

Minutes of the Public Hearing
Denali Borough Assembly
Anderson School
December 10, 2014

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7 CALL TO ORDER: The public hearing was called to order by Presiding Officer Jared Zimmerman
8 at 6:13 PM.
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10 ROLL CALL: Assembly members present: Joe CHATFIELD, Kimberly BURROWS, Paddy TATUM,
11 David EVANS and Jared ZIMMERMAN. Absent: David TALERICO, Jill BOELSMA and Don
12 DEBLAUW.
13

14 ORDINANCE 14-08, Version D: An ordinance creating Denali Borough Code of Ordinances Title 7,
15 Business Licenses and Regulations and Creating Chapter 7.05, titled Liquor Licenses
16

17 There were no comments.
18

19 ORDINANCE 14-10, Version B: An ordinance amending the Denali Borough Code of Ordinances,
20 Chapter 3.21 titled Management of Grants adding Chapter 3.21.075 titled Municipal Assistance
21 Program
22

23 There were no comments.
24

25 ORDINANCE 14-15, Version A: An ordinance amending the Denali Borough Code of Ordinances,
26 creating Chapter 9.21 titled Zoning Nenana River Scenic Corridor
27

28 There were no comments.
29

30 ORDINANCE 14-16, Version A: An ordinance amending the Denali Borough Code of Ordinances,
31 creating Chapter 9.22 titled Zoning Airport Reserve District
32

33 There were no comments.
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36 ADJOURNMENT: The public hearing was adjourned at 6:16 PM.
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41 APPROVED: _____
42 Jared Zimmerman, Presiding Officer
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45 ATTEST: _____ Date Approved: _____
46 Gail Pieknik, Borough Clerk
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**Minutes of the Regular Meeting
Denali Borough Assembly
Anderson School
December 10, 2014**

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7 CALL TO ORDER: Presiding Officer Jared Zimmerman called the regular meeting to order at 6:16
8 PM. Mayor Clay Walker led those present in the Pledge of Allegiance.
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10 ROLL CALL

11 Assembly members present: David EVANS, Joe CHATFIELD, Kimberly BURROWS, Jared
12 ZIMMERMAN and Paddy TATUM. Absent: Don DEBLAUW, Jill BOELSMA and Dave TALERICO.
13 Mayor Clay Walker was also present.
14

15 Borough Clerk Gail Pieknik reported that those absent notified the borough office that they would not
16 be able to attend the meeting, and all asked to be excused.
17

18 David EVANS MOVED to excuse those absent. Kimber BURROWS seconded. The VOTE by show
19 of hands was unanimous.
20

21 Appointment to Assembly Seat F

22 No action taken.
23

24 PUBLIC COMMENTS

25 Jamie Milliken, Panguingue Creek Homeowners Association (PCHA) Board member, spoke in
26 support of Resolution 14-15. The resolution concerns road damage caused by a land owner working
27 without permission from the State, Borough, or PCHA. Repairing the damage would open up land for
28 development, including creating access for a borough owned lot.
29

30 AGENDA – Kimber BURROWS MOVED to approve the agenda as presented. David EVANS
31 seconded. The VOTE by show of hands was unanimous.
32

33 MINUTES

34 November 6, 2014 Canvass Committee Meeting
35 November 6, 2014 Denali Borough Assembly Special Meeting
36 November 12, 2014 Denali Borough Assembly Public Hearing
37 November 12, 2014 Denali Borough Assembly Regular Meeting
38

39 Paddy TATUM MOVED to approve the minutes of all listed meetings as presented. Joe CHATFIELD
40 seconded. The VOTE by show of hands was unanimous.
41

42 REPORTS

43 October 2014 Financial Report
44 David EVANS MOVED to receive the October 2014 financial report. Kimber BURROWS seconded.
45 The VOTE by show of hands was unanimous.
46
47
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1 Assembly Seat C resignation: David M. Talerico
2 Kimber BURROWS MOVED to accept the resignation of David M. Talerico from Assembly Seat C.
3 David EVANS seconded. The VOTE by show of hands was unanimous.
4

5 Healy Transportation and Pedestrian Safety Project Ad hoc Committee
6 Committee Chair Kimber Burrows reported that the committee held a work session on November 24,
7 2014, and worked on compiling data gathered from an open house, surveys, and Alaska Department
8 of Transportation (DOT). The current focus of the committee is to identify specific sites of concern,
9 prioritize them, and create a draft report for public review. The next committee work session will be
10 held on January 6, 2015 in the Tri-Valley Community Center at 5:30 pm.
11

12 MAYOR'S REPORT

13 Mayor Clay Walker reported that the solid fuel stove change out program is complete, with a final
14 report submitted and unspent funds in the amount of \$20,577 returned to Golden Valley Electric
15 Association. Twenty solid fuel burning stoves that were not compliant with Environmental Protection
16 Agency standards were replaced with those which were compliant. The Mayor's Community Service
17 Award nominations are open, with nomination forms available online, at the borough office, and
18 posted at post offices. The nominations close on January 15, 2015. Mayor Walker reported that the
19 Alaska Municipal League (AML) conference provided many informational workshops and meetings
20 during a very busy week. AML confirmed their priorities to be advocating for a strong revenue
21 sharing amount in Fiscal Year (FY) 2016 and to maintain a 22 percent employer contribution rate for
22 the Public Employees Retirement System (PERS). Mayor Walker was elected to the AML Board of
23 Directors seat for District 6, and he encouraged assembly members to consider serving on an AML
24 committee, and also to consider attending the AML Legislative Fly-In in February.
25

26 The mayor attended a change of command ceremony at Clear Air Force Station on November 14,
27 where long-time Alaskan Lt. Col. John Oberst was installed as Base Commander. The Municipal
28 Advisory Gas Project Review Board is working on their report, where there is no consensus, and the
29 current recommendation is to implement a Payment In Lieu of Taxes type of compensation system.
30 The budget for the state's future fiscal outlook is calling for a tough couple of years, as oil prices
31 continue to decline. The current draft of the state's FY2016 budget lists the Denali Borough School
32 District's (DBSD) request for reimbursement for the Anderson School water line project as priority
33 number 11, with only the first nine Capital Improvement Projects (CIP) funded. Mayor Walker
34 requested that the assembly consider a date for a joint school board and assembly work session for
35 the purpose of discussing CIP projects and priorities. The mayor closed his report by pointing out
36 that there are two open seats on the assembly, both of them Healy seats.
37

38 SCHOOL REPORT

39 Denali Borough School District had no report.
40

41 ASSEMBLY COMMENTS

42 Joe CHATFIELD commented that the AML conference was informative, and that he would
43 recommend it to assembly members.
44

45 Jared ZIMMERMAN apologized for being absent from the last meeting, and commented that the
46 Friends of Stampede are still working toward the establishment of a Stampede State Recreation
47 Area. Mr. Zimmerman suggested that a resolution of support similar to those provided in the past
48 be on the January meeting agenda. Mr. Zimmerman recognized the important role of volunteer

1 organizations in our borough, as they provide for needs that are supported by, but not powers of,
2 the borough.

3
4 David EVANS commented that he would like to attend the AML Legislative Fly-In, and
5 commented that he will miss Dave Talerico on the assembly.

6
7 Kimber BURROWS expressed appreciation for the opportunity to attend the Alaska Municipal
8 League annual conference and Newly Elected Official training. She offered congratulations to
9 Mayor Walker for winning the District 6 seat on the AML Board.

10
11 Paddy TATUM had no comment.

12
13 COMMUNICATION AND APPEARANCES

14 Garry Hutchison, CPA, Kohler, Schmitt & Hutchison, to review the Denali Borough Fiscal Year
15 2014 audit

16
17 Garry Hutchison, CPA with Kohler, Schmitt & Hutchison, presented the audit results of the
18 FY2014 Financial Statement. Mr. Hutchison noted that the audit of the borough's annual financial
19 statement represents information contained in the borough's accounting system, and distributed
20 a packet of graphs depicting summarized information drawn from financial reports of the last five
21 years.

22
23 Mr. Hutchison drew attention to the management discussion and analysis, noting that this
24 provides a narrative for the numbers included in the financial statement. The Statement of
25 Activities is an entity wide presentation as if the borough were a business. Mr. Hutchison
26 identified the most important number in the financial statements to be \$1,370,710 - the General
27 Fund unassigned balance amount shown on the Balance Sheet. The Balance Sheet also shows
28 the value of the Permanent Investment Fund as \$3,113,797, with \$110,149 of that amount
29 available to the General Fund in FY2015. The Statement of Revenues, Expenditures, and
30 Changes in Fund Balances shows excess General Fund revenue in the amount of \$576,931,
31 which is the highest in recent years. The Permanent Investment Fund shows a strong position.

32
33 The borough proprietary funds (Solid Waste and Land Enterprise) each show an operating loss,
34 which is generally the case and has historically been supported by transfers from the General
35 Fund. Mr. Hutchison also noted the Solid Waste Enterprise operating loss was the lowest since
36 its inception.

37
38 Mr. Hutchison noted that changes to the reporting of PERS unfunded liability will be presented in
39 the financial statement for FY2015, and that borough finances are in good shape.

40
41 Presiding Officer Jared ZIMMERMAN called for a meeting recess at 6:57 pm. The meeting
42 resumed at 7:16 pm.

43
44 PENDING ORDINANCES:

45 ORDINANCE 14-08, Version D: An ordinance creating Denali Borough Code of Ordinances Title
46 7, Business Licenses and Regulations and Creating Chapter 7.05, titled Liquor Licenses
47

1 Kimber BURROWS MOVED to adopt Ordinance 14-08, Version D. The motion failed due to the
2 lack of a second.
3
4 The assembly invited those in the audience with public comment on Ordinance 14-08 to present
5 it at this time.
6
7 Andrea Blakesley, Panguingue Creek Subdivision resident, spoke in support of Ordinance 14-08,
8 commenting that the ordinance has had much discussion and revision, and that it would promote
9 safety.
10
11 Noah Schieber, Healy resident, spoke in support of Ordinance 14-08, commenting that it was
12 solid as is, but there seems to be pushback by those who would like to see it go to ballot.
13
14 Assembly Presiding Officer Jared Zimmerman declared public comment closed.
15
16 Points of discussion on this topic included the mix of post bar closure and commuter traffic in the
17 early morning hours, the changing demographic in areas of the borough, the desire to have a full
18 assembly when voting to approve the ordinance, if the question of bar closure time should go to
19 a vote of the people, and wording deleted from 7.05.050.
20
21 David EVANS moved to amend Ordinance 14-08 section 7.05.050 by adding the sentence, "The
22 subsection does not apply to common carriers or to an employee of the licensee who is on the
23 premises to prepare for the next day's business." Kimber BURROWS seconded. The VOTE by
24 show of hands on the amendment was unanimous.
25
26 Joe CHATFIELD MOVED to postpone Ordinance 14-08 to the February meeting. David EVANS
27 seconded. The VOTE by show of hands was unanimous.
28
29 ORDINANCE 14-10, Version B: An ordinance amending the Denali Borough Code of
30 Ordinances, Chapter 3.21 titled Management of Grants by adding Chapter 3.21.075 titled
31 Municipal Assistance Program
32
33 The assembly welcomed those in the audience with public comment to present it at this time.
34
35 Rupert Smith, Anderson resident, commented that the funding to municipalities under
36 3.21.075(B)(1) is limited to one percent, but that it is not clear if this is for each municipality, or in
37 total. Mr. Smith also suggested that 3.21.075(C)(1)(3) read water or sewer, and not require both
38 together.
39
40 Jeff Taylor, Anderson resident, commented that the city of Anderson would benefit by only a
41 small amount with this ordinance.
42
43 Dorothy Leake, Anderson resident, asked Mayor Clay Walker to explain how funding would work
44 under the proposed ordinance.
45
46 Assembly Presiding Officer Jared Zimmerman declared public comment closed.
47

1 Mayor Walker explained past process for providing funding to assist state recognized nonprofit
2 organizations within the borough, noting that the Anderson Village Library and city of Anderson
3 Fire Department have received funding in the past, although they are not nonprofits as is
4 required by Denali Borough Code. The proposed ordinance, which is modeled on the state
5 revenue sharing program, would provide a vehicle for the city of Anderson to receive monies
6 which then may help fund these departments.. The proposed cap on the amount allowed for
7 municipal assistance is modeled after the cap on nonprofit funding in borough Code. Under the
8 municipal assistance program, the city of Anderson would not be required to complete quarterly
9 reports, there would be no separate boards needed, and the Anderson City Council would have
10 more control over funding city departments. Mayor Walker noted that recent public comment has
11 prompted a potential addition of forward funding of municipal assistance, and an amended
12 ordinance will be presented at the next meeting.

13
14 Kimber BURROWS MOVED to postpone Ordinance 14-10 to the next meeting. Joe CHATFIELD
15 seconded. The VOTE by show of hands was unanimous.

16
17 ORDINANCE 14-15, Version A: An ordinance amending the Denali Borough Code of
18 Ordinances, creating Chapter 9.21 titled Zoning Nenana River Scenic Corridor

19
20 Kimber BURROWS MOVED to adopt Ordinance 14-15. Joe CHATFIELD seconded. Points of
21 discussion that followed included the use of quadrants rather than topography for boundary stability
22 and that most of the land concerned is state land.

23
24 Presiding Officer Jared Zimmerman passed the gavel to Deputy Presiding Officer David Evans at
25 8:07.

26
27 It was suggested that a public hearing should be held in Healy before acting upon Ordinance 14-15.
28 It was noted that the planning commission would consider the inclusion of borough land in the scenic
29 corridor the highest value for that land, however, the land could be excluded from the final version of
30 the ordinance.

31
32 Presiding Officer Zimmerman resumed the chair at 8:08.

33
34 David EVANS moved to postpone Ordinance 14-15 to the next meeting. Kimber BURROWS
35 seconded. The VOTE by show of hands was unanimous.

36
37 ORDINANCE 14-16, Version A: An ordinance amending the Denali Borough Code of
38 Ordinances, creating Chapter 9.22 titled Zoning Airport Reserve District

39
40 A point of discussion regarding Ordinance 14-16 concerned the perception that the ordinance would
41 be a form of spot zoning.

42
43 David EVANS MOVED to ask borough legal counsel to review all zoning ordinances on the agenda.
44 Joe CHATFIELD seconded. The VOTE by show of hands was unanimous.

45
46 Joe CHATFIELD MOVED to postpone Ordinance 14-16 to the next meeting. Kimber BURROWS
47 seconded. The VOTE by show of hands was unanimous.

48

1 RESOLUTIONS

2 RESOLUTION 14-13: A resolution to reappoint check signers to the Denali Borough accounts

3
4 David EVANS MOVED to approve Resolution 14-13. Kimber BURROWS seconded. The roll
5 call VOTE was unanimous.

6
7 RESOLUTION 14-14: A resolution in support of the Denali Borough Planning Commission
8 Resolution 14-11 dealing with an alternative design for the Milepost 231 Parks Highway
9 Enhancement Project

10
11 Kimber BURROWS MOVED to approve Resolution 14-14. Paddy TATUM seconded. Points of
12 discussion that followed include the incorporation of much public comment into the drawing
13 attached to the resolution, the inclusion of left turn pockets to allow for additional traffic, the
14 issues presented by a hill and pedestrian traffic in the area, the presence of a public boat launch
15 in the area, and the desire for a public facility and trail adjacent to the area. It was noted that the
16 resolution is a comment to the Alaska DOT, and that safety issues would be addressed in the
17 final planning. The roll call VOTE was unanimous.

18
19 RESOLUTION 14-15, Version A or Version B: Version A: A resolution identifying state of Alaska
20 budget request for fiscal year 2016 or Version B: A resolution supporting the Panguingue Creek
21 Homeowners Association (PCHA) request for state of Alaska funding

22
23 Kimber BURROWS MOVED to approve Resolution 14-15, Version B. Joe CHATFIELD
24 seconded. The roll call VOTE by show was unanimous.

25
26 OTHER BUSINESS

27 Liquor License & Restaurant Designation Approval
28 Transfer ownership and name of business
29 Transfer from: Cantwell Lodge & Longhorn Liquor
30 Applicant: Alaska Two Sisters Holdings LLC
31 Location: MP 136 Denali Highway, Cantwell, Alaska
32 Type: Beverage Dispensary Tourism, year around
33 License Number: 4945

34
35 Jared ZIMMERMAN asked the borough clerk if there were any comments received on the change of
36 ownership. The clerk informed the assembly that the borough did not receive any comments. Paddy
37 TATUM MOVED to approve the liquor license application for transfer of ownership and restaurant
38 designation as listed. David EVANS seconded. The VOTE by show of hands was unanimous.

39
40 PUBLIC COMMENTS

41 Jamie Milliken, PCHA Board member, thanked the assembly for their support of Resolution 14-15.

42
43 Dorothy Leake, Anderson City Clerk, thanked Borough Clerk Gail Pieknik for the help she provides
44 to the city of Anderson.

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ASSEMBLY COMMENTS

Kimber BURROWS noted that she will be out of state and unable to attend the January meeting. Ms. Burrows reminded the assembly of the need to set potential dates for a joint meeting with the DBSD School Board, and commented that she supports Ordinance 14-08.

David EVANS commented positively on allowing public comment at the time that an issue appears on the agenda.

Jared ZIMMERMAN commented that he appreciates the public comment from Anderson citizens regarding Ordinance 14-10.

Paddy TATUM commented that she will be unable to attend the January meeting, and suggested the local media be asked to highlight the two open seats on the assembly.

Joe CHATFIELD commented that he looks forward to voting on Ordinance 14-10.

NEXT ASSEMBLY MEETING

The next regular meeting will be held on January 14, 2015 at the Tri-Valley Community Center, Healy, Alaska: Public Hearing 6:00 PM and the Regular meeting to follow.

Potential dates for a work session with DBSD School Board are January 28, 2015 or February 4, 2015.

ADJOURN: The meeting was adjourned at 8:53 PM.

APPROVED: _____
Jared Zimmerman, Presiding Officer

ATTEST: _____ Date Approved: _____
Gail Pieknik, Borough Clerk