

Minutes of the Public Hearing
Denali Borough Assembly
McKinley Community Center
June 13, 2012

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7 CALL TO ORDER: The public hearing was called to order by Presiding Officer Robert Kohlsdorf at
8 6:04 PM.
9

10 ROLL CALL: Assembly members present: John WINKLMANN, Gordon CARLSON, Robert
11 KOHLSDORF, Terry ASBURY, and Rusty LASELL. Absent: Cyrus COOPER, Paddy TATUM, Clay
12 WALKER, David EVANS.
13

14 ORDINANCE 12-04, Version C: An ordinance amending the Denali Borough Code of Ordinances,
15 Chapter 3.25.100 titled Penalties and Interest.
16

17 There was no public comment.
18

19 ORDINANCE 12-06, Version A: An ordinance amending Denali Borough Code, Chapter 2.05.050
20 titled Compensation of assembly members.
21

22 There was no public comment.
23

24 ORDINANCE 12-08, Version A: An ordinance for the establishment and adoption of the fiscal year
25 2013 budget.
26

27 There was no public comment.
28

29 ORDINANCE 12-09, Version A: An ordinance establishing the Denali Borough Capital Improvement
30 program for fiscal year 2013 through fiscal year 2018.
31

32 There was no public comment.
33

34 ORDINANCE 12-10, Version A: An ordinance amending the Denali Borough Code of Ordinances,
35 Chapter 3.20.050 titled Permanent Investment Fund.
36

37 There was no public comment.
38
39

40 ADJOURNMENT: The public hearing was adjourned at 6:06 PM.
41

42
43 APPROVED: 
44 Robert Kohlsdorf, Presiding Officer

45
46
47 ATTEST:  Date Approved: JULY 11, 2012
48 Gail Pieknik, Borough Clerk

**Minutes of the Regular Meeting
Denali Borough Assembly
McKinley Community Center
June 13, 2012**

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7 CALL TO ORDER: Presiding Officer Robert KOHLSDORF called the regular meeting to order at
8 6:06 PM. Mayor David Talerico led those present in the Pledge of Allegiance.
9

10 ROLL CALL:

11 Assembly members present: John WINKLMANN, Robert KOHLSDORF, Gordon CARLSON, Terry
12 ASBURY, and Rusty LASELL. Absent: Cyrus COOPER, Paddy TATUM, David EVANS, Clay
13 WALKER. Mr. Walker arrived at 6:17 pm.
14

15 John WINKLMANN MOVED to excuse Mr. Cooper and Ms. Tatum. Gordon CARLSON seconded.
16 The VOTE by show of hands was 5-1 with Robert KOHLSDORF opposed. The motion passed.
17

18 John WINKLMANN MOVED to excuse Mr. Evans and Mr. Walker. Terry ASBURY seconded. The
19 VOTE by show of hands was unanimous.
20

21 PUBLIC COMMENTS

22 Nancy Bale, Denali Citizens Council Board of Directors, invited Assembly members to attend
23 Stampede Summit 3 on Saturday, August 11, and provided them with a draft agenda for the Summit.
24 Ms. Bale commented that these will be the third in a series of conferences regarding the future of the
25 Stampede Townships, and that more information will be available soon on the Citizens Council
26 website.
27

28 Joe Chatfield, Denali Borough Emergency Services Director, read a letter regarding disaster
29 preparedness and the need for storage containers for supplies. This is a preliminary idea, and the
30 Local Emergency Planning Committee will be working on a plan. Mr. Chatfield encouraged local
31 business partners to get involved in the planning.
32

33 AGENDA

34 Gordon CARLSON MOVED to approve the agenda as submitted. John WINKLMANN seconded.
35

36 Clay WALKER MOVED to add Resolution 12-15 regarding Local Emergency Planning Grant
37 approval and 12-16 regarding Emergency Management Planning Grant approval as agenda items
38 I.2. and I.3, respectively. Rusty LASELL seconded. These grant award documents will likely need
39 to be signed and returned prior to the next Assembly meeting. The VOTE by show of hands was
40 unanimous.
41

42 The VOTE by show of hands on the main motion to approve the agenda was unanimous.
43

44 MINUTES

45 May 9, 2012 Assembly Public Hearing-

46 Gordon CARLSON MOVED to approve the May 9, 2012 public hearing minutes as submitted.
47 John WINKLMANN seconded. The VOTE by show of hands was unanimous.

1
2 May 9, 2012 Assembly Regular Meeting-
3 Clay WALKER MOVED to approve the May 9, 2012 regular meeting minutes as submitted.
4 John WINKLMANN seconded. The VOTE by show of hands was unanimous.
5

6 REPORTS

7 April 2012 Financial Report

8 Clay WALKER MOVED to receive the April 2012 financial report. Rusty LASELL seconded. The
9 VOTE by show of hands to receive the financial report was unanimous.
10

11 MAYOR'S REPORT

12 Mayor David Talerico reported that the Requests for Proposals (RFP) for the boundary survey of
13 municipal land entitlement ADL No. 415639 were reviewed on June 6 by Planning Commissioners
14 Mark Menke and Rick Weibel and himself. Mayor Talerico requested the Assembly take action to
15 allow administration to enter into a contract with Design Alaska to perform the boundary survey.
16 Design Alaska had the highest scoring of four proposals received, with a perfect score. The area to
17 be surveyed is an eighty mile area near Mile 288 of the Parks Highway.
18

19 Mayor Talerico reported that the Joint Pacific Alaska Range Complex (JPARC) EIS draft to extend
20 military training space comment period has been extended through July 9, 2012.
21

22 The Mayor and Denali Borough School District Maintenance Supervisor Justin Mason will be
23 meeting with USKH on June 19 to evaluate bids for the Tri-Valley School Roof project, and hope to
24 have a contractor selected by the end of the meeting. The project will have an aggressive timeline,
25 with a goal to have the roof project completed by late August, when school starts. The Borough is
26 handling the paperwork for the project, and \$380,000 in project costs has been requested.
27

28 The Borough received notification of legislative grants received from the State; Anderson School
29 Heating Fuel Storage Tank Replacement - \$45,000, Cantwell School Heating Fuel Storage Tank
30 Replacement - \$25,000, Landfill Shop - \$50,000, School District Asbestos Hazard Emergency
31 Response Act Inspection - \$35,000, Tri-Valley School Heating Control System Upgrade - \$20,000,
32 and Nenana Canyon Fire Service Well and Hydrant - \$65,000. The Nenana Canyon well project
33 requires that a total project snapshot be submitted within thirty days. A location for this project must
34 be identified. The grant document for the Nenana Canyon well specifically states that this project is
35 a fire service well.
36

37 Mayor Talerico asked that Assembly members start thinking about dates for the annual trip into
38 Denali Park, and suggested July 21 or 28 as possibilities. The trip provides the opportunity to visit
39 businesses within the park.
40

41 Land Planner Drew Simmons has submitted his resignation, with his last day to be July 9.
42

43 John WINKLMANN MOVED to request administration to enter into a contract with Design Alaska for
44 the Boundary Survey of ADL No. 415639. Clay WALKER seconded. The VOTE by show of hands
45 was unanimous.
46

47 SCHOOL REPORT

48 There was no school report.

1
2 ASSEMBLY COMMENTS

3 Terry ASBURY and John WINKLMANN had no comment.

4
5 Robert KOHLSDORF commented that he appreciates Joe Chatfield's work with disaster
6 preparedness, and noted that the Nenana Canyon has recently been closed twice due to rock
7 slides.

8
9 Gordon CARLSON commented that the grass roots effort to include a bike path on the road
10 widening project in Cantwell failed, and that the fire chief was not interested in having a
11 community well located at the Cantwell fire hall. Mr. Carlson also reminded those present that
12 when the Pledge of Allegiance is recited hats should be removed.

13
14 Rusty LASELL commented that in a home rule borough it is important that the "home" participate
15 in the "rule" of the Borough.

16
17 Clay WALKER apologized for arriving late to the meeting, and commented that the Assembly
18 passed Resolution 11-05 supporting the "No Action" JPARC plan alternative in February 2011.

19
20 Clay WALKER MOVED to resubmit Resolution 11-05 as comment on the JPARC EIS draft.
21 John WINKLMANN seconded. The VOTE by show of hands was unanimous.

22
23 COMMUNICATION AND APPEARANCES

24 Anderson Village Library to discuss FY 2013 funding application to non-profits.
25 Debbie Terwilliger, Anderson Village Library Treasurer, apologized for the library's late application,
26 and asked that the Assembly consider funding the library in the amount of \$5,500 in Fiscal Year
27 2013. The library is a good, safe place for children to study without distractions.

28
29 City of Anderson, Fire Hall roof repair revenue request.
30 Scott Thompson, Anderson Fire Chief, requested funds to replace the Anderson Fire Hall roof after
31 damage from recent wind storms. The City of Anderson can provide funding for labor, but not
32 materials. Mr. Thompson presented cost information on metal and shingle roofing.

33
34 John WINKLMANN MOVED to fund the Anderson Fire Department roof replacement materials in the
35 amount of \$4,335 from FY 2012 Assembly Expense budget line item 4310 Contingency. Rusty
36 LASELL seconded.

37
38 It was noted that funding a nonprofit project from line item 4310 Contingency "hides" the
39 contribution. A point of discussion was the balance of line item 4310.

40
41 Gordon CARLSON MOVED to amend the motion by increasing the amount to \$4,400. Rusty
42 LASELL seconded. The VOTE by show of hands on the motion to amend was 3 – 3 as follows;
43 Ayes – Rusty LASELL, Gordon CARLSON, and Terry ASBURY, No – John WINKLMANN, Clay
44 WALKER, Robert KOHLSDORF. Mayor Talerico was asked to break the tie vote, and voted Aye.
45 The motion passed.

46
47 The roll call VOTE on the main motion to fund the Anderson Fire Department roof replacement
48 materials was unanimous.
49

1 RLS & Associates to present the recommendations of a Corridor Public Transportation Plan, for
2 potential transportation in the Healy area and to and from Fairbanks.

3
4 Richard Garrity, RLS & Associates, introduced Charles Rutkowski from the Community
5 Transportation Association of America, who spoke regarding the idea of extending highway mobility
6 to Fairbanks from rural areas. Mr. Garrity described the process of talking with local officials and
7 citizens throughout highway corridors that lead to Fairbanks regarding the need for transportation
8 services, and noted that there have been expressions of interest and needs for service. The
9 transportation implementation plan will be ready in about three weeks, and there is local support for
10 at least one of three concepts presented. The concepts identified in the first proposal include; #7 -
11 regularly scheduled on demand transportation at an estimated cost of \$125,000 per year, #8 -
12 seasonal employment transportation at an estimated cost of \$25,000 per year, and #9 - connecting
13 Nenana to Fairbanks at an estimated cost of \$50,000 per year. The alternatives would be scaled to
14 the needs of the communities, and would be limited in service, although service parameters have
15 not been identified. There are financial resources to support these activities, and there is no need
16 for local government contributions at this time. Grant funds are available on an annual basis. Mr.
17 Rutkowski introduced Stephanie Bushong, of Alaska Department of Transportation.

18
19 DRAFT ORDINANCES

20 ORDINANCE 12-11: An ordinance amending the Denali Borough Code of Ordinances, Chapter 6.05
21 titled Municipal Property, Inventory and Files.

22
23 John WINKLMANN MOVED to introduce Ordinance 12-11. Rusty LASELL seconded. Borough
24 Clerk Gail Pieknik explained that Denali Borough Code currently states that all items with a value of
25 more than \$50 be inventoried.

26
27 John WINKLMANN MOVED to amend the first paragraph of Ordinance 12-11 by deleting \$1,000
28 and inserting \$500. Terry ASBURY seconded. The VOTE by show of hands was 5-1 with Gordon
29 CARLSON opposed. The motion passed.

30
31 The roll call VOTE on the main motion to introduce was unanimous.

32
33 John WINKLMANN MOVED to postpone Ordinance 12-11 to the next meeting. Clay WALKER
34 seconded. The VOTE by show of hands was unanimous.

35
36 MEETING RECESS

37 Presiding Officer Robert KOHLSDORF called a recess at 7:48 pm. The meeting reconvened at 8:14
38 pm.

39
40 PENDING ORDINANCES

41
42 ORDINANCE 12-04, Version C: An ordinance amending the Denali Borough Code of Ordinances,
43 Chapter 3.25.100 titled Penalties and Interest.

44
45 Clay WALKER MOVED to adopt Ordinance 12-04, Version C. John WINKLMANN seconded. It was
46 noted that all operators will receive notification of changes contained in Ordinance 12-04 if it is
47 adopted. The roll call VOTE was unanimous.

1 ORDINANCE 12-06, Version A: An ordinance amending Denali Borough Code, Chapter 2.05.050
2 titled Compensation of assembly members.
3

4 John WINKLMANN MOVED to amend section 3. Effective Date by deleting “the assembly meeting
5 following the next regular election” and adding “an affirmative vote of the majority of voters at the
6 next regular election.” Terry ASBURY seconded. Points of discussion that followed include current
7 code, which does not require a vote of the people for an increase in compensation, the fact that
8 there was a vote of the people the last time compensation was increased, the Ordinance has been
9 on the agenda at all Borough communities with few public comments (those being in support), the
10 idea that if an issue is important to the citizenry they will comment, Denali Charter was voted on by
11 the people, and does not require them to vote again on compensation, and the question of ethics
12 when voting on a raise for oneself. The VOTE by show of hands on the motion to amend was 3-3
13 as follows - Aye; Clay WALKER, John WINKLMANN, Terry ASBURY, No – Rusty LASELL, Gordon
14 CARLSON, Robert KOHLSDORF. Mayor Talerico was asked to break the tie vote, and voted No.
15 The motion failed.
16

17 John WINKLMANN MOVED to postpone Ordinance 12-06 to the next meeting. Clay WALKER
18 seconded. The VOTE by show of hands was unanimous.
19

20 ORDINANCE 12-08, Version B: An ordinance for the establishment and adoption of the fiscal year
21 2013 budget.
22

23 John WINKLMANN MOVED to substitute Ordinance 12-08 Version C for Version B. Clay WALKER
24 seconded. It was noted that Denali Borough Code 3.21.030 Grant Management requires that a
25 noncode ordinance appropriating funds for reimbursable expenditures shall be submitted to the
26 assembly for adoption, and that Version C fulfills that requirement for legislative grants. The VOTE
27 by show of hands was unanimous.
28

29 Clay WALKER MOVED to adopt Ordinance 12-08, Version C. Rusty LASELL seconded.
30

31 John WINKLMANN MOVED to amend Ordinance 12-08, Version C by adding line item 4371
32 Legislative Grants under Mayor Expenses in the amount of \$240,000 and deleting 4370 Special
33 Revenue Grants. Clay WALKER seconded. The VOTE by show of hands was unanimous.
34

35 Clay WALKER MOVED to amend Ordinance 12-08, Version C by adding line item 3341 Legislative
36 Grants under General Fund Estimated Revenues in the amount of \$240,000 and deleting 3340
37 Grant Revenue (Legislative Appropriations). Rusty LASELL seconded. The VOTE by show of
38 hands was unanimous.
39

40 Gordon CARLSON MOVED to amend Ordinance 12-08, Version C by increasing Assembly
41 Expenses line item 4050 Equipment to \$106,000 to purchase two connex containers and disaster
42 supplies . The motion died for lack of a second.
43

44 John WINKLMANN MOVED to amend Ordinance 12-08, Version C by increasing 5200 Nonprofit
45 Contributions to \$70,115 and adding Anderson Village Library – operating costs in the amount of
46 \$5,500 to the narrative for that item. Terry ASBURY seconded. It was noted that the Anderson
47 Village Library’s application for funding was received more than twenty days late. The VOTE by
48 show of hands was 5-1 with Gordon CARLSON opposed. The motion passed.
49

1 The roll call on the main motion to adopt Ordinance 12-08, Version C was 5-1 with Terry ASBURY
2 opposed. The motion passed.

3
4 ORDINANCE 12-09, Version A: An ordinance establishing the Denali Borough Capital Improvement
5 program for fiscal year 2013 through fiscal year 2018.

6
7 Clay WALKER MOVED to adopt Ordinance 12-09 to the next meeting. John WINKLMANN
8 seconded. Points of discussion that followed included the purpose of the capital improvement
9 program, and the flexibility of timeframes for projects mentioned.

10
11 Gordon CARLSON MOVED to amend Ordinance 12-09, Version A by moving the High Volume well
12 for the Cantwell Volunteer Fire Department, Ferry Community Fire Station, Cantwell School
13 Sprinkler installation and Anderson School Siding to Fiscal Year 2014, to add the word “pad” after
14 Landfill Shop Extension and reduce the project amount to \$50,000. Rusty LASELL seconded. The
15 VOTE by show of hands was 4-2 as follows; Aye – Robert KOHLSDORF, Rusty LASELL, Clay
16 WALKER, Gordon CARLSON, No – John WINKLMANN, Terry ASBURY. The motion passed.

17
18 Gordon CARLSON MOVED to amend Ordinance 12-09, Version A by deleting the High Volume well
19 for the Cantwell Volunteer Fire Department. Rusty LASELL seconded. The VOTE by show of
20 hands was 5-1 with Terry ASBURY opposed. The motion passed.

21
22 The roll call VOTE on the main motion to adopt Ordinance 12-09, Version A was 4-2 as follows; Aye
23 – Clay WALKER, Robert KOHLSDORF, Rusty LASELL, Gordon CARLSON, No – Terry ASBURY,
24 John WINKLMANN. The motion failed for lack of five votes.

25
26 Ordinance 12-09, Version A with no amendments was deemed adopted per Denali Borough Code
27 3.10.120.

28
29 MEETING RECESS

30 Presiding Officer Robert KOHLSDORF called a recess at 9:39 pm. The meeting reconvened at 9:50
31 pm.

32
33 ORDINANCE 12-10, Version A: An ordinance amending the Denali Borough Code of Ordinances,
34 Chapter 3.20.050 titled Permanent Investment Fund.

35
36 Clay WALKER MOVED to postpone Ordinance 12-10, Version A to the next meeting. John
37 WINKLMANN seconded. The VOTE by show of hands was unanimous.

38
39 RESOLUTIONS:

40 RESOLUTION 12-14: A resolution prohibiting use of any Borough resource to assist any Alaska or
41 United States agency, Transportation Security Administration (TSA), or military armed force in
42 implementing Sections 1021 and 1022 of the National Defense Authorization Act of 2012 against
43 any United States citizen and requiring the Alaska State Legislature, governor of Alaska and
44 congressional delegation to preserve Habeas Corpus.

45
46 Gordon CARLSON MOVED to approve Resolution 12-14. Rusty LASELL seconded. Points of
47 discussion that followed include the language contained in the National Defense Authorization Act of
48 2012, the need to support military and law enforcement agencies, and the controversial nature of the
49 Act.

1
2 Presiding Officer Robert Kohlsdorf rescinded the chair to Deputy Presiding Officer John Winklmann
3 at 9:57 pm.

4
5 Points of discussion that continued include the fundamental rights of Americans and how they are
6 affected by the Act, Denali Borough Code 1.05.070 which states that no person shall violate any law
7 of the state of Alaska, and the jurisdictional bounds of the Borough.
8 Presiding Officer Robert Kohlsdorf resumed the chair at 10:03 pm.

9
10 The roll call VOTE to approve Resolution 12-14 was 2-4 as follows; Aye – Terry ASBURY, Robert
11 KOHLSDORF, No – John WINKLMANN, Rusty LASELL, Gordon CARLSON, Clay WALKER. The
12 motion failed.

13
14 RESOLUTION 12-15: A resolution by the Denali Borough Assembly approving the State of Alaska,
15 Division of Homeland Security and Emergency Management Grant, for the Borough Local
16 Emergency Planning Committee (LEPC).

17
18 Rusty LASELL MOVED to approve Resolution 12-15. Gordon CARLSON seconded. The roll call
19 VOTE was unanimous.

20
21 RESOLUTION 12-16: A resolution by the Denali Borough Assembly approving the State of Alaska
22 Emergency Management Grant (EMPG) for 2012.

23
24 Rusty LASELL MOVED to approve Resolution 12-16. Gordon CARLSON seconded. The roll call
25 VOTE was unanimous.

26 27 OTHER BUSINESS

28 Restaurant/Liquor License Approvals:

29 Liquor License Transfer Approval:

30 Longhorn Liquor, Inc DBA Longhorn Bar

31 Beverage Dispensary – Tourism License #4945

32 Reason for transfer: Transfer Stock Ownership and DBA name change

33
34 Borough Clerk Gail Pieknik noted that this is an approval of transfer of stock ownership and change
35 of DBA name.

36
37 Gordon CARLSON MOVED to approve liquor license number 4945. John WINKLMANN seconded.
38 The VOTE by show of hands was unanimous.

39 40 PUBLIC COMMENTS

41 Armeda Bulard, Cantwell resident, commented that thought has been given by others regarding
42 a natural disaster in the Nenana Canyon that may cause the Nenana River to back up.

43
44 Joe Chatfield, Denali Borough Emergency Services Director, commented that he was puzzled as
45 to what happened at tonight's meeting, and asked Assembly members for input.

46 47 ASSEMBLY COMMENTS

48 Clay WALKER commented that he would like to see more of a plan for disaster planning, that
49 more work is needed on the plan, and a process followed.

1
2 Rusty LASELL commented that he would not want to go against a disaster plan developed by
3 the LEPC, and requested a better plan that would include local resources available and the
4 direction of the plan. Mr. Lasell also stated a desire for the Assembly to work together to identify
5 requirements for organizations to receive Borough funding.
6

7 Gordon CARLSON commented that the weakest point in the Borough is the Nenana Canyon,
8 and that he would like to see a disaster plan that included storage of disaster supplies at the
9 north and south ends of the Borough, what those supplies would be, and how they would be
10 secured.
11

12 Robert KOHLSDORF commented that disaster supplies could be stored behind a fence with
13 barbed wire, such as is at the landfill or Cantwell transfer station. Mr. Kohlsdorf added that there
14 needs to be some kind of plan for the Nenana River backing up in the canyon.
15

16 John WINKLMANN commented that disaster planning is a long term project, and there will be
17 plenty of opportunity to develop a more refined plan.
18

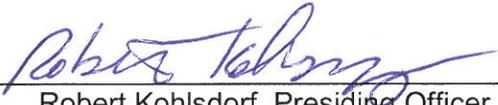
19 Terry ASBURY had no comment.
20

21 Mayor Dave TALERICO commented on the grass roots movement mentioned regarding the
22 Cantwell road widening project, and noted that there should be an encroachment permit applied
23 for to allow for a trail on road right-of-way. The Borough needs someone to step up and take
24 responsibility for maintenance and upkeep of a potential trail.
25

26 NEXT ASSEMBLY MEETING:

27 The next regular meeting of the Borough Assembly will be held at the Cantwell School on July
28 11, 2012; Public Hearing at 6:00 PM, and regular meeting to follow.
29

30 ADJOURN: Presiding Officer Robert Kohlsdorf adjourned the regular meeting at 10:27 pm.
31

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33
34 APPROVED: 
35 Robert Kohlsdorf, Presiding Officer

36
37
38 ATTEST: 
39 Gail Pieknik, Borough Clerk
40

41
42 Date Approved: JULY 11, 2012