

Minutes of the Public Hearing  
Denali Borough Assembly  
Tri-Valley Community Center  
September 10, 2014

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7 CALL TO ORDER: The public hearing was called to order by Presiding Officer Rusty Lasell at 6:05  
8 PM.

9  
10 ROLL CALL: Assembly members present: Jill BOELSMA, Jared ZIMMERMAN, Kimberly  
11 BURROWS, Rick WEIBEL, David TALERICO and Rusty LASELL. Absent: Don DEBLAUW, Paddy  
12 TATUM, and David EVANS.

13  
14 ORDINANCE 14-07: An ordinance amending the Denali Borough Code of Ordinances, Chapter 9.10  
15 titled Subdivisions.

16  
17 There were no comments.

18  
19 ORDINANCE 14-08. Version A: An ordinance creating Denali Borough Code of Ordinances Title 7,  
20 Business Licenses and Regulations and Creating Chapter 7.05, titled Liquor Licenses

21  
22 Kevin Hamel, Healy resident and business owner, commented that crafters of Ordinance 14-08  
23 should gather information regarding current bar closing hours and consider the customer base for  
24 affected businesses. Very few local residents patronize businesses that service alcohol in the early  
25 morning hours, and most customers are service industry workers who are off shift after midnight.  
26 This ordinance removes the rights of these workers to drink and socialize after work. The majority of  
27 these patrons do not drive home, as they have a short walk to their housing. An earlier bar closing  
28 time may result in parties in uncontrolled locations, as was the case in prior years when bars closed  
29 earlier. Businesses do work to control the alcohol consumption of their customers.

30  
31 David McCarthy, owner of three different businesses with licenses related to alcohol in Healy and  
32 the Nenana River Canyon, spoke in opposition to Ordinance 14-08 as it is written, suggesting that  
33 the assembly look into statistics and impacts on commerce related to access to alcohol after certain  
34 hours. Mr. McCarthy commented that he supports increased public safety, noting that his  
35 businesses stagger closing hours to facilitate a shuttle service available to patrons, and that they  
36 voluntarily close earlier than the time mandated by state law. Mr. McCarthy suggested that the  
37 assembly consider exempting tourism based businesses that are not open year round in the  
38 ordinance, further suggesting that a study be done of the residency of those arrested for drunk  
39 driving.

40  
41 Dennis Schwahn, Healy resident, commented that local residents occasionally have private parties  
42 in their homes that extend beyond the hours that bars are open.

43  
44 Heidi Brannen, Healy resident, spoke in full support of Ordinance 14-08, commenting that it would  
45 provide a safer environment for morning commuter traffic. Ms. Brannen stated that staggering  
46 closing times is a good idea, as long as the times are earlier than 2:00 AM, and that shuttles are not  
47 always able to transport guests to their place of lodging.

1  
2 Neil Schieber, Healy resident, commented that Ordinance 14-08 is not intended to bring businesses  
3 in Healy to a halt, and that amendments could be made to the ordinance that incorporate business  
4 concerns.  
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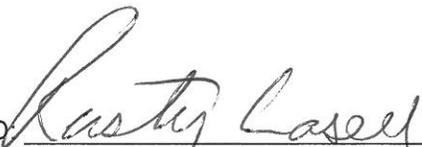
6 Jason Motyka, Healy resident and business owner, spoke in opposition to Ordinance 14-08 as it is  
7 written. Mr. Motyka commented that the issue should go to a vote of the people, some of whom live  
8 here because they support limited government, and suggested that the assembly consider an  
9 allowance in the ordinance for later closing times during special events. Mr. Motyka also commented  
10 that there is a need for communication between the public and those writing the ordinance.  
11

12 Sonja Schmidt, Healy resident, commented that she has been both a patron and employee of  
13 establishments that serve alcohol, and spoke in support of Ordinance 14-08, noting that it reflects a  
14 changing community.  
15

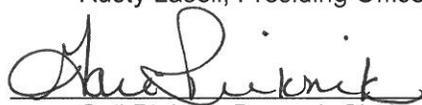
16 Noah Schieber, Healy resident, spoke in support of Ordinance 14-08 as it is written, commenting  
17 that there is no ambiguity, and that it follows Fairbanks weekday law. Mr. Schieber further  
18 commented that more research should be done on issues related to alcohol consumption, but that  
19 this ordinance is a good way to take a first step toward positive change.  
20

21 Carrie Skinner, McKinley Village resident, spoke in opposition to Ordinance 14-08 as it is written,  
22 commenting that it is a good idea for everyone to work together on the ordinance.  
23

24 ADJOURNMENT: The public hearing was adjourned at 6:27 PM.  
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27

28  
29 APPROVED:   
30

Rusty Lasell, Presiding Officer

31  
32  
33 ATTEST:   
34

Gail Pieknik, Borough Clerk

Date Approved: OCTOBER 08, 2014  
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1 **Minutes of the Regular Meeting**  
2 **Denali Borough Assembly**  
3 **Tri-Valley Community Center**  
4 **September 10, 2014**  
5  
6

7 ROLL CALL

8 Assembly members present: Jill BOELSMA, Kimber BURROWS, Jared ZIMMERMAN, Rick  
9 WEIBEL, Rusty LASELL, and David TALERICO. Absent: David EVANS, Paddy TATUM and Don  
10 DEBLAUW. Mayor Clay Walker was also present.  
11

12 Borough Clerk Gail Pieknik reported that Mr. Evans and Ms. Tatum called to say that they would be  
13 late, and Mr. DeBlauw provided notice that he would be unable to attend the meeting. Kimber  
14 BURROWS MOVED to excuse Mr. DeBlauw. Jill BOELSMA seconded. The VOTE by show of  
15 hands was unanimous.  
16

17 David Evans arrived at 6:31 PM.  
18

19 AGENDA

20 David TALERICO MOVED to approve the agenda as presented. Rick WEIBEL seconded. The  
21 VOTE by show of hands was unanimous.  
22

23 MINUTES

24 August 13, 2014 Public Hearing and Regular Meeting

25 Kimber BURROWS MOVED to approve the August 13, 2014 public hearing and regular meeting  
26 minutes as presented. Rick WEIBEL seconded. The VOTE by show of hands was unanimous.  
27

28 REPORTS

29 July 2014 Financial Reports

30 Rick WEIBEL MOVED to receive the July 2014 financial report. David TALERICO seconded. The  
31 VOTE by show of hands to receive the financial report was unanimous.  
32

33 Healy Transportation and Pedestrian Safety Project Ad hoc Committee Seat H Appointment:  
34 Amanda Austin.

35 David TALERICO MOVED to confirm Amanda Austin to the Healy Transportation and Pedestrian  
36 Safety Project Ad hoc Committee Seat H. Rick WEIBEL seconded. Mayor Clay Walker noted that he  
37 is happy to have Ms. Austin's interest and recommended confirmation, stating that there is one open  
38 seat on the committee. The VOTE by show of hands was unanimous.  
39

40 Assembly Seat F resignation as of October 9, 2014: Rick Weibel

41 David TALERICO MOVED to accept the resignation of Rick Weibel from Assembly Seat F with deep  
42 regret, effective October 9, 2014. Kimber BURROWS seconded. The VOTE by show of hands was  
43 unanimous.  
44

45 Planning Commission Seat G resignation as of September 17, 2014: Molly McKinley

46 Rick WEIBEL MOVED to accept the resignation of Molly McKinley from Planning Commission Seat  
47 G effective September 17, 2014. Kimber BURROWS seconded. The VOTE by show of hands was  
48 unanimous.

1  
2 MAYOR'S REPORT

3 Mayor Clay Walker reported that he appreciated Rick Weibel's many years of service to the  
4 borough, noting that Mr. Weibel was on the first assembly formed in 1990. Mayor Walker also  
5 thanked Molly McKinley for her service on the planning commission. These resignations will result in  
6 open seats which will provide service opportunities. Candidate packets for seats that will appear on  
7 the November ballot are due September 18. Usibelli Coal Mine has invited assembly members to  
8 tour the mine on September 24. Mayor Walker encouraged assembly members to consider  
9 attending Newly Elected Officers training held in conjunction with the Alaska Municipal League's Fall  
10 Conference in November, and to consider staying for the conference. The deadline for registration is  
11 October 8. The Emergency Planning and Projects Coordinator position vacancy has been posted,  
12 and is open until September 24. The annual Department of Environmental Conservation inspection  
13 has been done, and a report on that is expected soon. Fiscal Year (FY) 2014 was the biggest year in  
14 terms of acceptance at the landfill since 2008, yet the area looked great during inspection, and a  
15 good report is expected. A supplemental Environmental Impact Statement (EIS) for the Alaska  
16 Stand Alone Pipeline (ASAP) project is available online, including some good maps. The comment  
17 period for the EIS closes October 14, and the planning commission will look at maps at their next  
18 meeting. Mayor Walker closed by thanking presenters for coming to the meeting, and noted that he  
19 will bring a resolution concerning legislative requests to the next meeting.  
20

21 SCHOOL REPORT

22 There was no school report.  
23

24 ASSEMBLY COMMENTS

25 David TALERICO commented that candidate packets are due soon, and encouraged those  
26 present to file for available seats.  
27

28 David EVANS commented that he would miss Rick Weibel's voice on the assembly.  
29

30 Jared ZIMMERMAN and Jill BOELSMA thanked Rick Weibel for his service, expressed sorrow at  
31 Molly McKinley's resignation, and commented that they are glad to see Amanda Austin join the  
32 Pedestrian Safety committee.  
33

34 Rick WEIBEL thanked Mayor Walker and borough staff for their assistance, and commented that  
35 his resignation is due to an extended trip out of state. Mr. Weibel thanked the public for their  
36 comments on Ordinance 14-08.  
37

38 Kimber BURROWS thanked Rick Weibel for his service, and thanked the community for input  
39 regarding Ordinance 14-08, commenting that public comment helps to make a true community  
40 government.  
41

42 Rusty LASELL thanked Rick Weibel for his service, and commented that Mr. Weibel was  
43 instrumental in the formation of the borough. Mr. Lasell also encouraged people to get involved  
44 in their home rule government by filing for available seats in the November election.  
45

46 COMMUNICATION AND APPEARANCES

47 Garry Hutchison, Kohler, Schmitt & Hutchison, Denali Borough fiscal year 2014 audit (pre-audit  
48 discussion with assembly)

1  
2 Garry Hutchison, Kohler, Schmitt & Hutchison engagement partner for the FY 2014 financial  
3 audit, reported that audit field work had begun, and that his job is to communicate with the  
4 assembly regarding the audit and to explain what is behind the audit work. The auditors will look  
5 at the borough's financial data to develop a financial statement, and will evaluate how financial  
6 processes work related to budgets and forward funding. A portion of the audit will focus on the  
7 school district's independent audit. Financial data will be reviewed to detect material errors,  
8 material fraudulent financial reporting, misappropriation of assets, or federal law violations. Mr.  
9 Hutchison requested that, if assembly members had issues they felt should be reviewed in the  
10 audit process, they inform him via Mayor Walker. It is expected that the audit will be complete  
11 sometime in November.

12  
13 Larry Persily, Federal Coordinator of the Alaska Natural Gas Transportation Projects,  
14 PowerPoint presentation on Alaska gas pipeline projects

15  
16 Larry Persily, reported that he is a federal official working to ensure all twenty agencies involved  
17 in the Alaska gas pipeline projects cooperate and coordinate with one another. There are two  
18 pipeline projects in Alaska – ASAP and Alaska Liquefied Natural Gas (LNG) Pipeline, both of  
19 which are currently in the EIS process. The socio-economic report looks at the effects of a  
20 pipeline on schools, water quality, and quality of life.

21  
22 ASAP is a state created project whose purpose is to design a small pipeline to get gas to  
23 Alaskan residents. This project is in the supplemental EIS stage, and a Federal decision on the  
24 pipeline should be made by 2016. The project is estimated to be \$6 - \$10 billion in scope.

25  
26 The LNG project is in the preliminary process of an EIS, and is closing in on a second summer of  
27 field work. The project is estimated to be \$45 - \$60 billion in scope, including a gas treatment  
28 plant on the North Slope, the pipeline itself, compressor stations, and a liquefaction plant in  
29 Nikiski. The first gas to travel through the pipeline is expected to be in 2024 or 2025. Approvals  
30 are needed from the Federal government to ship gas overseas and to confirm that planned  
31 operations will be safe for the environment.

32  
33 Preliminary documents produced as part of a pre-filing process include a project timeline, draft  
34 project map, public participation plan, initial work on an EIS by a third party contractor, and a list  
35 of agencies from whom permitting will be required. Comments are solicited throughout the  
36 process. A resource report will be prepared regarding existing socioeconomic conditions,  
37 expected impacts, strategies to deal with impacts, and a fiscal impact analysis. The EIS scoping  
38 sessions are opportunities to provide input on issues that are important to various communities  
39 throughout the pipeline area. Mr. Persily encouraged the assembly to read the full EIS, and to  
40 pay particular attention to what it says about their communities and the impacts of the project to  
41 those communities.

42  
43 Presiding Officer Lasell called a meeting recess at 7:28. The meeting resumed at 7:45.

44  
45 DRAFT ORDINANCES

46 ORDINANCE 14-09: An ordinance appropriating up to \$110,000 from the Solid Waste Equipment  
47 Reserve Fund

1 David TALERICO MOVED to introduce Ordinance 14-09. Jared ZIMMERMAN seconded. Points of  
2 discussion that followed include that the rock dump truck purchased would be in used condition and  
3 winterized, and would replace an existing piece of equipment that would then be sold as surplus.  
4 There are a number of cells to be developed at the landfill for which the truck could be used. Further  
5 discussion focused on purchasing policies that allow for a bid process or purchasing from a specific  
6 source to prevent incompatibility with existing equipment. The roll call VOTE to introduce Ordinance  
7 14-09 was unanimous.

8  
9 David TALERICO MOVED to postpone Ordinance 14-09 to the next meeting. Kimber BURROWS  
10 seconded. The VOTE by show of hands was unanimous.

11  
12 PENDING ORDINANCES:  
13 ORDINANCE 14-07, Version B: An ordinance amending the Denali Borough Code of Ordinances  
14 (DBC), Chapter 9.10 titled Subdivisions.

15  
16 Rick WEIBEL MOVED to adopt Ordinance 14-07. Jared ZIMMERMAN seconded. A point of  
17 discussion that followed concerned the definition of the petition area. The VOTE by show of hands  
18 was unanimous.

19  
20 David EVANS MOVED to postpone Ordinance 14-07 to the next meeting. Kimber BURROWS  
21 seconded. The VOTE by show of hands was unanimous.

22  
23 ORDINANCE 14-08: An ordinance creating Denali Borough Code of Ordinances Title 7,  
24 Business Licenses and Regulations and Creating Chapter 7.05, titled Liquor Licenses

25  
26 Rick WEIBEL MOVED to adopt Ordinance 14-08. Kimber BURROWS seconded. Points of  
27 discussion that followed include the purpose of the ordinance as written and if the language of  
28 the ordinance impacts that purpose, the importance of a culture of safety, the value of having the  
29 ordinance as a ballot measure, the timeline for a ballot measure, the importance of public  
30 education and input on the ordinance, the absence of borough public safety powers, the  
31 displacement of seasonal employees after hours, and the need for a public work session on the  
32 ordinance.

33  
34 Rick WEIBEL MOVED to postpone Ordinance 14-08 to the next meeting. Jill BOELSMA  
35 seconded. The VOTE by show of hands was 6 – 1, with David TALERICO opposed.

36  
37 RESOLUTIONS  
38 There were no resolutions on the agenda.

39  
40 OTHER BUSINESS  
41 There was no other business on the agenda.

42  
43 PUBLIC COMMENTS  
44 Sonja Schmidt, Healy resident, provided a brief history of the “Welcome to Healy” sign, and  
45 commented that there is a need for someone to take on the responsibility for maintenance of the  
46 sign. Ms. Schmidt offered to provide information to anyone who is interested.  
47

1 Kris Capps, Kids in Motion President, commented on upcoming cultural opportunities made possible  
2 through the Outreach Program of the Fairbanks Concert Association. Masters of Hawaiian Music will  
3 perform in Healy on September 28, and TorQ Percussion will perform at Mile 229 Restaurant on  
4 February 18. Ms. Capps also encouraged all present to look into the Leadership Fairbanks program,  
5 which begins in October.

6  
7 Molly McKinley, Healy resident, thanked the assembly for accepting her resignation from the  
8 planning commission, and thanked them for their service as assembly members. Ms. McKinley also  
9 spoke in support of the theory of Ordinance 14-08, commenting that, as municipalities grow, they  
10 create tools to regulate the safety of their communities.

11  
12 Andrea Blakesley, Panguingue Creek Subdivision resident, spoke in support of Ordinance 14-08 as  
13 it is currently written. Ms. Blakesley commented that it is important to be sure there is sufficient  
14 public input on the ordinance.

15  
16 Barbara Brease, Healy resident, commented that traffic patterns are an important part of Ordinance  
17 14-08, that diesel fumes resulting from gravel operations near her home are an issue, and that  
18 having a well maintained welcome sign is an indication of community.

19  
20 Noah Schieber, Healy resident, commented that there are a number of different angles to take when  
21 discussing Ordinance 14-08. Discussion with Alaska State Troopers is ongoing, the ordinance  
22 identifies a target where a difference can be made, that he supports an assembly vote rather than a  
23 ballot measure due to the shorter timeframe of action, and that a consensus could be reached on  
24 the language of the ordinance.

25  
26 Dave McCarthy, Healy resident and business owner, commented that there was a fatal accident  
27 several years ago that did not inspire action toward an ordinance, and warned of an emotional  
28 response to a tragic event. Mr. McCarthy stated that his businesses are the largest target of  
29 Ordinance 14-08, and that, while intended for public safety, it restricts commerce and his personal  
30 freedoms. The ordinance raises many questions and time should be taken to think through them.  
31 Mr. McCarthy suggested that instituting bike paths may be an appropriate memorial of a victim of a  
32 fatal accident.

33  
34 Jason Motyka, Healy resident and business owner, commented that there are not many activities in  
35 the community for seasonal workers, and spoke in favor of a recreational facility available to visitors.

36  
37 Michelle Fenright, McKinley Village resident, spoke in support of Ordinance 14-08, commenting that  
38 neither commerce nor desire to drink should trump safety.

39  
40 Andrea Blakesley, Panguingue Creek Subdivision resident, commented that inability to solve a large  
41 problem is not justification for inaction on steps that can be taken.

42  
43 Susan Braun, Panguingue Creek Subdivision resident, commented that she agreed with Ms.  
44 Blakesley, adding that bar hours are regulated by the community in which they operate. Ms. Braun  
45 further commented that she was not concerned about drunk drivers until a very good friend was  
46 killed, and that an earlier bar closing time would keep morning commuters safer.

1 Kevin Hamel, Healy resident and business owner, commented that he is not aware of any bar in the  
2 Denali Borough that closes at 5:00 AM, and that a patron who was recently involved in a fatal  
3 accident left his business at 3:00 AM prior to a 4:00 AM closing.

4  
5 ASSEMBLY COMMENTS

6  
7 Jill BOELSMA had no comment.

8  
9 Kimber BURROWS commented that public input is helpful, and spoke in support of a work  
10 session on Ordinance 14-08. Ms. Burrows invited all present to attend a Healy Transportation  
11 and Pedestrian Safety Committee meeting on September 16, where ideas for pedestrian safety  
12 in the Healy area will be discussed.

13  
14 Rick WEIBEL thanked the public for attending the meeting and commenting, and spoke in  
15 support of Ordinance 14-08.

16  
17 Jared ZIMMERMAN commented that discussion on Ordinance 14-08 needs to be brought to all  
18 four communities in the borough, and that impact funding related to a gas pipeline would be  
19 important to our forward funded budget. Mr. Zimmerman also commented that he was not aware  
20 of issues caused by increased employee housing in the Healy area, and that now would be the  
21 time to bring concerns forward.

22  
23 David EVANS commented that one of the big players related to the Transportation and  
24 Pedestrian Safety Committee is the Alaska Department of Transportation, as they are involved in  
25 maintenance, reconstruction, and bike paths.

26  
27 David TALERICO thanked Rick Weibel and Molly McKinley for their service, and noted that there  
28 is a provision in Denali Borough Code for a referendum election. Mr. Talerico commented that  
29 bar closing time is a serious issue, and that the language of Ordinance 14-08 needs to be  
30 improved. Mr. Talerico thanked the public for commenting at this meeting, and encouraged those  
31 present to make an impact by filing for a seat on the November ballot.

32  
33 Rusty LASELL commented that the Denali Borough does not have roads and trails powers  
34 because the people of our home rule borough have not granted them. The assembly is limited in  
35 what it can do due to limited powers. Mr. Lasell further commented that he has enjoyed working  
36 with Rick Weibel.

37  
38 NEXT ASSEMBLY MEETING

39 The next regular meeting will be held on October 08, 2014 at the McKinley Community Center:  
40 Public Hearing 6:00 PM and the Regular meeting to follow.

41  
42 Kimber BURROWS MOVED to hold a work session for the purpose of working on Ordinance 14-08  
43 on October 1 at 6:00 PM. Rick WEIBEL seconded. The VOTE by show of hands was unanimous.

44  
45 ADJOURN: The meeting was adjourned at 9:32 PM.  
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APPROVED: *Rusty Lasell*  
Rusty Lasell, Presiding Officer

ATTEST: *Gail Pieknik* Date Approved: OCTOBER 08, 2014  
Gail Pieknik, Borough Clerk