

Minutes of the Public Hearing
Denali Borough Assembly
Cantwell School
July 09, 2014

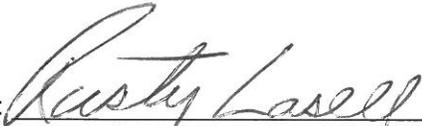
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7 CALL TO ORDER: The public hearing was called to order by Presiding Officer Rusty Lasell at 6:07
8 PM.
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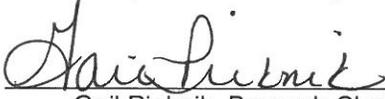
10 ROLL CALL: Assembly members present: Jill BOELSMA, Jared ZIMMERMAN, Kimberly
11 BURROWS, Paddy TATUM, Don DE BLAUW, Rick WEIBEL and Rusty LASELL. Absent: David
12 TALERICO and David EVANS.
13

14 ORDINANCE 14-06, Version C: An ordinance amending Article XI of the Denali Borough Charter,
15 titled taxation, Section 11.02, titled Tax Procedures and the Denali Borough Code of Ordinances by
16 adding Chapter 3.50, establishing a 3% seasonal general sales and services tax within the Denali
17 Borough
18

19 There were no comments.
20

21 ADJOURNMENT: The public hearing was adjourned at 6:09 PM.
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26 APPROVED: 
27 Rusty Lasell, Presiding Officer

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30 ATTEST:  Date Approved: AUGUST 13, 2014
31 Gail Pieknik, Borough Clerk

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**Minutes of the Regular Meeting
Denali Borough Assembly
Cantwell School
July 09, 2014**

7 ROLL CALL

8 Assembly members present: Jill BOELSMA, Kimber BURROWS, Jared ZIMMERMAN, Rick
9 WEIBEL, Paddy TATUM, Don DEBLAUW, and Rusty LASELL. Absent: David EVANS. Mayor Clay
10 Walker was also present. David TALERICO arrived at 7:24 p.m.

11
12 The Clerk noted that Mr. Talerico called to indicate that he would arrive late to the meeting.

13
14 Kimber BURROWS MOVED to excuse Mr. Evans. Rick WEIBEL seconded. The VOTE by show of
15 hands was unanimous.

16
17 PUBLIC COMMENTS

18 Mike Schieber, Healy resident, proposed that establishments serving liquor be required to provide
19 transportation to their patrons.

20
21 Amanda Austin, Healy resident, spoke in support of a proposal requiring bars close at 2:00 a.m. and
22 that some type of transportation be provided to ensure people get home safely.

23
24 Ruth Coliani, Healy resident, spoke in support of an early bar closing, and encouraged discussion
25 directed toward solutions for the issue of excessive alcohol consumption.

26
27 Noah Schieber, Healy resident, stated that 12,000 people in the United States are charged with DUI
28 each year, and one third of those are repeat offenders. Mr. Schieber stated that change should start
29 at the local level, with the actions of concerned citizens, and that he would like to bring people
30 together to discuss proposals that would address issues associated with alcohol consumption for a
31 long term committee that would work with the assembly.

32
33 Gordon Carlson, Cantwell resident, expressed the view that an early bar closing time may not be the
34 right solution to the issues that arise out of alcohol consumption. There was an effort to legislate an
35 early closing time in the past, and the public came out in opposition.

36
37 Mona Lidgard, Healy resident, asked how large a grass roots effort would have to be to spur the
38 assembly to take action.

39
40 Susan Braun, Stampede Road resident, stated that the current move to institute an early bar closing
41 stems from a different motivation than the last effort, and that people may have changed their minds
42 on the issue. Ms. Braun asked if an ordinance regarding early bar closing could be on the November
43 2014 ballot.

44
45 Barbara Brease, Healy resident, urged the assembly to consider the impact of the loss of the victim,
46 and suggested establishments serving alcohol have breathalyzers to monitor consumption.
47

1 Jim Caswell, Cantwell resident, stated that he believes in freedom, and that people have the right to
2 consume alcohol. On another topic, Mr. Caswell asked if the fees charged at the Cantwell Transfer
3 Station are the same as at the borough landfill, and stated that solid waste fees should be equitable
4 throughout the borough.

5
6 Andrea Blakesley, Panguingue Creek Subdivision resident, stated that change can happen in
7 different ways. One way is an assembly ordinance, another is for communities to come up with
8 solutions. Ms. Blakesley stated that a group of people can make something amazing happen in our
9 community.

10
11 Ian Will, Denali Citizens Council, introduced himself and stated that he is working on a database of
12 individuals who are interested in where pipelines will be laid in the borough, and encouraged those
13 present to contact him to be included.

14
15 Barbara Brease, Healy resident, stated that having rules in place keeps us safe, and that being
16 neighborly is important to the community. Ms. Brease also commented that gravel operations near
17 her home are causing noise and dust, and lowering property values.

18
19 AGENDA

20 Rick WEIBEL MOVED to approve the agenda as presented. Kimber BURROWS seconded. The
21 VOTE by show of hands was unanimous.

22
23 MINUTES

24 June 11, 2014 Public Hearing and Regular Meeting

25 Jared ZIMMERMAN MOVED to approve the June 11, 2014 public hearing and regular meeting
26 minutes as presented. Kimber BURROWS seconded. The VOTE by show of hands was unanimous.

27
28 REPORTS

29 May 2014 Financial Reports

30 Rick WEIBEL MOVED to receive the May 2014 financial report. Jill BOELSMA seconded. The VOTE
31 by show of hands was unanimous.

32
33 HEALY TRANSPORTATION AND PEDESTRIAN SAFETY PROJECT ADHOC COMMITTEE

34 Mayor Clay Walker nominated the following:

- 35 Seat A: Ed Bohner
- 36 Seat B: Mike Giannechini
- 37 Seat C: Ric Martin
- 38 Seat D: Kimber Burrows
- 39 Seat E: Susan Braun
- 40 Seat F: Hannah Ragland
- 41 Seat G: Jessica Toubman

42
43 Rick WEIBEL MOVED to confirm the nominations to seats A through G on the Healy Transportation
44 and Pedestrian Safety Project Adhoc Committee. Jared ZIMMERMAN seconded. The VOTE by
45 show of hands was unanimous.

1 MAYOR'S REPORT

2 Mayor Clay Walker apologized for the late start of the meeting due to a work session at the Cantwell
3 Transfer Station, where assembly members looked over recent improvements, and discussed
4 improvements for the future. The Alaska Department of Transportation (DOT) has released plans for
5 safety improvements for mile 215 to 218 of the Parks Highway, which include reflection striping and
6 chevrons. A packet was received from the Alaska Department of Natural Resources regarding plans
7 for a new pull-out in the Yanert Trail area, soliciting input regarding cultural and regional resources in
8 the area. Mayor Walker also reported that an application packet has been received from the local
9 boundary commission to detach lands from the Matanuska Susitna Borough and attach them to the
10 Denali Borough. It appears such an action has not been done before, the application is sizable, and
11 the local option process involves borough wide elections in both boroughs. Part of the application is
12 identifying a compelling reason why such an action would benefit the state.

13
14 Mayor Walker reported that a letter and informational posting went out to Cantwell and McKinley
15 Village residents regarding planned enforcement of current fees for accepting solid waste at the
16 Cantwell Transfer Station. The borough has received an updated landfill closure plan and cost
17 estimate, which estimates that the current footprint has a remaining life of 31 years. Fiscal Year
18 2014 came to a close on June 30. It was a strong year at the landfill, with a lot of material accepted
19 over the winter months. A new pit is being readied, and is nearly done. The equipment being used
20 has been breaking down and repaired, and steps need to be taken to upgrade the equipment. A new
21 municipal solid waste pit is needed, and the borough currently does not have the equipment needed
22 to do this work effectively. A new landfill employee is expected to be on board in late July to replace
23 Chip Saylor, who is no longer employed.

24
25 A ceremonial ground breaking for the Healy Clean Coal Plant did take place on June 27. Work is
26 underway for the plant to be up and running in Spring 2015. Mayor Walker requested that any
27 assembly member interested in serving as his designee for the Municipal Advisory Gas Project
28 Review Board let him know as soon as possible. The proposed pipeline goes through prime borough
29 property, and it is important to stay informed. A special use permit application was received recently
30 from the Alaska Stand Alone Pipeline to drill potential material sites. A request will be made that they
31 reapply due to some unsuitable site locations.

32
33 A Finance Committee work session is scheduled for July 16. Mayor Walker is planning to participate
34 in a tour of developments thus far on a proposed Curry visitor center on the South side of Denali on
35 July 30. The mayor proposed the assembly schedule a tour of Usibelli Coal Mine for September or
36 October. Finally, Mayor Walker thanked the members of the public who came to speak at the
37 meeting, and expressed the hope that they could see how the government could work for them,
38 although it may take some time.

39
40 SCHOOL REPORT

41 Dr. Jim Elliott, Denali Borough School District Superintendent, reported that the school district has
42 made a budget revision in response to a change in state statute that increased school funding. At
43 this point, there will be no request for an increase in the Borough's contribution pending results of
44 the twenty day count which will take place in October.

45
46 ASSEMBLY COMMENTS

47 Kimber BURROWS, Paddy TATUM, Don DE BLAUW, and Jill BOELSMA had no comment.
48

1
2 Jared ZIMMERMAN thanked members of the public for speaking and commented that the
3 assembly strives to partner with borough communities to move forward.
4

5 Rick WEIBEL thanked members of the public for their comments and noted that any ballot
6 measure would need to be approved by September 18 to be included on the November ballot.
7

8 Rusty LASELL thanked members of the public for coming to the meeting, commented that there
9 are processes in place to address issues, and stated that the assembly is willing to work with the
10 public on issues of concern.
11

12 COMMUNICATION AND APPEARANCES

13 Heidi Brannen, Healy, discussion on bar closure time within the Denali Borough.
14

15 Heidi Brannen, Healy resident, informed the assembly that she has reviewed Ordinance 07-16,
16 which was the instrument used in a past attempt to legislate early bar closing. Ms. Brannen
17 asked the assembly to consider such an ordinance once again, and requested information on
18 how to move forward with an ordinance. Points of discussion that followed include the ordinance
19 process, the motivation behind Ordinance 07-16 versus current motivation for a new ordinance,
20 the question of such an ordinance being put to ballot, and the importance of crafting an
21 ordinance that conveys the intent of the author.
22

23 Rick WEIBEL MOVED to suspend the agenda to allow public comment at this time. Kimber
24 BURROWS seconded. The VOTE by show of hands was unanimous.
25

26 Neil Schieber, Healy resident, clarified the action on Ordinance 07-16. The ordinance was
27 introduced, but then postponed indefinitely due to public opposition. An ordinance with the intent
28 of early bar closing time would not need to be on a ballot.
29

30 Jim Caswell, Cantwell resident, spoke in support of the concept of a 2:00 a.m. bar closing time,
31 but also commented that the goal may be accomplished by convincing owners that it is in their
32 better interest to close earlier.
33

34 Susan Braun, Stampede Road resident, commented that there are 42 establishments in the
35 borough that are licensed to sell alcohol. Of these, seven are package stores, and 35 are
36 establishments where people can drink and then have to travel home. Of the establishments that
37 Ms. Braun contacted, only one currently stays open until 5:00 a.m. Ms. Braun commented that a
38 problem with approaching business owners regarding closing time is that if someone decides not
39 to comply, and the problem is the same.
40

41 Noah Schieber, Healy resident, proposed that a group be formed with assembly representation
42 to work on an ordinance through research and discussion.
43

44 Andrea Blakesley, Panguingue Creek Subdivision resident, suggested a task force be formed as
45 well as a community group. Ms. Blakesley recommended that an ordinance be created that
46 would inspire public involvement and discussion.
47

1 Presiding Officer Rusty Lasell call a meeting recess at 7:48 p.m. The meeting resumed at 8:05
2 p.m.

3
4 DRAFT ORDINANCES:

5 ORDINANCE 14-07: An ordinance amending the Denali Borough Code of Ordinances (DBC),
6 Chapter 9.10 titled Subdivisions.

7
8 Mayor Clay Walker explained that the planning commission is requesting a change to DBC
9 9.10.100 to add a public awareness notification process.

10
11 Rick WEIBEL MOVED to introduce Ordinance 14-07. Dave TALERICO seconded. The roll call
12 VOTE to introduce was unanimous.

13
14 Rick WEIBEL MOVED to postpone Ordinance 14-07 to the next meeting. Dave TALERICO
15 seconded. The VOTE by show of hands was unanimous.

16
17 PENDING ORDINANCES:

18 ORDINANCE 14-06, Version B: An ordinance amending Article XI of the Denali Borough Charter,
19 titled taxation, Section 11.02, titled Tax Procedures and the Denali Borough Code of Ordinances by
20 adding Chapter 3.50, establishing a 3% seasonal general sales and services tax within the Denali
21 Borough

22
23 Dave TALERICO MOVED to postpone Ordinance 14-06 to the next meeting, Kimber BURROWS
24 seconded. Points of discussion that followed included the question of a tax being on the November
25 2014 election ballot, and the need for a work session regarding the ordinance. The VOTE by show
26 of hands was unanimous.

27
28 RESOLUTIONS

29 There were no resolutions on the agenda.

30
31 OTHER BUSINESS

32 There was no other business on the agenda.

33
34 PUBLIC COMMENTS

35 Gordon Carlson, Cantwell resident, commented that fees at the Cantwell Transfer Station must be
36 fair, and that the attendant should help those who have trouble with the bin lids. Mr. Carlson also
37 spoke in opposition to an ordinance mandating bar closing time.

38
39 Jim Caswell, Cantwell resident, commented that a sales tax should exempt severance sales, as they
40 are already taxed.

41
42 Barbara Brease, Healy resident, asked what rights are being taken away from someone who is not
43 being allowed to drive drunk.

44
45 Carri Skinner, McKinley Village area resident, spoke in opposition to borough action on bar closing
46 time, stating that business owners and staff need to be trained and knowledgeable regarding the
47 alcohol consumption of their patrons.

1 ASSEMBLY COMMENTS

2 Dave TALERICO apologized for arriving late to the meeting, and commented that he was in
3 favor of Ordinance 07-16 when it was introduced to the assembly, yet realizes that when
4 regulations are added, there is an enforcement issue. The initiative process would be an option
5 for those interested in petitioning the borough.
6

7 Rick WEIBEL commented that he is willing and available to work with anyone who wants to work
8 on an ordinance. Mr. Weibel also stated that the borough needs to enforce current laws or look
9 to the courts.
10

11 Jared ZIMMERMAN thanked members of the public for participating in the meeting, and
12 commented that there are advantages and disadvantages to an ordinance. Part of the debate
13 should address the effect closing bars would have on the individuals that are there now until 5:00
14 a.m.
15

16 Jill BOELSMA commented that the Healy Tundra Golf Challenge will be held July 12 to raise
17 funds for the Scott Menke Memorial Fund, which supports youth programs of the Denali
18 Education Center, and thanked the public for their comments this evening.
19

20 Don DEBLAUW commented that current regulation requires that bars close at 5:00 a.m., and
21 that closing earlier does not seem to be a big deal, but other angles are personal responsibility,
22 employees of bars, public awareness and education.
23

24 Paddy TATUM commented that initially she supported a 2:00 a.m. bar closing, but is considering
25 that it may be better to keep individuals in one place.
26

27 Kimber BURROWS commented that she would help craft an ordinance regarding earlier bar
28 closing time. Ms. Burrows stated that this is a multilayered issue, and an earlier closing is only
29 one solution. The Transportation and Safety Committee might be a place to start looking to build
30 solutions that work to make our communities safer.
31

32 Rusty LASELL thanked those in attendance for coming to the meeting, and commented that not
33 everyone works 9 to 5, and that wait staff have a responsibility not to serve impaired individuals.
34 Mr. Lasell expressed his willingness to do what he can to help anybody.
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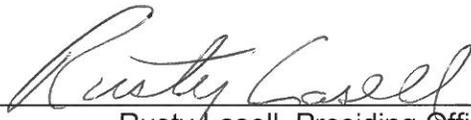
36 NEXT ASSEMBLY MEETING

37 There will be a Denali Borough work session to discuss Ordinance 14-06 on July 23 at 6:00 p.m.
38

39 The next regular meeting will be held on August 13, 2014 at the Anderson School: Public Hearing
40 6:00 PM and the Regular meeting to follow.
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42 ADJOURN: The meeting was adjourned at 8:52 PM.
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APPROVED: 
Rusty Lasell, Presiding Officer

ATTEST:  Date Approved: AUGUST 13, 2014
Gail Pieknik, Borough Clerk