

Minutes of the Public Hearing
Denali Borough Assembly
Cantwell School
July 8, 2009

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8 CALL TO ORDER: The public hearing was called to order at 6:00PM
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10 ROLL CALL: Assembly members present: John Winklmann, Vickie Lausen, Robert
11 Kohlsdorf, Teresa Chepoda Usibelli and Baxter Mercer. David Miller Eileen Holmes, Armeda
12 Bulard, Clay Walker were absent. Mayor Talerico was also in attendance.
13

14 PUBLIC COMMENTS

15
16 ORDINANCE 09-05, Version A: An ordinance amending Denali Borough Code of
17 Ordinances Chapter 8.15.130 titled Rules for Counting Ballots.
18

19 There were no comments.
20

21 ORDINANCE 09-10, Version A: An ordinance to amend the Denali Borough Code of
22 Ordinances, Chapter 1.15 titled Ordinances – Resolutions – Regulations.
23

24 There were no comments.
25

26 ORDINANCE 09-11, Version A: An ordinance to amend the Denali Borough Code of
27 Ordinances Chapter 8.05.060 titled Election Notices.
28

29 There were no comments.
30

31 ADJOURNMENT The public hearing was adjourned at 6:04 PM.
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33
34 APPROVED: Armeda A. Bulard
35 Armeda Bulard, Presiding Officer
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38 ATTEST: Gail Pieknik
39 Gail Pieknik, Borough Clerk
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42 Date Approved: AUGUST 5, 2009

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**Minutes of the Regular Meeting
Denali Borough Assembly
Cantwell School
July 8, 2009**

CALL TO ORDER: Acting Presiding Officer Teresa Chepoda Usibelli called the regular meeting to order at 6:04 PM.

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

The Borough Clerk informed the assembly that the members absent called in and asked to be excused.

LAUSEN MOVED to excuse BULARD, WALKER, HOLMES and MILLER. WINKLMANN seconded. The VOTE was unanimous.

PUBLIC COMMENTS:

There were none.

AGENDA: WINKLMANN MOVED to amend by adding "Appointment to Career Technical Advisory Committee Chris Basile" in section F-6. MERCER seconded The VOTE was unanimous. WINKLMANN MOVED to approve the agenda as amended. MERCER seconded. The VOTE was unanimous.

MINUTES: June 10, 2009 Assembly Public Hearing and Regular Meeting

MERCER MOVED to approve the minutes KOHLSDORF seconded. WINKLMANN would like the minutes amended under the appointment of the treasurer to show what he said about the assembly not being involved in the hiring process.

The VOTE to approve the minutes of June 10, 2009 was unanimous.

REPORTS: May 2009 Financial Report

MERCER MOVED to receive the financial report. KOHLSDORF seconded. USIBELLI passed the gavel to LAUSEN.

USIBELLI spoke about tourism being down. She spoke with the cruise industry and found out that there are 2,000 less passengers every two weeks. She is concerned about the Borough's revenues.

1 The VOTE to receive was unanimous.

2
3 MAYOR'S REPORT:

4
5 • Mayor Talerico and the Borough Planner attended meetings with BLM. The BLM held
6 these meetings to discuss the 17B easements at the Windy Creek Trail and the Yanert Trail.
7 AHTNA and BLM are working together to donate these trails for public use. The state of
8 Alaska, Department of Transportation, may need a resolution of support for a wayside for
9 parking at the trail head.

10 • The Borough office has taken over on the Anderson School Septic System. This was a
11 direct legislative grant that will expire next summer. There was a maintenance position
12 change at the school so the Borough decided to finish out the grant so that the school will
13 have their septic system done prior to the school season.

14 • The extension of the Borough Landfill fence RFP will be placed in the newspaper next
15 week. The mayor would like 3 volunteers of assembly members to look at the bids.
16 WINKLMANN, LAUSEN and USIBELLI volunteered.

17 • The Geo Data Base mapping RFP will be posted soon.

18 • The mayor would like to set up a Town Hall meeting in Anderson to discuss the Rex Trail
19 access and the 1500 pound weight limit. There has been no action taken on this issue so
20 the mayor would like to talk with the local residents to see if there are alternates that can be
21 brought to the DNR that will please everybody or that is not so restrictive.

22 • There has been no action on the highway signage for the McKinley Village near the Grizzly
23 Bear business on the Parks Highway.

24 • The Nenana City Council voted to create their own borough which they hope will include
25 Minto, Tanana, Rampart and Livengood.

26 • The drillers have begun near Nenana. There will be about 150 tons of material from the
27 drilling brought to the Borough Landfill.

28
29 SCHOOL REPORT: Vern Carlson, Denali Borough School Board member, gave a report
30 on the activities of the school board. There were many hours put into the FY2010 school
31 budget. There is a new committee that will look at health care costs.

32
33 ASSEMBLY ADVISORY COMMITTEE REPORT:

34
35 There was no meeting this month.

36
37 PLANNING COMMISSION REPORT:

38
39 No report given.

40
41 LANDFILL ISSUES AND RECYCLING COMMITTEE REPORT:

42
43 There was no meeting this month.
44
45

1 LANDFILL ISSUES AND RECYCLING COMMITTEE SEAT APPOINTMENT:

2 Shawn Beebe.

3
4 The assembly received an opinion from the attorney that was dated June 17, 2009 as
5 requested at the last meeting. The assembly decided to go with the attorney's suggestion
6 and not have an employee from the Borough Landfill on the Landfill Committee. However, it
7 was suggested from assembly members that Shawn attend the meetings as the public and
8 his suggestions/comments will be heard and taken into consideration.
9

10 CAREER TECHNICAL ADVISORY COMMITTEE: Seat Appointments:

11
12 Chris Basile: WINKLMANN MOVED to approve. LAUSEN seconded. The VOTE was
13 unanimous.

14
15 Assembly Comments:

16
17 MERCER spoke in favor of having the Alaska Trappers Association give a presentation at
18 the September meeting on their Code of Ethics. He also spoke in favor of the Rex Trail
19 access meeting. He suggested that the mayor contact the DNR Commissioner and give 30
20 days to respond on the McNeil and Talerico case or turn this issue over to the Borough
21 attorney.
22

23 KOHLSDORF thanked Ruby Rector, Denali Borough Treasurer. She will be greatly missed.
24

25 WINKLMANN supports the Rex Trail meeting and the McNeil/Talerico land case. A legal
26 letter sent to DNR might be the way to proceed.
27

28 LAUSEN spoke against having property owner's names on the base maps of the Borough.
29 She feels that this is something that the residents would not be in support of especially
30 since there would not be a purpose for it.
31

32 USIBELLI asked about when the digging would begin on the new Borough Landfill C & D Pit
33 and if there was money in the budget for the fence extension. She asked about the Borough
34 MLE selections. She would like a copy of the employee handbook for the assembly at the
35 next meeting.
36

37 COMMUNICATION AND APPEARANCES: There was none.
38
39

40 ORDINANCES TO BE INTRODUCED

41
42 1.) ORDINANCE 09-12: An ordinance amending the Denali Borough Code of Ordinances,
43 Chapter 5.25 titled Planning Commission.
44
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3 MERCER MOVED to introduce. KOHLSDORF seconded.
4

5 The mayor gave a review of the ordinance. The planning commission requested this
6 ordinance to update the Borough Code on what they would like on their agenda.
7

8 The roll call VOTE was unanimous.
9

10 WINKLMANN MOVED to postpone to the next meeting. KOHLSDORF seconded. The
11 VOTE was unanimous.
12
13

14 2.) **ORDINANCE 09-13:** An ordinance amending the Denali Borough Code of Ordinances
15 creating Chapter 3.20.055 titled Municipal Land Management Fund.
16

17 MERCER MOVED to introduce. KOHLSDORF seconded.
18

19 LAUSEN spoke against this ordinance because the planning commission members are not
20 elected officials of the people and the assembly is held responsible for the funds.
21

22 MERCER and WINKLMANN had concerns with this ordinance because the planning
23 commissioners are not elected officials, the assembly has no control and this fund could
24 grow and never be touched.
25

26 LAUSEN does not like to see everything become departmentalized. She thought that the
27 Borough land sale revenues were for the borough general fund.
28

29 MERCER would like the assembly to carry this forward for discussion. He stated that the
30 assembly can always pass an ordinance to take the money if it is needed for something else.
31 He is in favor of putting money from land sales back into the planning commission for use of
32 developing lands for future land sales.
33

34 The roll call VOTE was 2 – 3 with LAUSEN, USIBELLI and WINKLMANN opposed. The
35 motion fails.
36

37 The presiding officer called a break at 7:50PM.

38 The meeting reconvened at 8:00PM.
39

40 PENDING ORDINANCES 41

42 ORDINANCE 09-05, Version A: An ordinance amending Denali Borough Code of
43 Ordinances Chapter 8.15.130 titled Rules for Counting Ballots.
44

1 WINKLMANN MOVED to amend number 4 to say, "All write-in votes shall be tallied. Write-in
2 vote totals shall be published only when the total number of votes for a particular candidate
3 exceeds 5." MERCER seconded.

4
5 WINKLMANN explained that at the elections, there are a number of one votes or votes for
6 things or people that are not real. This will cut down on the total one votes that are
7 published.

8
9 The VOTE was unanimous.

10
11 WINKLMANN MOVED to postpone to the next meeting. LAUSEN seconded.

12
13 The mayor suggested that something be added to the ordinance in case no one gets 5
14 votes in a seat.

15
16 The VOTE was unanimous.

17
18 ORDINANCE 09-10, Version A: An ordinance to amend the Denali Borough Code of
19 Ordinances, Chapter 1.15 titled Ordinances – Resolutions – Regulations.

20
21 WINKLMANN MOVED to amend under item E to add after introduced the word "amended".
22 LAUSEN seconded.

23
24 MERCER spoke against this ordinance and suggested that it go to another meeting.

25
26 WINKLMANN spoke in favor of this ordinance because it deals with the Code and law.

27
28 LAUSEN spoke in favor.

29
30 The VOTE was 3 – 2 with MERCER and KOHLSDORF opposed.

31
32 WINKLMANN MOVED to postpone to the next meeting. MERCER seconded. The VOTE
33 was unanimous.

34
35 ORDINANCE 09-11, Version A: An ordinance to amend the Denali Borough Code of
36 Ordinances Chapter 8.05.060 titled Election Notices.

37
38 WINKLMANN MOVED to postpone to the next meeting. MERCER seconded. The VOTE
39 was unanimous.

40
41 RESOLUTIONS

42
43 1.) RESOLUTION 09-14: :(Bring back to amend) A resolution relinquishing approximately
44 10.47 acres of Denali Borough Municipal Land Entitlement selection within Browns Court,
45 ADL 415797.

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2
3 KOHLSDORF MOVED to bring back this resolution that was previously approved for
4 amendment. MERCER seconded. The roll call VOTE was unanimous.

5
6 OTHER BUSINESS

7
8 1.) City of Nenana meeting update.

9
10 See mayor's report above.

11
12 2.) Susitna Dam Project

13
14 Brenda Rabne, AHTNA, requested that this be on the November agenda in Cantwell so that
15 she could attend to discuss this issue.

16
17 3.) Denali Borough Landfill Hours of Operation.

18
19 There was discussion about the landfill and that it should be open on the borough
20 holiday (Monday) for Lausen's Disposable. Vickie LAUSEN stated that the mayor
21 graciously met the Hauler at the Landfill and let them in to dispose.

22
23 4.) Junk Cars.

24
25 Usibelli Coal Mine is doing a cleanup on the leased land located in the Tri-Valley
26 Subdivision. There are so many junk cars that it would be a major cost to UCM to
27 transport and dispose of these junk cars in the Borough Landfill. UCM would like to work
28 with the Borough to dispose of all of the junk cars in the Borough. UCM is in contact with
29 the DNR to use a gravel pit to set the vehicles. The mayor is in touch with C&R Pipe to
30 see if they would come down for crushing and pick up of the junk vehicles.

31
32 WINKLMANN MOVED to ask the mayor to keep negotiating with UCM and the DNR for
33 a Borough-wide clean-up of junk cars. MERCER seconded. The VOTE was 4 -1 with
34 KOHLSDORF opposed. The motion passes.

35
36 5.) Tourism Statistics.

37
38 The mayor informed the assembly that the Borough office has not received any solid
39 figures from local businesses. We have heard that tourism may be down 10 to 20
40 percent in some businesses and up 10 to 15 percent in others. It is too early to tell.

41
42 6.) Public Comments.

43
44 Shawn Beebe, Anderson, felt that the Landfill Issues and Recycling committee is an
45 attempt from a special interest group to micromanage the Borough. He also feels that

1 Ms. Lausen should recuse herself from discussing landfill issues because Lausen's
2 Disposable has a contract with the Denali Borough per Denali Borough Code 2.20.

3
4 7.) Assembly Comments.

5
6 LAUSEN and WINKLMANN apologized for not attending the Career Technical
7 Committee meeting.

8
9 WINKLMANN spoke to Beebe's comment. He feels that anyone can attend a committee
10 meeting and be involved without being on the committee.

11
12 MERCER supports the junk car effort.

13
14 There was discussion of the pros versus cons of changing the assembly regular meeting
15 dates when assembly members are absent for AML. LAUSEN will not be able to make
16 the next meeting because of prior commitments. MERCER stated that he may not be
17 able to make the next meeting because he may be working. USIBELLI may not make
18 the next meeting.

19
20 NEXT MEETING: The next regular meeting will be held at the Anderson School on
21 August 5, 2009; Public Hearing at 6:00 PM, and regular meeting to follow.

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24 ADJOURN: The presiding officer declared the regular meeting adjourned at 9:10PM.

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28 APPROVED: 
29 Armeda Bulard, Presiding Officer

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32 ATTEST: 
33 Gail Pieknik, Borough Clerk

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37 Date Approved: AUGUST 5, 2009