MATANUSKA-SUSITNA BOROUGH
AGRICULTURE ADVISORY BOARD

Chairman - Norman Harris (05)	Dick Zobel (02)	Ken Peltier (06)	Jon Olsen (10)
Vice Chair - James Skinner (09)	Kenneth Marsh (03)	Derylee "Lee" Hecimovich (07)	Erik "Moe" Johnson (11)
Bruce Bush (01)	Jenny VanderWeele (04)	Donald Brainard (08)	Braden VanderWeele (12)

AGENDA

REGULAR MEETING **September 21, 2016**
DSJ BUILDING ASSEMBLY CHAMBERS **4:30 P.M.**

I. CALL TO ORDER; ROLL CALL

II. APPROVAL OF AGENDA; PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

A. June 15, 2016

IV. AUDIENCE PARTICIPATION (Limit to 3 minutes)

V. ITEMS OF BUSINESS

A. Staff Report

1. Real Property Analyst
2. **RESOLUTION NO. 16-05** A RESOLUTION RECOMMENDING ASSEMBLY ACTION TO ESTABLISH POLICY FOR AGRICULTURE ADVISORY BOARD REVIEW OF AGRICULTURAL APPLICATIONS, LEASES, AND SALES.
3. **RESOLUTION NO. 16-06** A RESOLUTION RECOMMENDING ASSEMBLY ACTION TO ESTABLISH POLICY THAT COMPLIES WITH RIGHT TO FARM STATUTE ALASKA STATUTE 9.45.235 AND CONTRACT WITH MATANUSKA SUSITNA BOROUGH SOIL AND WATER CONSERVATION DISTRICTS TO ASSIST IN DEVELOPMENT OF BOROUGH AGRICULTURE CLASSIFIED PROPERTY FARM CONSERVATION PLANS
4. **RESOLUTION NO. 16-07** A RESOLUTION RECOMMENDING ASSEMBLY ACTION TO ESTABLISH POLICY THAT VETERANS WILL BE ENCOURAGED TO BID ON AGRICULTURE CLASSIFIED PROPERTY WITH ONE-TIME ALLOWANCES.

VI. MEMBER COMMENTS (Note: Limit to 3 minutes)

VII. NEXT MEETING

A. October 19, 2016, 4:30 pm

XV. ADJOURNMENT

TO PROVIDE EMAIL COMMENT REGARDING ANY AGENDA ITEM,

PLEASE EMAIL: LMB@MATSUGOV.US

MATANUSKA-SUSITNA BOROUGH
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MINUTES

REGULAR MEETING **June 15, 2016**
DSJ BUILDING ASSEMBLY CHAMBERS **4:30 P.M.**

I. CALL TO ORDER, ROLL CALL
Vice-Chairman Skinner called the meeting to order at 4:30 p.m

A. Members present and establishing a quorum were:
Derylee Hecimovich, Erik Johnson, Kenneth Marsh, Jon Olsen, James Skinner, Jenny VanderWeele, and Braden VanderWeele
B. Members Absent: Bruce Bush and Ken Peltier
C. Members Absent and Excused: Donald Brainard, Dr. Norman Harris, and Dick Zobel
D. Vacant Positions: None
E. Staff Present: Glenda Smith, Land Management Analyst and Elizabeth Weiant, Department Administrative Specialist
F. Guests Present:

II. APPROVAL OF AGENDA; PLEDGE OF ALLEGIANCE

GENERAL CONSENT: Agenda was approved as presented.

Mr. Skinner led the Pledge of Allegiance.

III. APPROVAL OF MINUTES

A. March 16, 2016

Vice-Chairman Skinner queried if there were any changes to the minutes.

GENERAL CONSENT: The minutes were approved as presented.

IV. AUDIENCE PARTICIPATION (Limit to 3 minutes)

A. Mr. Haberman spoke to the public process.

B. Ms. Cutler spoke to

- Being encouraged to farm, what happens after farming for 40 years,
- the upcoming discussion regarding residency requirements, most heirs are not residents, are they not eligible to inherit?

- Most of the actual farming is hobby farming

C. Mr. Robert Thom, former chair of Agriculture and Forestry Board. Spoke to the process that had previously occurred between the board recommendations for the agriculture property sales and administrative policy.

V. ITEMS OF BUSINESS

A. Staff Report

1. Real Property Analyst

a. Code information for the Board regarding resolutions and requirements. MSB 1.25.060 addresses Matanuska-Susitna Borough formal acts by resolution. An advisory board would not be held to a different standard than the Assembly. MSB 1.25.060(D) addresses persons wishing to be heard in regard to an MSB Assembly Resolution. MSB Assembly Resolutions are read and passed or rejected.

The same procedure is used for Advisory Board resolutions. An agenda is created, agenda published for public review, persons wishing to be heard may testify under the audience participation part of the agenda, the resolution may be passed or rejected, with or without amendments, and the first reading of any resolution shall also be the final reading.

b. Point MacKenzie agricultural parcels

An information packet was handed out at the meeting, board members to review prior to July meeting. If board still has questions or concerns let staff know prior to next meeting.

2. Written report for discussion by the Board and recommendation for resolutions. The background information is included in the staff report with these specific questions.

Should the Agriculture Advisory Board be included in the review of actions that involve property sold for agricultural use, such as applications from Ag rights only owners to subdivide or leases/sales of land classified as agricultural?

State Division of Agricultural watches for compliance, they request new farm plans, but are not provided and to will require action in civil court; state not going to do that.

All prior requests for changes to property sold for agricultural use within the borough were brought before the Real Property Asset Management Board. However, the board was repealed by Assembly Ordinance 10-111 on December 7, 2010.

Consensus: Bring forward a resolution requiring any applications for changes to agricultural parcels before the board for approval, to include any business use on the parcel not related to agriculture production.

Should the Borough, specifically Community Development/Land and Resource Management, contract with the three Soil and Water Conservation Districts to provide assistance in farm conservation plans/planning, site visits, and reports to the Department? Districts have staff near the properties with appropriate knowledge, better access, and possibly better acceptance to perform this action. If it is resolved the Borough should establish management practices, should the Borough be more proactive in enforcement for noncompliance?

The borough doesn't have staff to monitor the ag parcels for compliance. The Conservation districts can provide the support the borough needs. Since the districts already collect the information, it is redundant for the borough to be doing the same thing. Borough should contract with the districts to provide this service. Would get more compliance through the contract.

Consensus: Bring forward a resolution encouraging a contractual agreement between the borough and the three soil and water conservation districts to assist

with development, implementation, and compliance of the farm conservation plans, etc.

Should agriculture sale programs continue to require Alaska residency?

The borough has the requirement when the parcel was originally sold. Original bidder required to be an Alaskan resident to be a qualified bidder. Subsequent sales of the property not restricted for Alaska residency only. Foreign entities are currently buying up agricultural properties in the lower 48. State of Alaska Div. of Ag does not have residency requirements. We should encourage outside entities to provide agriculture services; have already received inquiries from outside entities who are currently not eligible to purchase from the borough any agriculture properties.

Consensus: Bring forward a resolution in support of Alaska residency.

Should the Borough consider any type of program that would interest Veterans in locating and farming in the Matanuska-Susitna Borough?

State DNR offers Veteran's discount on their regular land sales but do not on the ag properties as they are already discounted. Should provide some type of program for veterans. Provide marketing on the military bases to encourage farming as another option upon separation from the military.

Consensus: Bring forward a resolution in support of encouraging veterans to farm in Alaska and provide incentives for them to farm.

Should borough agriculture property owners be required to be a cooperator with the appropriate soil and water conservation district be required to maintain a Farm Conservation Plan, and perform some type of agriculture as outlined in the current borough definition?

Board concurred that yes, this should remain as a requirement.

VI. MEMBER COMMENTS (Note: Limit to 3 minutes)

Ms. Hecimovich and Ms. VanderWeele had no comments.

Mr. Johnson spoke to touring the correctional facility's waste treatment center at Point MacKenzie, which produces class A biosolids. Stated Mr. Del Ray Hobbs has a state agriculture parcel and uses biosolids. Both Valley Utilities management and Mr. Hobbs invited the board to come and take a tour of the facility.

Mr. Marsh appreciated the discussion of the issues on this agenda.

Mr. Olsen was impressed with the work of the staff.

Mr. Skinner appreciated chairing the meeting tonight, discussed good issues tonight.

Mr. VanderWeele, stated that next year he will be attending Palmer High School, which has the largest agricultural program in the state. He will have lots of students to represent next year.

Ms. Weiant announced that the August meeting needs to be moved due to a conflict with an assembly meeting. Board concurred to use that date for the tour of the two facilities in Point MacKenzie who use biosolids.

VII. NEXT MEETING

A. July 20, 2016, 4:30 p.m., Assembly Chambers

XV. ADJOURNMENT

Mr. Skinner adjourned the meeting at 5:35 p.m.

AGRICULTURE ADVISORY BOARD

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Norman Rex Harris, Chairman

ATTEST:

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Elizabeth Weiant, Department Administrative Specialist

MATANUSKA-SUSITNA BOROUGH
AGRICULTURE ADVISORY BOARD
RESOLUTION NO. 16-05

A RESOLUTION RECOMMENDING ASSEMBLY ACTION TO ESTABLISH POLICY FOR AGRICULTURE ADVISORY BOARD REVIEW OF AGRICULTURAL APPLICATIONS, LEASES, AND SALES.

WHEREAS, the Agriculture Advisory Board was enacted by Matanuska-Susitna Borough Ordinance 15-050 to provide advice to the assembly and manager on agricultural issues; and

WHEREAS, subdivision, lease, sale, and other business use of agricultural property was an identified issue at the Matanuska-Susitna Borough Agriculture Forum on November 10, 2014; and

WHEREAS, a fundamental request at the Agriculture Forum and of the Ad Hoc Committee was that the Borough provide as much consistency as possible across all Borough-sold agriculture property.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Agriculture Advisory Board recommends the Matanuska-Susitna Borough Assembly pass an Ordinance for policy to govern Agriculture Advisory Board review in Part 5 of Land and Resource Management Policy and Procedure Manual, changes of which will be moving forward to the Assembly as one document. Changes in Part 5. Subsection 1.1 Authority, add **23.10.070**; and, Subsection 2.1 Classification, add Subsection 2.1 A and move Classification from Subsection 2.1 to Subsection 2.1 B.

A. Review by the Agriculture Advisory Board for recommendations to the Assembly shall occur prior to the Matanuska-Susitna Borough disposition of interest, including but not limited to lease, sale, classification, or establishment of a non-farm business on previously classified and sold borough agriculture property.

i. This shall include any agricultural property in which the borough holds an interest through acquisition, sale under Title 15, Title 13, or Title 23, whether the property is governed by Borough covenants, conditions, and restrictions or State covenants, conditions, and restrictions.

B. Classification. The land shall first be classified per classification procedures as "Agricultural lands."

ADOPTED by the Matanuska-Susitna Borough Agricultural Advisory Board this 21st day of September, 2016.

Norman Rex Harris, Chairman

ATTEST:

Elizabeth Weiant,
Department Administrative Specialist

MATANUSKA-SUSITNA BOROUGH
AGRICULTURE ADVISORY BOARD
RESOLUTION NO. 16-06

A RESOLUTION RECOMMENDING ASSEMBLY ACTION TO ESTABLISH POLICY THAT COMPLIES WITH RIGHT TO FARM STATUTE ALASKA STATUTE 9.45.235 AND CONTRACT WITH MATANUSKA SUSITNA BOROUGH SOIL AND WATER CONSERVATION DISTRICTS TO ASSIST IN DEVELOPMENT OF BOROUGH AGRICULTURE CLASSIFIED PROPERTY FARM CONSERVATION PLANS

WHEREAS, the Agriculture Advisory Board was enacted by Matanuska-Susitna Borough Ordinance 15-050 to provide advice to the assembly and manager on agricultural issues; and

WHEREAS, development and enforcement of Borough required Farm Conservation Plans was an identified issue at the Matanuska-Susitna Borough Agriculture Forum on November 10, 2014; and

WHEREAS, a majority of the participants at the Agriculture Forum indicated the Borough is remiss in now enforcing agricultural use of property classified and sold by the Borough as "agricultural lands"; and

WHEREAS, Borough staffing is not sufficient to provide Farm Conservation Plan development, implementation assistance, and enforcement in a timely manner; and

WHEREAS, the majority of participants in the Agriculture Forum thought borough staff involvement in use, planning, and site visits could be considered too intrusive; and

WHEREAS, a fundamental request at the Agriculture Forum and of the Ad Hoc Committee was that the Borough provide as much

consistency as possible across all Borough-sold agriculture property; and

WHEREAS, Alaska Statute 9.45.235 states an agricultural facility or an agricultural operation at an agricultural facility is not a private nuisance if the governing body of the local soil and water conservation district advises the commissioner in writing that the facility or operation is consistent with a soil conservation plan developed and implemented in cooperation with the district.

WHEREAS, utilizing contract services of the three soil and water conservation districts (SWCD) in the Matanuska-Susitna Borough would provide agricultural property owners with more expedient access to personnel for Farm Conservation Plan development and implementation; and

WHEREAS, SWCD personnel reside in the same locality as their cooperators.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Agriculture Advisory Board recommends the Matanuska-Susitna Borough Assembly pass an Ordinance for policy for development of Farm Conservation Plans and inspection for same in Part 5 of Land and Resource Management Policy and Procedure Manual, changes of which will be moving forward to the Assembly as one document. Changes in Part 6. Subsection 6.1 Soil and Water Conservation Plan:

6.1 [SOIL AND WATER] Farm Conservation Plan and Right to Farm statute.

(a) Pursuant to ALL agricultural property sold by the Borough being sold at restricted fair market value price or Ag rights only price, with agricultural use required in perpetuity, borough code to maximize agricultural capability to the extent feasible and practical, and Alaska Statute 9.45.235, all borough agricultural property owners will:

(1) Be a cooperator with their appropriate Soil and Water Conservation District (SWCD), and

(2) Provide a Farm Conservation Plan to the Borough, which will be developed with the assistance of the appropriate soil and water conservation district personnel and reviewed by the appropriate SWCD Board and returned to MSB Land and Resource Management Division for approval by the Borough Manager.

a. The Farm Conservation Plan will be included in the case file and will run with the land until/unless specifically changed and allow for farm visits from the appropriate SWCD personnel for the purposes of assistance in implementation

and to provide Farm Conservation Plan information to MSB employees for use in the property case file, and

(3) **Follow any other requirements of deed restrictions (Title 15), Ag rights (Title 13) deed or covenants, conditions, and restrictions, or covenants, conditions, and restrictions of Title 23 Ag properties.** [THE PROSPECTIVE PURCHASERS WILL BE INFORMED THAT TECHNICAL PLANNING ASSISTANCE IS AVAILABLE THROUGH THE LOCAL SOIL AND WATER CONSERVATION DISTRICT IN COOPERATION WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCE CONSERVATION SERVICE.]

(b) **Fallow is NOT a farm plan.**

ADOPTED by the Matanuska-Susitna Borough Agricultural Advisory Board this 21st day of September, 2016.

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Norman Rex Harris, Chairman

ATTEST:

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Elizabeth Weiant,
Department Administrative Specialist

MATANUSKA-SUSITNA BOROUGH
AGRICULTURE ADVISORY BOARD
RESOLUTION NO. 16-07

A RESOLUTION RECOMMENDING ASSEMBLY ACTION TO ESTABLISH POLICY THAT VETERANS WILL BE ENCOURAGED TO BID ON AGRICULTURE CLASSIFIED PROPERTY WITH ONE-TIME ALLOWANCES.

WHEREAS, the Agriculture Advisory Board was enacted by Matanuska-Susitna Borough Ordinance 15-050 to provide advice to the assembly and manager on agricultural issues; and

WHEREAS, a 2013 report by the Alaska Food Policy Council states that Alaskans spend $2.5 billion annually for food; and

WHEREAS, data available indicates 95% of Alaska food is imported, leaving Alaskans vulnerable during times of disasters; and

WHEREAS, data available reports the average age of an American farmer as 55; and

WHEREAS, United States Department of Agriculture (USDA) web page states 20% of young veterans are unemployed and 45% of armed services members are from rural America; and

WHEREAS, military-learned skills of attention to detail, functionality under stress, teamwork, and quick learning are easily transferrable to the psychological and physical demands of agriculture; and

WHEREAS, Alaska benefits from a large active duty military presence.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Agriculture Advisory Board recommends the Matanuska-Susitna Borough Assembly pass an Ordinance for policy to include programs specific to Veterans in Part 5 of Land and Resource Management Policy and Procedure Manual, changes of which will be moving forward to the Assembly as one document. Changes in Subsection 4.1 Purchaser qualification adding Number 5 to Subsection 4.1(B):

5. **The manager may provide sale preference or discount for Veterans. Preference and discount may not be combined.**

   a. **Veteran's Preference Auction. A restricted sale in which eligible veterans have first option to purchase agricultural parcels in a Sealed Bid Auction. A veteran's preference may only be used once in a veteran's lifetime.**

      During the first 30 days of a sealed-bid agricultural auction with property identified to be sold with a veteran's preference, purchase applications submitted must all include qualifying veteran's documentation.

      i. **Applicant must be 18 years of age or older.**

      ii. **A Form DD 214 (Report of Separation from Active Duty) showing the qualifying length of active**

duty and the character of the discharge.

iii. Veteran must have served on active duty in the Armed Force of the United States (Army, Navy, Marines, Air Force, Coast Guard; State National Guard units; or Army, Navy, Marine, and Air Force Reserve) or the Alaska Territorial Guard for at least 90 days, unless tenure was shortened due to a service-connected disability.

iv. Veteran must have received an honorable discharge or general discharge under honorable conditions.

v. Applicant must meet Alaska residency requirements and include proof of residency documentation with the application:

(a) A copy of your valid and current Alaska Driver's License or State-issued ID card.

AND ONE of the following items:

(b) Alaska Permanent Fund Dividend confirmation of eligibility or confirmation of receipt of funds;
(c) Employment, unemployment, or military records;
(d) Current and valid occupational licenses issues by the State of Alaska;

(e) Income tax records showing employment in Alaska; or

(f) School records.

vi. If no bids are received from qualifying Alaska veterans, the manager may open a 30-day bid accepting applications from veterans with United States citizenship. Applications would be required to include submission of documents as outlined in Part 5, Section 4.1, Subsection B, number 4.

vii. Following the veteran's preference timeframe, the sale parcels would be available to bids from all Alaska residents.

b. Veterans discount on sealed-bid agricultural property sales. A veteran's discount may only be used once in a veteran's lifetime.

c. Same documentation requirements as those listed for a veteran's preference sale.

d. Veteran's successful high bid would be allowed a 10% discount from the listed fair market value price.

ADOPTED by the Matanuska-Susitna Borough Agricultural Advisory Board this 21st day of September, 2016.

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Norman Rex Harris, Chairman

ATTEST:

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Elizabeth Weiant,
Department Administrative Specialist