

Minutes of the Public Hearing
Denali Borough Assembly
Tri-Valley Community Center
September 11, 2013

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7 CALL TO ORDER: The public hearing was called to order by Presiding Officer Rick Weibel at 6:08
8 PM.

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10 ROLL CALL: Assembly members present: Rusty LASELL, Jared ZIMMERMAN, Gordon
11 CARLSON, Rick WEIBEL, Terry ASBURY and Paddy TATUM. Absent: Steve ANASTASIA, David
12 EVANS and Gordon CARLSON

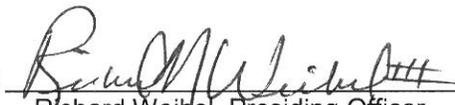
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14 ORDINANCE 13-07, Version A: An ordinance amending Denali Borough Code, Chapter 3.05.040
15 titled Budget Expenditures

16
17 There were no comments.

18
19 ORDINANCE 13-09, Version A: An ordinance amending Denali Borough Code, Chapter 3.25 titled
20 Overnight Accommodations Tax

21
22 There were no comments.

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24 ADJOURNMENT: The public hearing was adjourned at 6:09 PM.
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29 APPROVED: 

Richard Weibel, Presiding Officer

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35 ATTEST: 

Gail Pieknik, Borough Clerk

Date Approved: OCTOBER 9, 2013

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**Minutes of the Regular Meeting
Denali Borough Assembly
Tri-Valley Community Center
September 11, 2013**

CALL TO ORDER: Presiding Officer Richard Weibel called the regular meeting to order at 6:10 PM. Mayor Clay Walker led those present in the Pledge of Allegiance.

ROLL CALL

Assembly members present: Rusty LASELL, Jared ZIMMERMAN, Richard WEIBEL, Terry ASBURY and Paddy TATUM. Absent: Steve ANASTASIA and Gordon CARLSON. David EVANS contacted the Borough Clerk to give notice that he would arrive after the meeting had started. (Mr. Evans arrived at 7:47 pm.)

Rusty LASELL MOVED to excuse Mr. Anastasia and Mr. Carlson. Jared ZIMMERMAN seconded. The VOTE by show of hands was unanimous.

PUBLIC COMMENTS

Hannah Ragland, Denali Citizens Council (DCC), commented that the DCC's appeal of the state of Alaska's decision on the gas exploration license in the Healy area will be heard in Alaska Supreme Court on September 18. DCC's main argument is that the State did not include mitigation measures for specific lands in the final license language.

AGENDA

Rusty LASELL MOVED to approve the agenda as presented. Terry ASBURY seconded. The VOTE by show of hands was unanimous.

MINUTES

August 14, 2013 Public Hearing and Regular Meeting

Jared ZIMMERMAN MOVED to approve the August 14, 2013 public hearing and regular meeting minutes. Rusty LASELL seconded. The VOTE by show of hands was unanimous.

REPORTS

July 2013 Financial Report

Terry ASBURY MOVED to receive the July 2013 financial report. Jared ZIMMERMAN seconded. The VOTE by show of hands was unanimous.

MAYOR'S REPORT

Mayor Clay Walker thanked the assembly for attending the work session prior to the meeting, and reported that he will bring forward ideas for a financial subcommittee in the future. The Denali Borough School Board approved a joint work session with the assembly on September 24 to discuss project priority lists and capital improvements. Candidate packets for school board and assembly seats are available at the borough office, with September 19 the deadline for submission. Mayor Walker will be meeting with Alaska Railroad Corporation (ARRC) executives on September 24, including outgoing CEO Christopher Aadnesen, who has been a friend to the Denali Borough.

1 Golden Valley Electric Association (GVEA) employees Dave Brown and Jim Craig hosted the mayor
2 in a tour of the Eva Creek Wind Farm. The facility has a 25 megawatt capacity, and the facility
3 output can be found on the GVEA website. Mayor Walker travelled to Valdez to attend the Summer
4 Alaska Municipal League Conference and Conference of Mayors (ACOM) meeting in August. It was
5 a productive conference focusing on what municipalities can do to let legislators know how their
6 decisions affect individual communities. The Fall AML Conference will be held November 18-22.

7
8 A plat for the borough's first municipal land entitlement to be surveyed, Swan Lake, has been
9 submitted to DNR for approval, and now a management plan will need to be developed for that area.
10 A request was received from Matanuska Telephone Association to allow upgrades near the Kobe
11 communication site. The process of evaluation has begun toward classification of grazing use
12 permit areas nominated by the planning commission. It was noted that nominations for classification
13 may come from the mayor, the planning commission, or the public.

14 SCHOOL REPORT

15 Denali Borough School District Superintendent Dr. Jim Elliott presented assembly members with the
16 school district's Fiscal Year 2015 capital improvement plan, and noted that the top three priority
17 projects are the Anderson School water line, district-wide security upgrades, and roof replacements
18 at the Cantwell and Anderson Schools. Dr. Elliott reported that he has been working on a solution to
19 the issue of Anderson children attending the Nenana School, and would like to have a substantial
20 discussion regarding the role of the borough in education.

21 CANVASS COMMITTEE

22
23 Terry ASBURY MOVED to set the Denali Borough Assembly as the Canvass Committee for the
24 November 5, 2013 Denali Borough Regular Election. Rusty LASELL seconded. The VOTE by show
25 of hands was unanimous.

26 ASSEMBLY COMMENTS

27 Rick WEIBEL had no comment.

28
29 Rusty LASELL commented that seventeen people have had to be rescued from the Stampede
30 Trail this year, and there is increasing litter and all-terrain vehicle damage on the trail itself. The
31 amount of damage to the trail and surrounding area is an issue that affects the condition of
32 Stampede Road beyond the pavement, as well as access for emergency services. There has
33 been talk of a bridge being built across the Teklanika River.

34
35 Jared ZIMMERMAN commented that a Stampede Recreation Area is one idea to resolve the
36 Stampede Trail issue, and noted that area of land belongs to the state of Alaska. Mr.
37 Zimmerman commented positively on an advisory committee, with assembly members taking on
38 more responsibility. The comment deadline regarding the Department of Natural Resources
39 (DNR) oil and gas exploration and development changes has been extended, as many people
40 were confused by the changes made. It appears that the Healy Basin exploration permit will not
41 be affected by the changes.

42
43 Paddy TATUM and Terry ASBURY commented that the bus on the Stampede Trail should be
44 moved from its current location.

1 COMMUNICATION AND APPEARANCES

2 Mike Gaddis, Healy: discussion on the possibility of Denali Borough Wood Harvesting

3
4 Mike Gaddis requested that the assembly consider opening borough lands with deadfall or
5 construction cleared trees to the public to provide wood for heat. Mr. Gaddis has been working with
6 ARRC regarding felled trees on railroad property as well as with construction companies to offer
7 felled trees to the public. Mr. Gaddis suggested a permit process as a starting point, and noted that
8 neighboring municipalities identify tree harvest locations on their websites.

9
10 Mayor Clay Walker noted that, at one time, the borough considered permitting tree harvesting on
11 landfill property but did not follow through due to concerns of bear activity in the area, and suggested
12 that now may be a good time to reconsider that permitting.

13
14 Presiding Officer Rick Weibel called a meeting recess at 7:24 pm. The meeting resumed at 7:43
15 pm.

16
17 ORDINANCES

18 DRAFT ORDINANCES:

19 ORDINANCE 13-11, Version A: An ordinance appropriating up to \$12,143 from the General Fund for
20 reimbursable expenditures related to grant 14LEPC-GR

21
22 Jared ZIMMERMAN MOVED to introduce Ordinance 13-11, Version A. Terry ASBURY seconded.
23 Mayor Clay Walker explained that this grant application had a compressed timeline, which did not
24 allow a resolution to be done prior to submission. The monies received under this grant would cover
25 a portion of the Emergency Services Director's wages and expenses related to the Local Emergency
26 Planning Committee. The roll call VOTE was unanimous.

27
28 Rusty LASELL MOVED to postpone Ordinance 13-11, Version A to the next meeting. Jared
29 ZIMMERMAN seconded. The VOTE by show of hands was unanimous.

30
31 (David Evans arrived at 7:47 pm.)

32
33 ORDINANCE 13-12, Version A: An ordinance appropriating up to \$176,216 from the Major School
34 Maintenance Fund for the Cantwell K-12 School sprinkler and fire upgrade project

35
36 Rusty LASELL MOVED to introduce Ordinance 13-12, Version A. Jared ZIMMERMAN seconded.
37 Mayor Clay Walker explained that the grant agreement has been signed, and that he will act as the
38 project coordinator. The roll call VOTE was unanimous.

39
40 Terry ASBURY MOVED to postpone Ordinance 13-12, Version A to the next meeting. David EVANS
41 seconded. The VOTE by show of hands was unanimous.

42
43 PENDING ORDINANCES:

44 ORDINANCE 13-07, Version A: An ordinance amending Denali Borough Code, Chapter
45 3.05.040 titled Budget Expenditures

46
47 Terry ASBURY MOVED to adopt Ordinance 13-07, Version A. Jared ZIMMERMAN seconded.

1 Terry ASBURY MOVED to amend by striking "90%" from 3.05.040(F) and inserting "100%."
2 Points of discussion that followed include budgeting restrictions that currently exist in Code, the
3 administrative limitations that would result from the ordinance, and the increasing nature of the
4 budget. The VOTE by show of hands on the amendment was 5 – 1 as follows: Yes – David
5 EVANS, Terry ASBURY, Rick WEIBEL, Paddy TATUM, Jared ZIMMERMAN; No – Rusty
6 LASELL. The motion to amend passed.
7

8 The roll call VOTE on the main motion to adopt Ordinance 13-07, Version A was 4 – 2 as
9 follows: Yes – Terry ASBURY, David EVANS, Paddy TATUM, Rick WEIBEL; No – Jared
10 ZIMMERMAN, Rusty LASELL. The motion failed.
11

12 ORDINANCE 13-09, Version A: An ordinance amending Denali Borough Code, Chapter 3.25
13 titled Overnight Accommodations Tax
14

15 Rusty LASELL MOVED to amend by substitution Ordinance 13-09, Version C for Version A.
16 Jared ZIMMERMAN seconded.
17

18 Terry ASBURY moved to amend Ordinance 13-09, Version C by inserting the phrase "Alaskan
19 resident who is an" in 3.25.010(E), and inserting 3.25.010(J) "'Alaskan resident' is a person who
20 resides in Alaska 180 days in a calendar year and is qualified for the permanent fund." Mr.
21 Asbury further amended 3.25.050(A) by deleting the word "federal," and 3.25.050(B) by adding
22 the word "Alaskan" after the word permanent. Rusty LASELL seconded.
23

24 David EVANS MOVED to postpone Ordinance 13-09, Version A to the next meeting. Paddy
25 TATUM seconded. The VOTE by show of hands was unanimous.
26

27 RESOLUTIONS

28 RESOLUTION 13-12: A resolution approving submission and acceptance of the Alaska Division of
29 Homeland Security and Emergency Management fiscal year 2013 State Homeland Security Grant.
30

31 Rusty LASELL MOVED to approve Resolution 13-12. Jared ZIMMERMAN seconded. The roll call
32 VOTE was unanimous.
33

34 RESOLUTION 13-13: A resolution approving the state of Alaska Emergency Management Grant
35 (EMPG).
36

37 Rusty LASELL MOVED to approve Resolution 13-13. David EVANS seconded. The roll call VOTE
38 was unanimous.
39

40 OTHER BUSINESS

41 Accept Gordon Carlson resignation from Denali Borough Assembly seat A per DBC 2.05.080(3)
42

43 David EVANS MOVED to accept the resignation of assembly member Gordon Carlson. Terry
44 ASBURY seconded. The VOTE by show of hands was unanimous.
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1 Alcoholic Beverage Control Board:

2 Transfer ownership

3 Current owner: Zarcone Brothers

4 Name of applicant: White Raven, LLC B.B.A. Lynx Creek Liquor

5 Registered agents for new business: Shawn Peterson & Paul Foglia

6 Type: Package Store

7 Location: Mile 238.6 Parks Highway

8
9 Jared ZIMMERMAN MOVED to approve the transfer of ownership as listed above. David EVANS
10 seconded. The VOTE by show of hands was unanimous.

11
12 Update on Alaska Gas Development Corp. (AGDC)

13
14 Mayor Clay Walker explained that AGDC updates have been an ongoing agenda item, and that,
15 after a decision process that included a 21-day public comment period, permits were signed for
16 boreholes in three areas - Anderson, Stampede/Parks Highway Junction, and the Denali Bypass
17 Route. Mayor Walker noted on the permit for the Denali bypass route that it was signed with
18 significant reservations and included resolutions passed by the assembly and planning commission
19 that favored the highway utility corridor route. In a related development, the Denali National Park
20 Improvement Act, which would authorize right-of-way permits for the pipeline, passed through the
21 U.S. Senate.

22
23 Social Media Policy

24 Jared ZIMMERMAN MOVED to approve the Social Media Policy as presented. Rusty LASELL
25 seconded.

26
27 Jared ZIMMERMAN MOVED to amend the Social Media Policy, Commenting Policy section, third
28 paragraph, first sentence, by deleting the phrase "we cannot assure users that comments or
29 questions made on this page will become part of the official record for any particular issue" and
30 inserting "no comments will be part of the official record." David EVANS seconded. The VOTE on
31 the amendment by show of hands was unanimous.

32
33 The VOTE on main motion to approve the Social Media Policy by show of hands was unanimous.

34
35 PUBLIC COMMENTS

36 Steve Love, Healy resident, commented that Alaska Railroad Corporation (ARRC) has started
37 work on the new Healy wye track. The direction of the wye has been changed to avoid a
38 wetland area, and the project is scheduled to be complete by mid-May.

39
40 Hannah Ragland, Stampede Road resident, commented that there are plans by hotel operators
41 to increase the amount of seasonal staff housing in the Healy area, and encouraged the
42 assembly to consider safety and sanitary issues that may result. Ms. Ragland spoke in support
43 of a broad vision for borough land prior to classification, with lands leased, or considered for
44 lease, a priority. Friends of Stampede have been contacted by Erik Halfacre, who maintains the
45 Hiking the Stampede Trail website, and they have referred him to legislators regarding the trail.
46 Ms. Ragland also commented that commercial tour operators and hunting vehicles are causing
47 trail deterioration.

1 ASSEMBLY COMMENTS

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3 David EVANS apologized for arriving late to the meeting. Mr. Evans noted that an influx of
4 employees to the Healy area will result in safety issues, and that recreational opportunities need
5 to be open to seasonal workers.
6

7 Rusty LASELL commented that he will be unable to attend the October meeting, and expressed
8 his appreciation for Terry Asbury's work and dedication as an assembly member.
9

10 Jared ZIMMERMAN and Paddy TATUM thanked those in attendance for coming to the meeting.
11

12 Rick WEIBEL commented that the planning commission had been working on land classification
13 for a long time.
14

15 NEXT ASSEMBLY MEETING

16 The next regular meeting of the Denali Borough Assembly will be held at the McKinley Community
17 Center, Denali, Alaska on Wednesday, October 9, 2013: Work Session 5:30 PM (pre-audit
18 conference with Kohler, Schmitt & Hutchison), Public Hearing 6:00 PM and the Regular meeting to
19 follow.
20

21 There will be a joint work session with the Denali Borough School Board on September 24 at 6:30
22 pm at the Tri-Valley Community Center.
23

24 The *Canvass Committee* meeting and *Assembly Special Meeting* to certify the election will be held
25 in Healy at the Tri-Valley Community Center on Thursday, November 7, 2013 at 6:00 PM.
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28 ADJOURN: The meeting was adjourned at 8:53 pm.
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31 APPROVED: 
32 Rick Weibel, Presiding Officer

33
34 ATTEST: 
35 Gail Pieknik, Borough Clerk Date Approved: OCTOBER 9, 2013
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