

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

**Minutes of the Public Hearing
Denali Borough Assembly
Cantwell School
June 11, 2008**

CALL TO ORDER The public Hearing was called to order at 6:00 PM.

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

PUBLIC COMMENTS 1.) **ORDINANCE 08-04, Version A:** an ordinance appropriating \$400,000 from the Permanent Investment Funds to balance out the Denali Borough Landfill Closure Fund.

There were no comments.

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

There were no comments.

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

There were no comments.

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

There were no comments.

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

There were no comments.

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

6.) **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.

7.) **ORDINANCE 08-17, Version A:** An ordinance to opt out of the provisions of the State of Alaska, APOC Financial Disclosure and create a Denali Borough Financial Disclosure Form.

Charlie Boddy, Usibelli Coal Mine, feels that this is a great idea for anyone that wants to serve in government. He also suggested increasing the amount for travel on Ordinance 08-06 because the increase in fuel prices since this ordinance was introduced.

ADJOURNMENT BULARD declared the public hearing adjourned at 6:12 PM

APPROVED: David W. Evans
David W. Evans, Acting Presiding Officer

ATTEST: Gail Pieknik
Gail Pieknik, Borough Clerk

Date Approved: July 9, 2008

**Minutes of the Regular Meeting
Denali Borough Assembly
Cantwell School
June 11, 2008**

1
2
3
4
5
6
7 CALL TO ORDER Presiding Officer Armeda Bulard called the regular meeting to order at
8 6:13 PM.
9

10 ROLL CALL Assembly members present: Armeda Bulard, Clay Walker, Eileen
11 Holmes, Baxter Mercer, Dave Evans and Teresa Chepoda Usibelli.
12 John Winklmann and Josh Hockin were absent. Mayor Talerico was
13 also in attendance.
14

15 The clerk informed the assembly the WINKLMANN emailed and asked
16 to be excused because he would be out of town.
17

18 EVANS MOVED to excuse WINKLMANN. WALKER seconded. The
19 VOTE was unanimous.
20

21 PUBLIC COMMENTS Andrea Blakesley, Denali, spoke in favor of Resolution 08-13.
22

23 Charlie Boddy, Usibelli Coal Mine, spoke against Resolution 08-13 and
24 the fourth whereas. He feels that the borough cannot reserve this much
25 land from oil and gas exploration.
26

27 Teresa Hall, Healy, spoke against the first and third whereas in
28 Resolution 08-13. She told the assembly that they took an oath to
29 abide by the State Constitution and laws of the State of Alaska. She
30 recommended that the assembly vote Resolution 08-13 down.
31

32 Steve Denton, Usibelli Coal Mine, stated that people are complaining
33 and trying to deal with the high cost of heating fuel but at the same time
34 are not willing to sacrifice anything for a solution.
35

36 Gordon Carlson, Native Village of Cantwell, invited the mayor to meet
37 with Dave Lot, hydrologist, and Golden Valley Electric Association, to
38 look at the Hydro Project that is being proposed in Cantwell. It is a
39 proposed 10 to 15 megawatt plant.
40

41 Rusty Lasell, Healy, spoke about the Youth Diversion Program
42 Committee. He asked if anyone would be interested in getting involved.
43 This program would be set up to help keep kids away from judicial court
44 by providing a kids court.
45

1 Vicky Lausen, Healy, has been attending the Landfill Issues and
2 Recycling Committee meetings and feels that there has been some
3 good responses. At the last meeting, a political science student
4 attended that is from the east coast. He is interested in helping the
5 committee with a recycle program and is willing to do a program to help
6 educate the school children. He has been involved in this issue back
7 east.
8

9 AGENDA

EVANS MOVED to approve the agenda. HOLMES seconded.
The VOTE to approve the agenda was unanimous.

11 MINUTES

12 1.) May 14, 2008 Public Hearing and Assembly Regular meeting.
13

14 MERCER MOVED to approve. EVANS seconded. The VOTE to
15 approve the minutes was unanimous.
16

17 REPORTS

18 1.) April 2008 Financial Report.

19 MERCER MOVED to receive the financial report. HOLMES seconded.
20 The VOTE was unanimous.
21

22 2.) Mayor's Report
23

- 24 • The mayor and staff had the pre-conference land sale meeting.
25 There were approximately 30 people that attended.
- 26 • The DNR will be in Healy on June 4th to discuss the TBAP and
27 the borough municipal land entitlements. This is the last step
28 before the borough receives the 33,000 acres that are left out of
29 our entitlements.
- 30 • There will be a meeting in Clear on Saturday, June 14, 2008 with
31 citizens concerned about the Rex Trail.
- 32 • The mayor will be meeting with Bureau of Indian Affairs (BIA) in
33 Anchorage on supporting access across lands for public use.
- 34 • The annual Denali Park trip is tentatively scheduled for July 19th.
35 We will be inviting the city of Anderson Council, Denali Borough
36 School Board and the city of Nenana Council to attend.
- 37 • The mayor presented a flip chart that was produced by the
38 Anderson School on school safety.
- 39 • The city of Anderson wrote a letter to the assembly asking to
40 change their grant that they received for fire department training
41 to purchase a small pumper truck for the fire department.
- 42 • The mayor spoke about his hand-out on the EMPG, LEPC and
43 Homeland Security grants.

- The city of Anderson received legislative appropriations for a skid steer loader and \$1.87 million for phase one of the sewer system project.
- The Denali Borough received \$450,000 for the landfill loader through the legislature.
- There may be a problem with people disposing of their coal ash this winter. There have been quite a few people in the borough purchasing coal burners for supplemental heat. If anyone has any suggestions on what the borough can do to help make it more convenient for disposal of coal ash, please let the mayor know.
- The mayor introduced Jim Gorski, Denali Borough Attorney.

Jim Gorski gave an update on the 2002 and 2004 Denali Borough lawsuits that are in front of the Supreme Court at this time. There were four lawsuits filed and two cases have been consolidated by the courts. It may take up to 18 months to hear anything from the courts.

3.) School Report

- Kim Langton, DBSD School Superintendent, gave an update on this years graduation. There were 3 students from Anderson, 10 students from Tri-Valley and 1 student from Cantwell that graduated.
- Teacher of the year is Mark Martin.

4.) Landfill Issue and Recycling Report

A.) Leroy Lausen gave a committee update. The committee has been working with numbers on the tonnage that the landfill has been registering. It seems that the tonnage has gone down this year. The next project is to review the Operation Plan.

5.) Assembly Advisory Committee report

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

- The committee had a joint work session with the assembly and the borough auditor to discuss the audits. They also discussed borough grants, forward funding and the landfill closure fund.

6.) Assembly Comments

1 MERCER MOVED to amend the FY 2008 budget to change the grant
2 for the city of Anderson to spend the money on a small pumper truck.
3 EVANS seconded. The VOTE was unanimous.
4
5 WALKER spoke to the Moose Scat Scoot and invited everyone to
6 come. The proceeds go to the new McKinley Village Community
7 Center playground.
8
9 EVANS MOVED to give the Chamber of Commerce an extension on
10 their grant for a septic system. MERCER seconded. The VOTE was
11 unanimous.
12
13 Presiding officer BULARD explained the new agenda procedures. She
14 asked the public to give input. She also spoke in favor of the youth
15 program.
16
17 COMMUNICATIONS
18 AND
19 APPEARANCES Rusty Lasell, Denali Borough Emergency Director, gave an overview on
20 the proposed enhanced 911 system and how it would help the local fire
21 departments with emergency dispatch.
22 BREAK The Presiding Officer called for a break.
23 The meeting was called back to order.
24
25 PENDING
26 ORDINANCES 1.) **ORDINANCE 08-14, Version B** : An ordinance for the
27 establishment and adoption of the Denali Borough Budget for fiscal
28 year 2009.
29
30 MERCER MOVED to substitute Version B for Version A. WALKER
31 seconded. The VOTE was unanimous.
32
33 MERCER MOVED to adopt. HOLMES seconded. The roll call VOTE
34 was unanimous.
35
36 HOLMES MOVED to request that the mayor research the Payments in
37 Lieu of Taxes (PILT) that the borough receives. EVANS seconded.
38 The VOTE was unanimous.
39
40 2.) **ORDINANCE 08-05, Version B**: An ordinance setting the Denali
41 Borough Solid Waste Tipping Fees.
42
43 EVANS MOVED to adopt. WALKER seconded. The roll call VOTE
44 was unanimous.
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
45

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

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

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

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

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

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

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

EVANS MOVED to adopt. HOLMES seconded. The roll call VOTE was unanimous.

7.) **ORDINANCE 08-17, Version A :** An ordinance to opt out of the provisions of the State of Alaska, APOC Financial Disclosure and create a Denali Borough Financial Disclosure Form.

MERCER MOVED to amend by deleting "and create the Denali Borough's own financial disclosure provisions and forms" and adding "using the State of Alaska, 1999 Conflict of Interest Statement Form" EVANS seconded. The VOTE was unanimous.

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

RESOLUTIONS 1.) **RESOLUTION 08-13:** A resolution in support of the State of Alaska to withdraw certain lands within the Denali Borough from Gas Exploration and Development.

1
2 WALKER MOVED to amend by deleting under the second Whereas
3 and in the Therefore Be It Resolved to delete "areas" and add "following
4 townships." Then to list the townships as mentioned in the second
5 Whereas. Also, to delete "identified in the 2006 ordinance, referenced
6 above." MERCER seconded.
7

8 Charlie Boddy, Usibelli Coal Mine, spoke against the resolution. He
9 informed the assembly that the Denali Borough needs to diversify its
10 revenues. He also explained that if it is less than 640 acres, only the
11 legislature can deal with it and not the assembly.
12

13 Andrea Blakesley, Denali, spoke in favor of this resolution. The state is
14 suppose to take into consideration the best interest of the people when
15 they review the gas exploration permit.
16

17 Jim Caswell, Cantwell, informed the assembly that we all benefit on
18 North Slope resources. If we deny the state their resources, are we
19 being a little hypocritical when we take a permanent fund check?
20

21 The VOTE on the main motion was 5-0. USIBELLI abstained.
22

23 WALKER MOVED to adopt. There was no second to the motion. The
24 motion fails.
25

26 OTHER
27 BUSINESS

1.) Denali Borough Financial Disclosure Form

28 By unanimous consent, there would not be discussion on the financial
29 disclosure form because it was covered under Ordinance 08-07.
30

31 2.) Public Comments
32

33 Jim Caswell, Cantwell, spoke against Ordinance 08-04. He requested
34 the assembly not take the money out of the Denali Borough
35 Permanent Fund.
36

37 ASSEMBLY
38 COMMENTS

Eileen HOLMES thanked everyone for coming tonight.

39 David EVANS informed everyone that he will be bringing the
40 resolutions of appreciation back at the next Planning Commission
41 meeting.
42

43 NEXT MEETING

1.) The next regular meeting will be held at the Anderson School on
44 July 09, 2008. The public hearing at 6:00PM, and regular meeting
45 to follow.

