

Minutes of the Public Hearing
Denali Borough Assembly
Tri-Valley Community Center
August 10, 2016

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7 CALL TO ORDER: The public hearing was called to order by Presiding Officer Jared Zimmerman at
8 6:06 p.m.
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10 ROLL CALL: Assembly members present: Jared ZIMMERMAN, Don DEBLAUW, Tallon SHREEVE,
11 Jill BOELSMA, Krista ZAPPONE, Paddy TATUM and David EVANS. Absent: Joe CHATFIELD
12

13 ORDINANCE 16-09, Version A: An ordinance adopting the Healy Transportation and Pedestrian
14 Safety Plan and to amend the Denali Borough Comprehensive Plan to incorporate the "Plan" as
15 written
16

17 There were no public comments.
18

19 ORDINANCE 16-10, Version A: An ordinance to accept and appropriate up to \$12,000 from the
20 general fund for reimbursable expenditures related to Emergency Management Performance Grant
21 (EMPG) as well as up to \$12,000 in matching expenditures
22

23 There were no public comments.
24

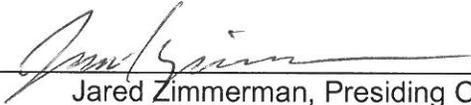
25 ORDINANCE 16-11, Version A: An ordinance to accept and appropriate up to \$11,557 from the
26 general fund for reimbursable expenditures related to Local Emergency Planning Committee (LEPC)
27

28 There were no public comments
29

30 ORDINANCE 16-12, Version A: An ordinance amending Denali Borough Code of Ordinances Title 4,
31 Real Property Acquisition, Management and Disposal
32

33 Steve Denton, Healy resident, commented on sections of Ordinance 16-12 that may warrant
34 reconsideration. Proposed language in 4.01.060 regarding buffers and development setbacks may
35 conflict with State regulations requiring public access easements across navigable rivers and
36 streams, and language in 4.11.070 could require assembly action on many more properties than
37 would be desirable.
38

39 ADJOURNMENT: The public hearing was adjourned at 6:12 p.m.
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42 APPROVED: 
43 Jared Zimmerman, Presiding Officer
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46 ATTEST:  Date Approved: September 14, 2016
47 Gail Pieknik, Borough Clerk

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**Minutes of the Regular Meeting
Denali Borough Assembly
Tri-Valley Community Center
August 10, 2016**

CALL TO ORDER: Presiding Officer Jared Zimmerman called the regular meeting to order at 6:12 PM. Mayor Clay Walker led those present in the Pledge of Allegiance.

Roll Call

Assembly members present: Don DEBLAUW, Jill BOELSMA, Tallon SHREEVE, Krista ZAPPONE, Paddy TATUM, Joe CHATFIELD, David EVANS and Jared ZIMMERMAN. Mayor Clay Walker was also present.

NOMINATIONS FOR DEPUTY PRESIDING OFFICER

Jill BOELSMA nominated Krista Zappone to serve as Deputy Presiding Officer. The nomination was seconded. There were no other nominations. The VOTE by show of hands to name Krista Zappone as Deputy Presiding Officer was unanimous.

PUBLIC COMMENTS

Dee Dee O'Brien, Denali Chamber of Commerce President, commented that the Chamber had received over 67 contacts resulting from advertising of the Denali area. The Blueberry Festival will be held August 19 – 21, with a barbeque at Otto Lake, rubber duck race, 5K race, and carnival. Proceeds from the 5K race will go toward a Children's Organ Transplant Association fund. The duck race winner will receive \$1,000, with proceeds of the race going to Kids in Motion.

Sandra Trumbower, Anderson resident, commented that she is strongly opposed to the proposed Clear View landfill, stating that the water table would be in danger, and that there would be no difference between the existing and proposed landfills. Ms. Trumbower encouraged the assembly to consider approving a resolution opposing Clear View, as has been done by the City of Anderson.

Loralie Simon, Usibelli Coal Mine Vice President of External Affairs, introduced Vicki Nelson, who will serve as liaison between the community and the coal mine.

Vicki Nelson, Usibelli Coal Mine Engineering Technician, commented that she has lived in Healy for four years, and considers it a privilege to serve as liaison for the coal mine.

Lance Roberts, Fairbanks resident, commented that he had read about zoning discussions in the Denali Borough, and warned that zoning is a dangerous tool that does not allow people to do what they want with their land. Mr. Roberts suggested alternatives such as covenants and business regulations that are tied to the type of business.

James Gauvin, Healy resident, commented that adoption of Ordinance 16-12 may allow the borough to take action suggested in PC Ordinance 16-02 regarding land use issues, and asked when the borough will deal with Dry Creek land use issues.

1 Pat Condran, McKinley Village resident, commented in favor of zoning discussions, commenting that
2 current residents need to take positive action by placing parameters on what can and cannot be
3 done, and noted that it would be a difficult task.
4

5 Ford Reeves, Denali area resident, commented that while zoning is contentious, can be a slippery
6 slope, and needs to be carefully considered, he feels that it is necessary.
7

8 AGENDA

9 David EVANS MOVED to approve the meeting agenda as presented. The motion was seconded. Jill
10 BOELSMA MOVED to amend the agenda by moving Ordinance 16-12 to the first item under H.
11 Pending Ordinances. The motion was seconded. The VOTE by show of hands to amend the agenda
12 was unanimous. The VOTE by show of hands on the main motion to approve the agenda was
13 unanimous.
14

15 MINUTES

16 July 13, 2016 Denali Borough Assembly Public Hearing and Regular Meeting
17

18 Jill BOELSMA MOVED to approve the minutes of the July 13, 2016 public hearing and regular
19 meeting as presented. The motion was seconded. The VOTE by show of hands was unanimous.
20

21 REPORTS

22 June 2016 Financial Report
23

24 David EVANS MOVED to receive the June 2016 financial report. The motion was seconded. The
25 VOTE by show of hands was unanimous.
26

27 MAYOR REPORT

28 Mayor Clay Walker verbally highlighted activity included in a written report, including the following:
29

- 30 • Mayor Walker will attend the Alaska Municipal League (AML) Summer Conference
31 August 16-18 in Wasilla.
- 32 • A second draft of Resource Reports for the Alaska Liquefied Natural Gas Project
33 have been submitted to the Federal Regulatory Energy Commission, and are
34 available for public review and comment.
- 35 • Candidate packets are available for borough assembly and school board seats, and
36 due by September 22.
- 37 • The Cantwell Sprinkler Project design received final State Fire Marshal approval.
- 38 • The Alaska Railroad Corporation continues to monitor the status of the Ferry bridge,
39 for which funding has been secured to replace the temporary pier and its footing.
40 Work is expected to take place over the winter of 2017-2018.
41

42 SCHOOL DISTRICT REPORT

43 Denali Borough School District (DBSD) Superintendent Dan Polta
44

45 Superintendent Dan Polta reported on DBSD activities including;
46

- 47 • Students from the building trades class are in Washington, DC celebrating the
48 partnership between Denali National Park and DBSD.

- A strategic planning meeting will be held in early October to chart DBSD's vision for our students for the next five years and creating a mission statement for the next several years.
- The Cantwell Sprinkler and Tri-Valley Boiler Tie-In projects are progressing well, with State of Alaska Fire Marshal approval coming through for the Sprinkler project.
- Mr. Polta thanked the assembly for their full support of DBSD's request for funding.

PLANNING COMMISSION REPORT

Mayor Clay Walker reported that the August planning commission agenda includes discussion of road and easement standards as well as the proposed Clear View landfill. Mayor Walker explained that, to improve communication between the planning commission and assembly, he will propose that reporting to the assembly on planning commission activities be done by planning commissioners.

ASSEMBLY COMMENTS

Assembly members thanked those in the audience for attending the meeting.

Jared ZIMMERMAN commented that there has been more public comment received on zoning than on agenda items, and zoning has not yet been on an agenda. Mr. Zimmerman stated that a discussion needs to begin regarding how to start looking at zoning, while watching progress on the proposed revisions to Denali Borough Code (DBC) Title 4.

Don DEBLAUW commented that the borough owns land near Dry Creek involved in issues brought to the assembly, and that with the revision to DBC Title 4, the borough would be able to collect revenue related to the use of land and roads.

COMMUNICATION AND APPEARANCES

David M Talerico, Alaska State Representative, Legislative Update

Representative David Talerico presented information on the legislative session that closed 66 days past its scheduled 90 day duration. Representative Talerico commended the Denali Borough for its action to withhold any request for capital project funds, in acknowledgement of the fiscal crisis the State of Alaska is experiencing.

State budget projections were based on a \$38 per barrel price of oil. A higher average price for the fiscal year, coupled with increased production would be good news, but would not resolve the budget issues the State is experiencing. More reductions in spending are to be expected in the coming year, requiring a serious prioritization of programs and a focus on the details of each program. Funding for education is required, as is funding for the health and safety of Alaskans, which is the single largest budget item.

Representative Talerico stated that the future is not bleak, noting action on a Medicaid reform bill and a crime reform bill, and that alternative revenue (tax) proposals have not been abandoned. A consensus is needed, but each budget line item is supported by a constituency. Representative Talerico also stressed the urgency of resolving in some way the statewide issue of opioid abuse.

1 DRAFT ORDINANCES

2 ORDINANCE 16-12, Version A: An ordinance amending Denali Borough Code of Ordinances Title
3 4, Real Property Acquisition, Management and Disposal

4
5 Chris Beck, Principal with Agnew Beck Consulting, presented information on the proposed revision
6 of DBC Title 4 contained in Ordinance 16-12. Mr. Beck pointed out that Title 4 applies to Denali
7 Borough owned land, and has no authority over private lands or lands in other townships. The main
8 changes to Title 4 are clarifications and terminology, with much of the current language carried
9 forward.

10
11 The general provisions section (4.01) includes new language regarding the land management fund,
12 directing that revenue from land management be deposited into the land management fund. The
13 general provisions section also includes procedural requirements for major land decisions.

14
15 There are minor changes to the section on real property acquisition (4.05), and a two-part process
16 for management plans is described in the section on management of borough-owned property
17 (4.10). Staff would like to refine the definition of obnoxious use contained in the management
18 section. Mr. Beck walked through a summary of the suggested land management plan approach
19 including management plans and classifications, with suggestions for use classifications such as
20 single use, land bank, and multiple use reserve.

21
22 The borough land permits, license, easements, and rights of way section (4.11) incorporates
23 temporary access licensing into language regarding commercial use permitting, and needs
24 refinement to clarify fees for commercial use. Mr. Beck explained that extraction licensing detail
25 including sand and gravel best management practices may be deferred until there is time for a
26 slower, more thoughtful deliberation to include public discussion. Mr. Beck suggested that
27 restrictions on commercial use may be handled on a case by case permit basis.

28
29 The section covering general provisions for disposal, leases, and exchanges of borough real
30 property (4.15) establishes a clear, thorough process for planning, review, and approval of land
31 sales, leases, etc. Specific policies regarding land disposals are described in DBC 4.16, where tools
32 are put in place to identify future standards of land use, dimensional requirements, and other
33 restrictions that are more enforceable than covenants and restrictions on conveyance of lands.

34
35 Mr. Beck encouraged the assembly to engage in strategic planning by updating the Denali Borough
36 Comprehensive Plan which would set goals for implementation through land management planning.
37 The strategic planning process would provide a vision of where the borough wants to be in 10 to 20
38 years, and may be helpful in conversations regarding zoning. Mr. Beck recommended gathering
39 input from different communities regarding desired use of lands, and establishing categories for the
40 borough as a whole that would then be applied to specific areas as desired by local residents.

41
42 Joe CHATFIELD MOVED to postpone Ordinance 16-12 to the next meeting with an
43 understanding that staff will return with a version B that includes staff recommended changes.
44 The motion was seconded. The VOTE by show of hands was unanimous.

45
46 Presiding Officer Jared Zimmerman called for a meeting recess at 8:16 PM. The meeting
47 reconvened at 8:48 PM.
48

1 ORDINANCE 16-09, Version A: An ordinance adopting the Healy Transportation and Pedestrian
2 Safety Plan and to amend the Denali Borough Comprehensive Plan to incorporate the “Plan” as
3 written
4

5 Krista ZAPPONE MOVED to adopt Ordinance 16-09. The motion was seconded. The roll call
6 VOTE was unanimous.
7

8 ORDINANCE 16-10, Version A: An ordinance to accept and appropriate up to \$12,000 from the
9 general fund for reimbursable expenditures related to Emergency Management Performance
10 Grant (EMPG) as well as up to \$12,000 in matching expenditures
11

12 Jill BOELSMA MOVED to adopt Ordinance 16-10. The motion was seconded. The roll call VOTE
13 was unanimous.
14

15 ORDINANCE 16-11, Version A: An ordinance to accept and appropriate up to \$11,557 from the
16 general fund for reimbursable expenditures related to Local Emergency Planning Committee
17 (LEPC)
18

19 Jill BOELSMA MOVED to adopt Ordinance 16-11. The motion was seconded. The roll call VOTE
20 to adopt Ordinance 16-11 was unanimous.
21

22 RESOLUTIONS

23 RESOLUTION 16-11: A resolution supporting the addition of a new project titled, “Denali Park
24 Area Realignment” to amendment 1 of the 2016 – 2019 Alaska Statewide Transportation
25 Improvement Program (STIP)
26

27 Joe CHATFIELD MOVED to approve Resolution 16-11. The motion was seconded. Mayor Clay
28 Walker explained that an amendment to the STIP list includes a feasibility study for realignment
29 of the rail line at Milepost 237, the last realignment project along the George Parks Highway.
30 Resolution 16-11 supports the addition of this feasibility study. The roll call VOTE to approve
31 Resolution 16-11 was unanimous.
32

33 OTHER BUSINESS

34 There was no other business.
35

36 PUBLIC COMMENTS

37 James Gauvin, Healy resident, commented in favor of web-streaming assembly meetings as a way
38 to involve the public.
39

40 Hannah Ragland, Panguingue Creek Subdivision resident, commented that she has been
41 advocating for land classification for six years, and that it is good to see things finally moving
42 forward.
43

44 ASSEMBLY COMMENTS

45 Assembly members thanked those in the audience for their attendance.
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1 Joe CHATFIELD thanked Lance Roberts for coming from Fairbanks to make public comment,
2 and stated that public comments regarding zoning and land use have been insightful. Mr.
3 Chatfield further commented that the borough should take its time with zoning discussions.
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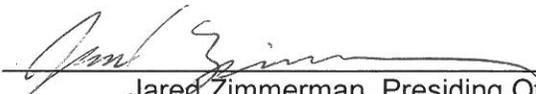
5 Tallon SHREEVE thanked Representative David Talerico for his presentation, commenting that
6 the State budget crisis will cause the borough to look at things differently than in the past.
7 Krista ZAPPONE thanked Chris Beck for his presentation, expressed thanks to former assembly
8 members for the presence of forward funding in Denali Borough Code, and commented that the
9 assembly has much work ahead of them.
10

11 Jill BOELSMA commented that the assembly is not looking to advance an ordinance regarding a
12 proposed landfill, and spoke in support of having a strategic plan. Ms. Boelsma thanked the
13 Cantwell Sportsmen's Association for putting in the Cantwell shooting range, and asked that the
14 public observe posted hours for the facility. Ms. Boelsma disparaged those dumping garbage at
15 the gate of the Cantwell Transfer Station, and invited all present to the Denali Education Center's
16 silent auction on August 20.
17

18 NEXT ASSEMBLY MEETING

19 The next regular meeting will be at the McKinley Community Center on Wednesday, September
20 14, 2016: Assembly Public Hearing 6:00 PM with the Regular meeting following the public
21 hearing.
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23 ADJOURN: The meeting was adjourned at 8:59 PM.
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28 APPROVED: 
29 Jared Zimmerman, Presiding Officer
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34 ATTEST: 
35 Gail Pieknik, Borough Clerk Date Approved: September 14, 2016
36
37