

Minutes of the Public Hearing  
Denali Borough Assembly  
McKinley Community Center  
February 15, 2012

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8 CALL TO ORDER: The public hearing was called to order by Presiding Officer Robert Kohlsdorf at 6:02 PM.  
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10 ROLL CALL: Assembly members present: Clay WALKER, John WINKLMANN, David EVANS,  
11 Gordon CARLSON, and Robert KOHLSDORF. Absent: Terry ASBURY, Paddy TATUM, Rusty  
12 LASELL and Cyrus COOPER.  
13

14 ORDINANCE 11-23, Version A: An ordinance amending the Denali Borough Code of Ordinances,  
15 Chapter 8 titled Elections.  
16

17 There was no public comment.  
18

19 ORDINANCE 11-24, Version B: An ordinance amending Denali Borough Code of Ordinances,  
20 Chapter 6.15 adding Section 6.15.071 titled Regulated Medical Waste.  
21

22 There was no public comment.  
23

24 ORDINANCE 11-25, Version A: An ordinance approving amendments to the Denali Borough  
25 Comprehensive Plan.  
26

27 There was no public comment.  
28

29 ORDINANCE 12-01, Version A: An ordinance amending the Denali Borough Code of Ordinances,  
30 Chapter 3.21 titled Management of Grants.  
31

32 There was no public comment.  
33

34 ADJOURNMENT: The public hearing was adjourned at 6:03 PM.  
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39 APPROVED:   
40 Robert Kohlsdorf, Presiding Officer  
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44 ATTEST:  Date Approved: MARCH 14, 2012  
45 Gail Pieknik, Borough Clerk

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**Minutes of the Regular Meeting  
Denali Borough Assembly  
McKinley Community Center  
February 15, 2012**

CALL TO ORDER: Presiding Officer Robert KOHLSDORF called the regular meeting to order at 6:04 PM. Mayor David Talerico led those present in the Pledge of Allegiance.

ROLL CALL:

Assembly members present: Clay WALKER, David EVANS, John WINKLMANN, Robert KOHLSDORF, and Gordon CARLSON. Absent: Terry ASBURY, Paddy TATUM, Rusty LASELL and Cyrus COOPER.

John WINKLMANN MOVED to excuse Mr. Lasell, Ms. Tatum, and Mr. Cooper. David EVANS seconded. The VOTE by show of hands was unanimous.

PUBLIC COMMENTS

Barbara Brease, Denali Citizens Council, expressed concern about the Alaska Railroad Corporation's application to spray herbicide in the Denali Borough. Ms. Brease noted that the Alaska Railroad has not been held a public hearing within the Denali Borough, and that a similar application was denied in the past. The mixture of herbicides is troubling, as scientific studies show serious health effects resulting from exposure to them. Ms. Brease asked that the Borough register opposition to the application.

AGENDA

Gordon CARLSON MOVED to approve the agenda as submitted. John WINKLMANN seconded.

John WINKLMANN moved to strike the State of Alaska, Department of Fish and Game Communication and Appearance to discuss controlled burns within the Denali Borough, as the funding for the burn has been withdrawn, and no representative was present. Clay WALKER seconded. The VOTE on the amendment by show of hands was unanimous.

The VOTE by show of hands on the main motion to approve the agenda was unanimous.

MINUTES

January 11, 2012 Assembly Public Hearing-

Clay WALKER MOVED to approve the January 11, 2012 public hearing minutes as submitted. John WINKLMANN seconded. The VOTE by show of hands was unanimous.

January 11, 2012 Assembly Regular Meeting-

Clay WALKER MOVED to approve the January 11, 2012 regular meeting minutes as submitted. John WINKLMANN seconded. The VOTE by show of hands was unanimous.

1 REPORTS

2 December 2011 Financial Report

3 David EVANS MOVED to receive the December 2011 financial report. John WINKLMANN  
4 seconded. The VOTE by show of hands was unanimous.

5  
6 MAYOR'S REPORT

7 Mayor Dave Talerico reported that he attended the Alaska Municipal League legislative fly-  
8 in which was held in Juneau during the week of February 7-9, 2012 with Robert Kohlsdorf  
9 and David Evans. They met with members of the Senate Finance Committee, staff  
10 members of the House Finance Committee and a number of other legislators, to whom they  
11 provided a packet of information regarding issues affecting the Denali Borough. The  
12 Statewide Transportation Improvement Program (STIP) project list has come out, which  
13 includes three projects in the Denali Borough; Riley Creek Bridge Replacement and Access  
14 Improvements, Milepost 239-263 Reconstruction (Nenana Canyon to Bear Creek), and  
15 Milepost 231 – 234 Enhancements. Mayor Talerico noted that Assembly resolutions  
16 regarding the Milepost 231 -234 enhancement project helped to get this public safety project  
17 on the list.

18  
19 The Alaska Municipal League Joint Insurance Association will be able to keep their rates  
20 down due to a rate stabilization fund. Denali Borough non-profit budget requests for Fiscal  
21 Year (FY) 2013 are due March 1, 2012 in the Borough office. Applications for non-profit  
22 funding and Denali Borough Matching Grants are available on the Borough website or from  
23 the Borough office. Mayor Talerico will be traveling to Washington, DC for a National  
24 Association of Counties conference February 29 – March 12, and will meet with the Alaska  
25 delegation while there.

26  
27 Emily Brease has returned as a student intern in the Borough office, and will be producing a  
28 monthly newsletter, the Denali Dispatch. The first edition of the Denali Dispatch came out in  
29 February and will be distributed electronically, on the Borough website, and in hard copies  
30 at various locations.

31  
32 SCHOOL REPORT

33 There was no school report.

34  
35 MATCHING GRANT COMMITTEE

36 Alternate seat appointment:

37 John Winklmann volunteered to serve as alternate on the Matching Grant Committee,  
38 joining committee members Rusty Lasell, Paddy Tatum, and Gordon Carlson.

39  
40 ASSEMBLY COMMENTS

41 Clay WALKER reminded those present that Winterfest is coming February 24 – 26 and  
42 thanks to Emily Brease for her work on the Denali Dispatch.

43  
44 Robert KOHLSDORF welcomed Emily Brease back as Denali Borough student intern,  
45 and provided Assembly members with a digital copy of a report on his trip to Juneau.

1 Mr. Kohlsdorf reported that there is a huge problem with PERS/TRS, and that the State  
2 is using termination studies as a revenue source to apply to a large amount of  
3 accumulated debt. The federal government will be turning over Alaska Land Mobile  
4 Radio (ALMR) to individual states, where it will become a fiscal burden. ALMR provides  
5 communications systems for emergency responders in Alaska. Wording of House Bill 9  
6 has been changed to remove a requirement that municipalities provide water, sand, and  
7 gravel to the construction of an in-state gas pipeline at no cost. Mr. Kohlsdorf reported  
8 that he spoke with Senator Joe Thomas regarding Denali Borough Resolution 12-02,  
9 and Department of Transportation (DOT) Director of Program Development, Jeff  
10 Otteson, regarding proposed Parks Highway projects.

11  
12 John WINKLMANN congratulated Emily Brease on a job well done, and reminded non-  
13 profit organizations to submit funding applications by March 1, 2012.

14  
15 David EVANS thanked Emily Brease for her work on the Denali Dispatch, and reported  
16 on his Juneau experience, noting that a potential legislative solution to the PERS/TRS  
17 situation would be to put \$4 billion in a fund to relieve debt. The Stampede Recreation  
18 Area Bill is stalled, due in part to DOT's desire for a 2000 foot right-of way corridor  
19 through the Area, and mining lobbyists requesting that an equal amount of land be set  
20 aside for mining interests. There is a good chance that items on the Borough's  
21 legislative priority list may be granted. Legislators seem to appreciate the conservative  
22 dollar amounts attached to Denali Borough projects.

23  
24 Gordon CARLSON thanked all for attending the meeting, and complimented Emily  
25 Brease on the Denali Dispatch.

26  
27 John WINKLMANN MOVED to request the administration send a letter in opposition to  
28 the spraying of herbicide in the Denali Borough. Clay WALKER seconded. The VOTE  
29 by show of hands was 4-1 as follows; Ayes – Clay WALKER, John WINKLMANN, David  
30 EVANS, Robert KOHLSDORF, No – Gordon CARLSON. The motion passed.

31  
32 Presiding Officer Kohlsdorf called a meeting recess at 6:54 PM. The meeting resumed at 7:09 PM.  
33 DRAFT ORDINANCES  
34 ORDINANCE 12-02: An ordinance amending the Denali Borough Charter, Article IV, Section 4.03  
35 titled Election and Term of Mayor.

36  
37 Clay WALKER MOVED to introduce Ordinance 12-02. David EVANS seconded. The roll  
38 call VOTE was unanimous.

39  
40 David EVANS MOVED to postpone Ordinance 12-02 to the next meeting. Clay WALKER  
41 seconded. The VOTE by show of hands was unanimous.

42  
43 ORDINANCE 12-03: An ordinance amending the Denali Borough Code of Ordinances, Chapter  
44 5.05.040 title School Board Qualifications.  
45

1 David EVANS MOVED to introduce Ordinance 12-03. Clay WALKER seconded. The roll  
2 call VOTE was unanimous.

3  
4 David EVANS MOVED to postpone Ordinance 12-03 to the next meeting. John  
5 WINKLMANN seconded. The VOTE by show of hands was unanimous.

6  
7 ORDINANCE 12-04: An ordinance amending the Denali Borough Code of Ordinances, Chapter  
8 3.25.100 titled Penalties and Interest.

9  
10 Clay WALKER MOVED to introduce Ordinance 12-04. John WINKLMANN seconded. It  
11 was noted that this ordinance is in response to public comment and complaints regarding  
12 overnight accommodations tax penalties, and would apply a percentage penalty rather than  
13 a fixed rate. The roll call VOTE was unanimous.

14  
15 David EVANS MOVED to postpone Ordinance 12-04 to the next meeting. John  
16 WINKLMANN seconded. The VOTE by show of hands was unanimous.

17  
18 PENDING ORDINANCES

19  
20 ORDINANCE 11-23, Version A: An ordinance amending the Denali Borough Code of  
21 Ordinances, Chapter 8 titled Elections.

22  
23 Clay WALKER MOVED to postpone Ordinance 11-23, version A to the next meeting. John  
24 WINKLMANN seconded. The VOTE by show of hands was unanimous.

25  
26 ORDINANCE 11-24, Version B: An ordinance amending Denali Borough Code of  
27 Ordinances, Chapter 6.15 adding Section 6.15.071 titled Regulated Medical Waste.

28  
29 David EVANS MOVED to substitute Ordinance 11-24, Version C for Ordinance 11-24,  
30 Version B. Clay WALKER seconded. The VOTE by show of hands was unanimous.

31  
32 Points of discussion include what would constitute an offense of the ordinance, education of  
33 landfill customers regarding regulated medical waste disposal, the responsibility of the  
34 Borough to control to the highest extent possible the spread of disease, and the  
35 enforceability of refusal to allow landfill disposal to a customer.

36  
37 Winklmann MOVED to amend by adding item F) In the event the generator retrieves the  
38 waste, that incident will not be counted as an offense. The MOTION failed for lack of a  
39 second.

40  
41 Clay WALKER MOVED to amend Ordinance 11-24, Version C by adding the words "First  
42 Offense:" to section C. Gordon CARLSON seconded. The VOTE by show of hands was  
43 unanimous.

1 Clay WALKER MOVED to postpone Ordinance 11-24, Version C to the next meeting. David  
2 EVANS seconded. Mayor Dave Talerico stated that he will send notice of the ordinance to  
3 those who have been contacted regarding improper disposal of medical waste over the last  
4 two years, and request comment. The VOTE by show of hands was unanimous.

5  
6 ORDINANCE 11-25, Version A: An ordinance approving amendments to the Denali  
7 Borough Comprehensive Plan.

8  
9 John WINKLMANN MOVED to adopt Ordinance 11-25, Version A. David EVANS seconded.  
10 The roll call VOTE was unanimous.

11  
12 John WINKLMANN MOVED to amend by adding, "As presented to the Assembly by the  
13 Planning Commission" to the end of Section 2. Gordon CARLSON seconded. The roll call  
14 VOTE was unanimous.

15  
16 ORDINANCE 12-01, Version A: An ordinance amending the Denali Borough Code of Ordinances,  
17 Chapter 3.21 titled Management of Grants.

18  
19 Clay WALKER MOVED to postpone Ordinance 12-01, Version A to the next meeting. John  
20 WINKLMANN seconded. The VOTE by show of hands was unanimous.

21  
22 RESOLUTIONS:

23 RESOLUTION 12-06: A resolution instituting a special committee for the purposes of scoring the  
24 auditor request for proposals received by the Denali Borough and to make recommendation to the  
25 Borough Assembly.

26  
27 John WINKLMANN MOVED to approve Resolution 12-06. Gordon CARLSON seconded.

28  
29 John WINKLMANN MOVED to amend by adding the year "2012" after the word "April" in  
30 item 9. David EVANS seconded. The VOTE by show of hands was unanimous.

31  
32 The roll call VOTE on the main motion to approve Resolution 12-06 was unanimous.

33  
34 John WINKLMANN MOVED to appoint Clay Walker, Robert Kohlsdorf, and David Evans as  
35 members of a special committee to score the auditor request for proposals. Gordon  
36 CARLSON seconded. The VOTE by show of hands was unanimous.

37  
38 PUBLIC COMMENTS

39 Hannah Ragland, Denali Citizens Council and Friends of Stampede, thanked the Assembly  
40 for looking into the Stampede Recreation Area Senate Bill, and expressed appreciation for  
41 local issues being brought to legislators in Juneau. Denali Citizens Council has been  
42 advocating for a meeting in Cantwell regarding the Susitna Dam. Denali National Park is  
43 seeking input on plowing the Park road beyond headquarters in winter months. Emily  
44 Brease and Jack Reeves will be traveling to Juneau as part of Alaska Youth for  
45 Environmental Action.

1 Emily Brease, Healy resident, thanked Borough staff for the opportunity to work as an intern,  
2 and encouraged those present to email information about Borough happenings to  
3 dispatch@denaliborough.com.

4  
5 ASSEMBLY COMMENTS

6 Gordon CARLSON thanked all present for attending the meeting tonight, and stated that  
7 there have been meetings in Cantwell regarding the Susitna Dam.

8  
9 David EVANS thanked all present for attending the meeting, and noted that in Juneau,  
10 energy in the Interior was a big topic of discussion. Mr. Evans encouraged those  
11 present to look into House Bill 308, which is a proposal made by Representative Bob  
12 Miller to study a gas pipeline from Anchorage to Fairbanks, and provide comment.

13  
14 John WINKLMANN thanked those present for attending the meeting, and warned  
15 everyone to watch for caribou on the highway.

16  
17 Robert KOHLSDORF thanked those present for attending the meeting, thanked Emily  
18 Brease for the work she has been doing with the Borough, and offered to provide a copy  
19 of the STIP list for those interested.

20  
21 Clay WALKER commented that it is exciting to hear of highway transportation safety  
22 improvements coming our way.

23  
24 Mayor Dave Talerico commented that on May 12, 2012, the Northwest Arctic Borough  
25 will hold a suicide awareness walk, and that he will work with Emily Brease to promote a  
26 local event.

27  
28 NEXT ASSEMBLY MEETING:

29 The next regular meeting of the Borough Assembly will be held at the Cantwell School  
30 on March 14, 2012; Public Hearing at 6:00 PM, and regular meeting to follow.

31  
32 ADJOURN: The presiding officer adjourned the regular meeting at 8:10 pm.

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34  
35 APPROVED:



36 Robert Kohlsdorf, Presiding Officer

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38  
39 ATTEST:



40 Gail Pieknik, Borough Clerk

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42  
43 Date Approved: MARCH 14, 2012