

**Minutes of the Public Hearing
Denali Borough Assembly
Cantwell School
March 14, 2012**

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8 CALL TO ORDER: The public hearing was called to order by Presiding Officer Robert Kohlsdorf at
9 6:05 PM.

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

14
15 ORDINANCE 11-23, Version A: An ordinance amending the Denali Borough Code of Ordinances,
16 Chapter 8 titled Elections.

17
18 There was no public comment.

19
20 ORDINANCE 11-24, Version D: An ordinance amending Denali Borough Code of Ordinances,
21 Chapter 6.15 adding Section 6.15.071 titled Regulated Medical Waste.

22
23 There was no public comment.

24
25 ORDINANCE 12-01, Version A: An ordinance amending the Denali Borough Code of Ordinances,
26 Chapter 3.21 titled Management of Grants.

27
28 There was no public comment.

29
30 ORDINANCE 12-02, Version A: An ordinance amending the Denali Borough Charter, Article IV,
31 Section 4.03 titled Election and Term of Mayor.

32
33 There was no public comment.

34
35 ORDINANCE 12-03, Version A: An ordinance amending the Denali Borough Code of Ordinances,
36 Chapter 5.05.040 titled School Board Qualifications.

37
38 There was no public comment.

39
40 ORDINANCE 12-04, Version A: An ordinance amending the Denali Borough Code of Ordinances,
41 Chapter 3.25.100 titled Penalties and Interest.

42
43 There was no public comment.

44
45 ADJOURNMENT: The public hearing was adjourned at 6:09 PM.
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APPROVED: Robert Kohlsdorf
Robert Kohlsdorf, Presiding Officer

ATTEST: Gail Pieknik Date Approved: APRIL 11, 2012
Gail Pieknik, Borough Clerk

**Minutes of the Regular Meeting
Denali Borough Assembly
Cantwell School
March 14, 2012**

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7 CALL TO ORDER: Presiding Officer Robert KOHLSDORF called the regular meeting to order at
8 6:09 PM. Mayor David Talerico led those present in the Pledge of Allegiance.
9

10 ROLL CALL:

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

15 David EVANS MOVED to excuse Ms. Tatum and Mr. Cooper. John WINKLMANN seconded. The
16 VOTE by show of hands was unanimous.
17

18 PUBLIC COMMENTS

19 Healy Hockey player Fiona MacDonald presented the Assembly with a photo of Healy Hockey
20 Association members, thanking the Assembly for funding the purchase of a Zamboni.
21

22 AGENDA

23 Clay WALKER MOVED to approve the agenda as submitted. David EVANS seconded. The VOTE
24 by show of hands was unanimous.
25

26 MINUTES

27 February 15, 2012 Assembly Public Hearing-

28 John WNKLMANN MOVED to approve the February 15, 2012 public hearing minutes as submitted.
29 Rusty LASELL seconded. The VOTE by show of hands was unanimous.
30

31 February 15, 2012 Assembly Regular Meeting-

32 Clay WALKER MOVED to approve the February 15, 2012 regular meeting minutes, Draft B, as
33 submitted. John WINKLMANN seconded. The VOTE by show of hands was unanimous.
34

35 REPORTS

36 January 2012 Financial Report

37 David EVANS MOVED to receive the January 2012 financial report. Clay WALKER seconded.
38

39 Terry ASBURY MOVED to have more detail on deposits and transfers included in financial reports.
40 John WINKLMANN seconded. The VOTE by show of hands was 2-5 as follows; Ayes - John
41 WINKLMANN, Terry ASBURY; No – Clay WALKER, Robert KOHLSDORF, Gordon CARLSON,
42 David EVANS, Rusty LASELL. The motion failed.
43

44 The VOTE by show of hands on the main motion to receive the January 2012 financial report was 6-
45 1 as follows; Ayes – Clay WALKER, Gordon CARLSON, John WINKLMANN, Robert KOHLSDORF,
46 David EVANS, Rusty LASELL; No – Terry ASBURY. The motion passed.
47

1 MAYOR'S REPORT

2 Mayor Dave Talerico welcomed Terry Asbury back after an illness. The Mayor invited Assembly
3 members and others who serve on boards of directors to attend training on parliamentary
4 procedures and the Open Meetings Act on Monday, April 23. Jeremy Johnson, Alaska Division of
5 Community and Regional Affairs, will be providing the training. Mayor Talerico encouraged
6 Assembly members to attend the 2012 Business of Clean Energy in Alaska Conference April 19-20
7 in Anchorage, as this is an issue of importance to the Denali Borough.
8

9 The State of Alaska Department of Natural Resources has proposed an agricultural land sale of land
10 adjacent to the Kobe Agriculture project. House Bill 191 was introduced to establish a new State
11 Department of Agriculture and Food. Alaska is the only state that does not currently have a
12 Department of Agriculture. The second edition of the Denali Dispatch has been released. Feedback
13 on the newsletter has been good.
14

15 Mayor Talerico noted that he had provided a written report of his attendance at the National
16 Association of Counties (NACO) conference, and gave a brief oral report. Much of the discussion he
17 had with legislators at the conference focused on the transportation bill passed by the Senate, which
18 would provide \$500 million to Alaska. This is good news for the Denali Borough projects.
19

20 The 2012 Mayor's Awards for the Arts will be presented at a ceremony on March 23 at Pioneer Park,
21 where Denali Borough resident Ree Nancarrow will receive the Lifetime Achievement award. The
22 Alaska Railroad Corporation is looking at a decreased level of federal funding for next year. Alaska
23 may be dealing with an internet sales tax issue, and the Assembly may be called upon to comment.
24 An Alaska Railroad representative will be visiting soon to look at the railroad crossing in Cantwell.
25

26 SCHOOL REPORT

27 Justin Mason, Denali Borough School District (DBSD) Maintenance Supervisor, reported that by the
28 end of April, all lighting projects should be complete at all schools. The feedback on new lights has
29 been positive, and savings on utility bills have already been realized. Requests for Proposals for the
30 Tri-Valley Roof project were reviewed, and USKH was selected as the architect for the project.
31

32 Vernon Carlson, DBSD School Board member, added that Dr Jim Elliott was selected as the new
33 superintendent, with a contract starting July 1, 2012.
34

35 BOROUGH CLERK REPORT

36 Gail Pieknik, Borough Clerk, gave an update on the preclearance application to the U.S. Department
37 of Justice, Civil Rights Division. The Denali Borough received a letter of non-objection on the 2011
38 redistricting plan for Borough Assembly and school board members creating at-large voting with
39 representation by district approved by the voters in the November 2011 election.
40

41 ASSEMBLY COMMENTS

42 John WINKLMANN apologized that he had to leave the meeting early due to a scheduling
43 conflict, and reported that the Matching Grant Committee meeting was positive, with a good
44 outcome. Mr. Winklmann noted that the federal transportation bill would provide infrastructure.
45

46 John WINKLMANN left the meeting at 7:03 pm.
47

48 Gordon CARLSON and Clay WALKER had no comment.

1
2 Rusty LASELL commented that he would like to see the Assembly work toward developing a
3 program to provide community groups with automatic external defibrillators.

4
5 Terry ASBURY commented that he is glad to be back and thanked Borough residents for their
6 support during his illness, especially local quilting groups.

7
8 David EVANS welcomed Mr. Asbury back and thanked Fiona MacDonald for the Healy Hockey
9 photo.

10
11 Robert KOHLSDORF commented that the State of Alaska issued a permit for a new mining
12 venture's winter staging area near the South Wind Subdivision. The mining company used land
13 away from the original planned area, which was swampy land. This could come in front of the
14 Assembly at some point. Mr. Kohlsdorf asked Joe Chatfield, the Borough's new Emergency
15 Services Director, to introduce himself and welcomed Mr. Asbury's return.

16
17 DRAFT ORDINANCES

18 ORDINANCE 12-05: An ordinance amending the Denali Borough Code Chapter 2.05, dealing with
19 Borough assembly composition.

20
21 David EVANS MOVED to introduce Ordinance 12-05. Clay WALKER seconded. It was noted that
22 this ordinance would bring Code into alignment with recent changes to the Charter, as well as
23 eliminate redundancies. The roll call VOTE was unanimous.

24
25 Gordon CARLSON MOVED to postpone Ordinance 12-05 to the next meeting. David EVANS
26 seconded. The VOTE by show of hands was unanimous.

27
28 ORDINANCE 12-06: An ordinance amending Denali Borough Code, Chapter 2.05.050 titled
29 Compensation of assembly members.

30
31 Gordon CARLSON MOVED to introduce Ordinance 12-06. Clay WALKER seconded. Points of
32 discussion that followed include compensation of similar assemblies, discomfort to members voting
33 on an increase for themselves, the percentage of the increase, the dollar amount of the increase, if
34 an increase would require a vote of the people, and the amount of time since the last increase.

35
36 The roll call vote was 5-1 as follows; Ayes – Clay WALKER, Gordon CARLSON, Robert
37 KOHLSDORF, David EVANS, Rusty LASELL; No – Terry ASBURY. The motion passed.

38
39 David EVANS MOVED to postpone Ordinance 12-06 to the next meeting. Gordon CARLSON
40 seconded. The VOTE by show of hands was unanimous.

41
42 Presiding Officer Kohlsdorf called a meeting recess at 7:23 PM. The meeting resumed at 7:39 PM.

43
44 After the recess, it was noted that the last increase to Assembly stipends was voted in by the public
45 in November 2006.

1 PENDING ORDINANCES

2 ORDINANCE 11-23, Version A: An ordinance amending the Denali Borough Code of
3 Ordinances, Chapter 8 titled Elections.

4
5 Gordon CARLSON MOVED to adopt Ordinance 11-23, version A. Rusty LASELL seconded. The
6 roll call VOTE was unanimous.

7
8 ORDINANCE 11-24, Version D: An ordinance amending Denali Borough Code of
9 Ordinances, Chapter 6.15 adding Section 6.15.071 titled Regulated Medical Waste.

10
11 David EVANS MOVED to adopt Ordinance 11-24, Version D. Rusty LASELL seconded. Points of
12 discussion that followed include the need to take an active approach to the issue of regulated
13 medical waste, the infrequency of occurrence, the responsibility of employers to educate their
14 employees regarding disposal of regulated medical waste, the revolving nature of a first offense, and
15 the definition of generator. It was suggested that a work session be scheduled to discuss issues
16 related to Ordinance 11-24, Version D.

17
18 Gordon Carlson MOVED to postpone Ordinance 11-24, Version D to the next meeting, Clay
19 WALKER seconded. The VOTE by show of hands was 5-1 as follows; Ayes – Clay WALKER,
20 Gordon CARLSON, Robert KOHLSDORF, Terry ASBURY, Rusty LASELL; No – David EVANS.

21
22 ORDINANCE 12-01, Version A: An ordinance amending the Denali Borough Code of Ordinances,
23 Chapter 3.21 titled Management of Grants.

24
25 Rusty LASELL MOVED to postpone Ordinance 12-01, Version A to the next meeting. David EVANS
26 seconded. Points of discussion that followed include the financial reporting implications of a fifteen
27 month performance period, and the increased potential for a project to be within budget under a
28 twelve month performance period. The VOTE by show of hands was unanimous.

29
30 ORDINANCE 12-02, Version A: An ordinance amending the Denali Borough Charter, Article IV,
31 Section 4.03 titled Election and Term of Mayor.

32
33 Rusty LASELL MOVED to postpone Ordinance 12-02, Version A to the next meeting. Gordon
34 CARLSON seconded. The VOTE by show of hands was unanimous.

35
36 ORDINANCE 12-03, Version A: An ordinance amending the Denali Borough Code of Ordinances,
37 Chapter 5.05.040 title School Board Qualifications.

38
39 Clay WALKER MOVED to postpone Ordinance 12-03, Version A to the next meeting. David EVANS
40 seconded. The VOTE by show of hands was unanimous.

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

44
45 Clay WALKER MOVED to postpone Ordinance 12-04, Version A to the next meeting. David
46 EVANS seconded.

1 David EVANS MOVED to amend by deleting 10 percent (10%) under B.1. and adding 10.5 percent
2 (10.5%). Clay WALKER seconded. The VOTE by show of hands was unanimous.

3
4 Rusty LASELL MOVED to amend by deleting \$50 under A. and adding "one half the rack rate."
5 Gordon CARLSON seconded. The VOTE by show of hands was unanimous.

6
7 The VOTE by show of hands on the main motion to postpone Ordinance 12-04 to the next meeting
8 was unanimous.

9
10 RESOLUTIONS:

11 RESOLUTION 12-07: A resolution honoring Samuel Allen of Cantwell, Alaska; a man of great
12 courage and humanity.

13
14 Gordon Carlson read the Resolution 12-07 into the record. David EVANS MOVED to approve
15 Resolution 12-07. Rusty LASELL seconded. The roll call VOTE was unanimous.

16
17 RESOLUTION 12-08: A resolution authorizing the Borough Mayor to open accounts with Wells
18 Fargo Advisors, LLC pertaining to the Denali Borough Permanent Investment Fund.

19
20 David EVANS MOVED to approve Resolution 12-08. Gordon CARLSON seconded. The roll call
21 VOTE was unanimous.

22
23 RESOLUTION 12-09: A resolution expressing the disapproval of the Alaska Railroad Corporation
24 (ARRC) plan to spray herbicide along railroad right-of-way within the Denali Borough.

25
26 Rusty LASELL MOVED to approve Resolution 12-09. Terry ASBURY seconded. Points of
27 discussion that followed include alternative methods to decrease brush alongside tracks, the
28 proposed chemicals to be used, and the danger of sparks from trains igniting brush fires.

29
30 The roll call VOTE to approve Resolution 12-09 was 5-1 as follows: Ayes – Rusty LASELL, Robert
31 KOHLSDORF, Clay WALKER, Terry ASBURY, David EVANS; No – Gordon CARLSON. The
32 motion passed.

33
34 OTHER BUSINESS

35 Denali Borough Lease Contract 7337: Approval to enter into a new lease agreement with Alaska
36 Railroad Corporation. The leased land is located at Otto Lake, Healy, Alaska and is currently
37 subleased by the Denali Borough to the Lions Club. Current lease is \$200.00 per annum. The land is
38 being used for the Lions Club Park.

39
40 Clay WALKER MOVED to approve entering into a new lease agreement with Alaska Railroad
41 Corporation and sublease with the Lions Club. David EVANS seconded. The VOTE by show of
42 hands was unanimous.

43
44 Restaurant/Liquor License Approvals:

45 Denali Cabins – License #5129

46 Liquor License: New application

47 Location: Mile 229 Parks Highway

48
49 Denali Cabins – License #5129

1 Restaurant Designation Permit
2 Location: Mile 229 Parks Highway
3

4 Denali Backcountry Lodge – License #5130
5 Liquor License: New application
6 Location: Mile 92 Denali Park Road
7

8 Denali Backcountry Lodge – License #5130
9 Restaurant Designation Permit
10 Location: Mile 92 Denali Park Road
11

12 Rusty LASELL MOVED to approve license #5129 applications. Gordon CARLSON seconded. The
13 VOTE by show of hands was unanimous.
14

15 Clay WALKER MOVED to approve license #5130 applications, Rusty LASELL seconded.
16 The VOTE by show of hands was unanimous.
17

18 Board of Game decision on antlerless hunting.
19 The Assembly has passed resolutions in the past opposing antlerless moose hunts in Game
20 Management Unit 20A, and the Middle Nenana River Advisory Committee has voted against an
21 antlerless moose hunt in Unit 20A. The State Attorney General has written a letter stating that only
22 local advisory boards have the authority to approve local hunts. The Alaska Board of Game voted to
23 reauthorize the antlerless hunt next season.
24

25 Gordon CARLSON MOVED to ask Borough legal counsel to attend the next meeting to discuss this
26 issue and present courses of action the Borough may choose to take. Rusty LASELL seconded.
27 Points of discussion that followed include the need for a flow chart to show a process to follow, and
28 the separation of the Board of Game and Department of Fish and Game.
29

30 The VOTE by show of hands on the motion to invite Borough legal counsel to the next meeting was
31 unanimous.
32

33 PUBLIC COMMENTS

34 Julia Potter, Cantwell resident, thanked the Assembly for looking into the antlerless moose hunt
35 issue, and spoke in support of a stipend increase for the Assembly.
36

37 Justin Mason, Cantwell resident, spoke in favor of a stipend increase for the Assembly.
38

39 Armeda Bulard, Cantwell resident, thanked Gordon Carlson for preparing Resolution 12-07 honoring
40 Sam Allen. Ms. Bulard commented that the explosion that occurred affected the entire community,
41 and the community has strongly supported those injured. A raffle drawing will be held March 18 to
42 support victims.
43

44 ASSEMBLY COMMENTS

45 Rusty LASELL and Robert KOHLSDORF thanked those present for attending the meeting.
46

47 Terry ASBURY and David EVANS had no comment.
48

1 Gordon CARLSON commented that there is a Susitna Hydroelectric Project meeting in Cantwell
2 on March 29.

3
4 Clay WALKER applauded the Board of Game for voting to keep the Yanert area closed to
5 motorized hunting, and noted that public comment made a big difference in the decision.

6
7 Mayor Dave TALERICO thanked Clay Walker for volunteering his time to host school
8 superintendent candidates during the interview process. Mayor Talerico has been named to the
9 NACO Board of Directors.

10
11 NEXT ASSEMBLY MEETING:

12 The next regular meeting of the Borough Assembly will be held at the Anderson School on April
13 11, 2012; Public Hearing at 6:00 PM, and regular meeting to follow. Work session at 5:00 pm to
14 discuss Permanent Fund Purpose and Investment Objectives; and Hazardous Waste.

15
16 ADJOURN: Presiding Officer Robert Kohlsdorf adjourned the regular meeting at 9:40 pm.

17
18
19 APPROVED:



20 Robert Kohlsdorf, Presiding Officer

21
22
23 ATTEST:



24 Gail Pieknik, Borough Clerk

25
26
27 Date Approved: APRIL 11, 2012