code so there are checks and balances.
- After doing research WINKLMANN stated that in the past, anything that has been put on the ballot has gone through the assembly.
- WALKER stated that several times in the assembly meetings we instructed the administration that we need to get the information out to the public but we gave no specific instruction on how to do so.

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WINKLMANN feels that not all the information that he spoke about in meetings about the 911 system was placed in the pamphlet.

WINKLMANN stated that Mr. Laugman did not want to contest the election but that was his only recourse. WINKLMANN feels that there is an issue there and the lawyer describes it in his letter.

MERCER feels that as far as the funds, maybe we are doing it wrong and maybe we can fix the code. The election went the other direction and state law states that you must influence the election and that did not happen. MERCER feels that people need to show up at the meetings and in person then he would take them more seriously instead of just fire off letters and contesting elections.

EVANS does not have the same interpretation as Laugman that the pamphlet was intentional or influenced; it was straight forward and factual. The assembly may be biased when they write a pamphlet unless you do like the state where you have someone put together a pro and con statement.

WINKLMANN stated that by law it needs to be backed up by an ordinance if you spend money on a pamphlet.

The borough clerk informed the assembly that it is written under elections in the budget.

WINKLMANN disagrees and feels that if it is a biased opinion, then it needs to be by ordinance. He doesn't feel the budget does that and would like an attorney opinion on this.

Mayor TALERICO stated that it is in the narrative in the budget ordinance.

WINKLMANN would like interpretation on that. However he does not agree with Mr. Laugman contesting an election.

The mayor responded that we will get an interpretation of that.

The roll call VOTE was unanimous.

PUBLIC  
COMMENTS

-- Chip Saylor spoke about not having the November meeting in Anderson and requested that in the future, the assembly should have a special meeting if the end up cancelling a regular meeting. He feels that it is not right for the people in that area who want to

1 give their comments and opinions to the assembly to have to wait  
2 four months for another assembly regular meeting.

3  
4 ASSEMBLY  
5 COMMENTS

MERCER stated that the meeting could not be held because they  
6 had no quorum but maybe to make up for it, the assembly could  
7 have their next meeting in Anderson.

8 WINKLMANN feels that if you change the rotation, we would have  
9 to change it in January and then where would you go after that?

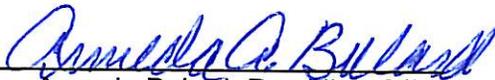
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11 Chip Saylor reiterated that in the future if this happens again, to  
12 have a special meeting in that area.

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14 EVANS stated that he has been on the assembly for six years and  
15 this is the first time that this has happened. So this does not  
16 happen very often.

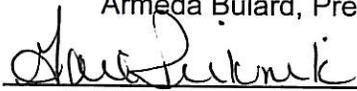
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18 ADJOURN

The Presiding Officer declared the special meeting adjourned at  
19 7:00 PM.

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23 APPROVED:

  
Armeda Bulard, Presiding Officer

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26 ATTEST:

  
Gail Pieknik, Borough Clerk

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30 DATE APPROVED: JANUARY 24, 2009