

MATANUSKA-SUSITNA BOROUGH AGRICULTURE ADVISORY BOARD

Chairman - Norman Harris (05)	Dick Zobel (02)	Ken Peltier (06)	Jon Olsen (10)
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AGENDA

REGULAR MEETING DSJ BUILDING ASSEMBLY CHAMBERS

**December 21, 2016
4:30 P.M.**

- I. CALL TO ORDER; ROLL CALL
- II. APPROVAL OF AGENDA; PLEDGE OF ALLEGIANCE
- III. APPROVAL OF MINUTES
 - A. Minutes not available.
- IV. AUDIENCE PARTICIPATION (Limit to 3 minutes)
- V. ITEMS OF BUSINESS
 - A. Staff Report
 - B. Correspondence
 1. MEMO RE: Rocket Ranch (w/attachments)
 - C. RESOLUTION NO. 16-08 A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AGRICULTURE ADVISORY BOARD RECOMMENDS THE ASSEMBLY AMEND TITLE 23 AGRICULTURAL LAND SALE PROGRAMS TO SELL AGRICULTURAL RIGHTS ONLY, VALUED AT 10% OF THE FAIR MARKET VALUE, WITH DEVELOPMENT RIGHTS RETAINED BY THE BOROUGH.
 - D. RESOLUTION NO. 16-09 A RESOLUTION RECOMMENDING ASSEMBLY APPROVAL, TO ESTABLISH POLICY FOR SUBDIVISION OF AGRICULTURAL PROPERTY, AND AMENDING THE LAND AND RESOURCE MANAGEMENT POLICY AND PROCEDURES MANUAL, PART 5, AGRICULTURAL LAND.
 - E. RESOLUTION NO. 16-10 A RESOLUTION RECOMMENDING ASSEMBLY APPROVAL TO ESTABLISH POLICY FOR THE SALE OF AGRICULTURAL PROPERTY AND AMEND THE LAND AND RESOURCE MANAGEMENT POLICY AND PROCEDURES MANUAL, PART 5. AGRICULTURE LAND SALES.

- F. Board Schedule for 2017
- VI. MEMBER COMMENTS (Note: Limit to 3 minutes)
- VII. NEXT MEETING
 - A. January 18, 2017, 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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MEMORANDUM

DATE: December 21, 2016

TO: Agriculture Advisory Board

FROM: Glenda Smith, SR/WA, Real Property Analyst

SUBJECT: Staff Report

The PowerPoint last month provided intricacies of the agricultural properties sold in the Matanuska-Susitna Borough and hopefully highlighted differences, similarities, and some problems.

Included in this month's staff report is the Excel spreadsheet with questions and comments regarding identified issues at the MSB Agriculture Forum. Some of the issues identified do not pertain to borough-sold Ag property and I am not going to spend time speculating the why or how of agriculture property conveyed by the federal government or the state government. None of the questions identify the person asking the question so vague questions may or may not be answered.

The original topics for the Ag forum included development rights, home sites, parcel size, and subdividing. Many other topics were brought up throughout the forum. Based on what was presented regarding real property, real property title, owner rights, etc., I would like to address some of the issues from the Ag forum and some of the issues I have seen trying to manage Borough Ag property.

Advisory 1: If no advisory board is formed, who will advise on Ag issues?

Moot point since an advisory board was appointed; however, the borough does have staff with background and experience that allows advising on Ag issues.

Advisory 2: Ag Board needed. It is alarming to know that only 3-5% of food comes from Alaska. If disaster should happen, Alaska residents would look to the Ag community for food.

Agreed. Alaska should not wait for a disaster to increase food safety and security.

Advisory 3: If the Borough supports agriculture why has there been so little follow-up and so many inconsistencies on Ag lands?

I think it is pretty clear that each Assembly had their own ideas of how agriculture property should be sold and rights conveyed. Several times it is very obvious the Assembly felt the State and/or Borough should buy the development rights of fee simple absolute property being used for agricultural purposes but not necessarily covered by any deed restrictions or covenants, conditions, and restrictions requiring continued agriculture use.

One thing the 2014 Assembly requested from the Agriculture Advisory Board is a consistent policy for dealing with agriculture properties and a methodology for no net loss of agriculture land.

I think the borough could establish policy for managing properties sold fee simple determinable and a policy for managing properties where only agricultural rights were sold. Some policy could be the same across all programs includes minimum size of parcels, Farm Conservation Plan, district cooperators, site visits from the Soil and Water Conservation District the farm resides in.

No net loss of Ag land might include some combination of Ag rights only, purchasing or repurchasing development rights, or simply establishing strict policy that land classified agriculture will not be reclassified otherwise, which has been the practice to this point.

Development rights 1: What is the process to take individual issues and get them identified and reviewed and a plan of action or resolution created? What is the process?

Individual issues were often presented to staff and allow staff to research a resolution based on the program the property was sold under and the type of restrictions attached to the property.

Development rights 2: Why can't all parcels be fee simple? Retroactive with CCR – agriculture only?

The properties sold Ag rights only, through the program, were allowed to purchase a fee simple homesite. This was a fair market value sale, cash, at the appraised price at the time of the purchase.

Should the Assembly choose to do so, Ag rights only properties development rights could be purchased by the current Ag rights owner. This would require an appraisal and payment to the borough of the difference at today's values.

Various analyses have shown the Ag rights only sales allow residents who want to farm to get started with a smaller investment and the property will never be available to be subdivided into small parcels with condominiums, PUD housing, etc., as these types of use are reserved in the development rights retained by the Borough.

In addition, in 2008 MSB spent \$300,000 to buy development rights on 40 acres off Fairview Loop and in 2010 spent \$500,000 (added to USDA \$500,000) to buy development rights on an 80-acre 1935 Moffitt Road farm.

Development rights 3: What CCRs does the MatSu impose of State Ag land purchasers?

None. State Ag land is managed by State of Alaska, Department of Natural Resources, Division of Agriculture.

Development rights 4: How closely aligned are State and Borough Ag policies such as CCRs, fee simple, etc.

Borough Ag policies did follow State guidelines to a point; however, the Borough philosophy is that agriculture property should be farmed. The state legislature passed legislation in 1997, SB109, which allowed state Ag rights only parcel owners to obtain the development rights on the property, with CCRs. This state legislation did not/does not change borough Ag rights only property.

Development rights 5: How is it fair to alter the conditions for our 1977 Ag parcel and to act as though we should be bound by rules made after the parcel was conveyed?

In the 1977 sale, only agriculture rights were conveyed. See the next question regarding development rights. The Assembly has asked for policy consistent for managing all borough agriculture parcels. It may be that the policy can be written to deal with some aspects across the board, i.e. definition of agriculture, and separately with regard to other parts of the agriculture properties due to different property interests being conveyed with different ways the property was restricted, i.e. deed restriction versus CCRs.

Development rights 6: The MSB occasionally claims it “co-owns” Ag parcels because it claims it owns “the remaining rights” to the land that the “ag purchaser” did not get. What does this alleged “co-ownership” mean, really?

As explained in PowerPoint, “co-ownership” refers to the agriculture rights only sales where only the agriculture rights (interests) were determined by the Assembly to be and sold at 10% of the FMV and the development rights (interests) were retained by the Borough.

Development rights 7: Else Bellingham – Mile 72 to 78 east of the Parks Highway, approximately 1,000 acres of land has been sold to CoAlaska/QAP and Pacific Explosives. 300 acres of this land is agriculture lease with trees that have been mowed down. November 19, 2014, the Assembly will vote to change this designation to industrial. I support agriculture.

In the 1970s, MSB held a lease/purchase sale for approximately 600 acres of land to be classified commercial. Before the lease/sale, it was determined by the Agriculture and Forestry Board that approximately 240 acres was agricultural soils. The lease/purchase stipulated that the Ag property, which ended up being about 204 acres, must have a farm plan and that plan implemented before the property could be converted to purchase.

The original lease/purchaser did fulfill those requirements and on aerial photographs you can still see the hayfields. The property went through several owners with various amounts of agricultural use. QAP purchased the property and applied to the Borough to purchase the development rights. Legislation must be written in the “positive” voice, i.e. as though the Assembly would reclassify the property and QAP would be required to pay an amount of money

for the development rights. The legislation can be passed by the Assembly or not passed by the Assembly, thus providing a “yes” or “no” answer. In 2007, an application was received to purchase the development rights and remove the property from Ag rights only with farming requirements to a fee simple status. The Assembly did not pass the legislation. One other application of Ag rights only property was received to purchase development rights on 50-acres of Ag property for a commercial/industrial LNG plant. The Assembly approved the sale of the development rights on 17 acres.

Prior to the QAP legislation reaching the Assembly – a moratorium was placed, the Ag forum held, and the Agriculture Advisory Board established.

Development rights 8: Can farmers improve the land with buildings, etc., without property tax increase (assessment)?

I would say no. Structures are individually assessed from the property.

Development rights 9: Enforcement? What happens if someone develops beyond the allowed limit?

I do not know if this has ever occurred. I think clarification of “develops beyond the allowed limit” would be needed to attempt to provide an answer.

Development rights 10: After parcel is paid for, what farming needs to be maintained/occur? Who enforces? Or do you want to require farming?

Whatever is outlined in the Farm Conservation Plan. Up to this point, it has been unenforced. Yes, the point of selling property interests that are valued at agricultural prices is so the property is/can be used for agriculture. I have stated, and the attorney concurred, that fallow is not a Farm Plan.

Development rights 11: If Borough Assembly is thinking about changes in current development rights, what might they be and why?

The Assembly has requested the agriculture advisory board review current programs and make recommendations that would make consistent policy across the different programs. That is probably not going to occur since the interests conveyed make differences in what the owners are required to/can do.

Development rights 12: What standards are applied once land is purchased?

Whatever program standards there are and what is included in the CCRs under which the property is sold. The sales had minute differences, i.e. Title 15 was fee simple determinable with FMV at a restricted price and deed restrictions that required use for agricultural purposes; Title 13 property interest sold was Ag rights with CCRs for agricultural use in perpetuity; Title 23 is fee simple FMV for ag use with CCRs for agricultural use in perpetuity.

Homesites 1: Glenda incorrectly claimed the '77 sale purchasers had a covenant about homesites. They did not. Rather, Title 13 contained the homesite language she referred to, which does not mention any size limit, not 5 acres, not 2 acres. How can we fairly be limited to 5 acres for a homesite? We had to bust our fannies to complete our farm "use" plan and our buildings were spread out and approved for covering way more than 5 acres.

1977 Ag rights sales were under Title 13. The Assembly changed the agricultural land sale ordinance with ***Ordinance 75-15*** that includes Section 12. Partial release. Upon proper application by the purchaser, the Assembly may grant a release from the terms of the sale an amount of land sufficient for a farm residence and/or farm related facilities, provided that the land is situated so as to conform to all planning, platting, subdivision, and other regulations of the Borough. Such land shall then be sold and granted to the purchaser in fee simple at the current full and true value for cash paid at the time of sale. ***Ordinance 76-72*** amended and defined but did not repeal 75-15. ***Ordinance 77-7*** (Ordinance stated in the sale brochure) authorized the sale, classified the property, and adopted specific regulations for that auction but again did not repeal 75-15. Thus, it would be my opinion that Section 12 was still applicable to this sale; however, the CCRs attached to the 1977 sale and recorded did not include that language. The only importance of a fee simple homesite was to allow farmers to obtain financing to build a home, etc. The fee simple homesites were not required to be sold with the remainder of the Ag rights property and this created new issues as the remaining Ag rights property did not have a home site. That was where the creation of 2-acre Ag rights only home sites came into play.

Homesites 2: Ability to live and build and obtain financing.

I do not know how to respond to this. I think it is a statement and certainly not a question to staff.

Homesites 3: We want to have separate buildings for farm hands, guest cabins, or family. Can we build in these instances?

That depends on the stipulations in the program under which the ag property interests were sold. Some stated exactly what buildings could and could not be built on the property, some only stated a size restriction, some were silent. This might well be a portion of policy that could be made the same across the board.

Homesites 4: Regarding improvement sites: Can only primary improvement sites have a residence on it? Can we have different sites on the same property for a home/residential structure so long as it does not exceed 5 acres?

Again, this varies. The only program that specifically calls out "primary improvement sites" is Title 23. It requires that primary and second improvement sites be located on the property and those are required to be recorded prior to any construction. It can be on 5-acre site or any divisions that aggregate to 5 acres. Bearing in mind the 5 acres is supposed to house ALL the structures needed for operating the farm, i.e. house, garage, animal barn(s), equipment storage, etc., one would want to carefully structure the improvement sites.

Homesites 5: Borough policy has encouraged me to invest in places other than our family's Ag parcel to have a secure home site.

Again, this does not sound like a question. If the Ag parcel can be operated for an agricultural purpose without a residential structure on it, there is no requirement to build a residence.

Homesites 6: Should those who inherit the farm parcels be allowed to live on the property and not farm just so they don't develop.

Under borough agriculture policy, the answer to that would be no. The borough requires an agricultural use. That use does not have to be carried out by the owner, even an owner living in a residential structure on the property, and could be carried out by a property renter, lessee, or even someone the owner could hire to use the property for agricultural purposes according to the Farm Conservation Plan.

Legal 1: Can farmers and Borough residents be exempt from legal liens on property?

I'm not an attorney, but I would say no, farmers cannot be exempt from legal liens.

Legal 2: Can Ag parcels be willed to heirs? Ag rights only?

Again, this goes back to what is actually owned. Ag parcels can be willed to heirs; the heirs (grantees) inherit the same property interests the grantors have to give. Deed restrictions for Ag use, CCRs, etc., follow the land in the agricultural properties sold. That means, the heirs/grantee are bound by the restrictions/CCRs as were the original owner/grantor.

Legal 3: I would like to farm some of my 160 acres but snowmachines and 4-wheelers trespass on my acreage.

Depending on the type of property owned, it may be a requirement that you "farm" the property. Consider fencing?

Other 1: Is state residency (Alaska) a requirement for participation and conveyance of borough Ag parcels?

The sales to date have required Alaska residency.

Other 2: I have 40 acres of treed land. The topography does not lend itself to agriculture. Will it ever be possible to convert the property to other uses?

Agriculture, as defined by MSB, is very broad so I would question what is meant by "topography does not lend itself to agriculture" – field crops?

Other 3: When does the Borough plan on having new "improved" Ag sales?

Following the analysis of the programs by the Agriculture Advisory Board, AAB recommendations to the Assembly, and Assembly approval of improved agriculture land management practices.

Other 4: Would like to see the definition of “Agriculture” to include kennels. Borough requires kennel licenses for more than 5 dogs. Dogs are used to help work farms. Not including kennels limits the number of dogs for Ag use only to 5 or less.

Kennels in the view of most Alaskans are for breeding/sales of dogs and/or mushing team kennels. Kennels and catteries are both excluded from Ag use. Kennel, as defined by Merriam-Webster is “a shelter for a dog or cat” or “an establishment for the breeding or boarding of dogs or cats.” If an agriculture user has more than 5 working dogs on their farm, I think they could have a “kennel” license for their working dogs without dog “kennels” being included in the definition of agriculture; however, language could be considered that would specifically outline “dog kennels” that fit an agricultural use.

Other 5: Currently no financial incentive or security exists to develop my livelihood on my parents’ borough Ag parcel.

While agriculture parcels are required to be used for agricultural purposes, not just field crops – see definition, the heirs of any interests in agricultural properties are not required to develop their livelihood in agriculture. The agriculture use can be developed through other types of contracts, i.e. leasing or renting agricultural property for agricultural uses or even sharecropping. **Sharecropping** is a form of agriculture in which a landowner allows a tenant or nontenant to use the land in return for a share of the crops produced on their portion of land. An adjacent farmer may be interested in sharecropping agricultural land but would not want to be a tenant as they have their own house.

The financial incentive is provided to the original purchaser and to heirs through the reduced price per acre, reduced assessment per acre, and compliance with the requirement to use the property for agricultural purposes. Many deeds and CCRs contained language that breach of the requirements could result in termination, law suit, etc.

Other 6: Ag Board is needed. Info from this meeting should not go into a “black hole.” Need results.

Agriculture Advisory Board was formed and is working toward results.

Other 7: One goal of the meeting should be sustainable Ag regulations and lands.

One goal of the Assembly is consistent policies that provide no net loss of agricultural land while improving food safety and security in the State.

Other 8: “Bona fide” agriculture purchase and use.” Who checks up after land is sold to determine if it is being so used?

Several methods have been used including NRCS, borough staff, etc., but nothing has been consistent. One goal is to provide consistency in use and follow-up. One means to do this is partnering with Soil and Water Conservation Districts where the agricultural properties are located. This allows subject matter experts to both assist and follow-up. Discussions are being held with a willingness on both sides to utilize the resources available. Funding is the stickler at this point in time.

Other 9: Dairy happened and Barley happened and neither are working. What actually happened?

Long version or short? I think, the state realized Alaskans need agricultural products that aren't shipped in on barges. They sold large tracts of land but became too involved in setting regulations, i.e. what kind of barn the dairy needed, what size, what materials, etc., what type of tractor the farmer needed, how new, etc., and the requirements didn't take the "bottom line" into consideration. Thus, they excessively burdened the farmers with costs on the dairies. The barley project was allegedly started to feed the dairy cows at Point MacKenzie. But, what about infrastructure.

Actually, barley is working, just not as planned. Alaska has done very well in the barley beer and barleywine ales business.

Other 10: Does the borough have maps showing all ag parcels and usage.

No. But that is a good idea.

Other 11: What is the status on Co-Alaska buying out their Ag rights?

Assembly moratorium on the sale of development rights at this point and no net loss is where the Assembly wants to be. Considering Ag soils are limited that might mean no sales of development rights or that might mean something else.

Other 12: Why can't you buy dairy products for supermarkets from dairy that is grown in the MatSu?

Havermeister Dairy products are sold at several local stores and their farm is located on Bogard Road just west of Trunk.

Parcel size 1 and 2: Why 40 acres? My recommendation is to move down to 20 acres. Next question is basically the same.

The board has determined 40 acres is the optimal minimum size; however, sales from the borough can include smaller parcels if 60% is Class II to IV soils.

Parcel size 3: What is the perceived optimal size, in acres, of an Alaskan farm?

I think that would depend on what you want to farm. If you want to grow hay, 40 acres is not going to be the optimal size farm. If you have a Community Supported Agriculture (CSA) farm with greenhouses or field gardens selling shares to local purchasers, 40 acres may be too large.

Subdividing 1: If the land can be subdivided smaller and smaller, in time it is no longer Ag land.

Cannot be subdivided smaller than 40.

Subdividing 2: Does MSB really have and/or enforce or should there be a one-time only subdivision policy? Review 77' parcels and what happened for example with Watt's parcel versus Logan/Simineo parcel? Discuss need and practicality of more than one time (provided a size and non-developmental purpose).

MSB does have a one-time only subdivision policy with the exception that the farm unit owner can apply to the borough to subdivide more than once if they can show the subdivision would improve the agricultural production of the property. This must be approved by the Assembly.

Subdividing 3: How many times can you subdivide?

That depends on which Title the property was purchased under, CCRs for the sale, minimum size, and whether or not the subdivision will improve agricultural production. See above question/answer.

Subdividing 4: 1973 State patent and bill of sale. State easement was for the purpose of access to other Ag state lands. All state lands in our area have been sold. Borough says the easement belongs to the Borough; State says to pay \$750 to vacate the 27 acres of my land in the easement. What say does the Borough have for this easement since it is state Ag land?

That would be a question for right of way and platting. The Ag Board does not deal with easements, vacations of easements, etc.

Subdividing 5: Why not allow 5-acre fee title homesite on subdivided parcels instead of 2-acre nonfee homesites?

I think this has been partially covered in another question already answered. The fee/nonfee home sites are only dealing with Ag rights only property. The original determination was due to inability to finance and allowed agricultural rights owners to buy a 5-acre piece for FMV at the time of purchase, subdivided from the original Ag rights only property. This was all well and good as long as the original owner was the farmer. If the original owner sold the Ag rights property, they retained their interest in the fee simple home site, thus creating a new Ag rights property with no home site. Originally, the Assembly allowed a 2-acre home site on Ag rights property – no fee simple.

Recently, Ag rights only owners of an 80-acre parcel applied to the Assembly to subdivide into 2 40-acre parcels. When the owner (one appointed to speak for all) spoke to the Assembly, he requested that they be allowed to have a 2.5-acre fee simple home site on each subdivided 40 acres. The Assembly approved this request but ALSO set a new precedent that the home site was required to be sold with the Ag rights only property as a farm unit. This is probably the policy that needs to be established and thus eliminate the need for any further home sites.

Subdividing 6: The banks and the Veterans Administration will not give a house loan on a 40-acre piece of agricultural land. What can the borough do to carve out a piece of property that the banks will loan on?

Again, this is going to depend on the program. Any fee simple homesites on property conveyed fee simple with CCRs or deed restrictions are not subdivided from the rest of the farm unit. Perhaps a house loan is not the type of loan one would be seeking for an agricultural property.

There are some institutions that do loan on agriculture parcels, and there may be others. The following information is by no way an endorsement of any bank or lending institution; it is simply providing information found through staff research.

Alaska Housing Finance Corporation

Agricultural Revolving Loan Fund (ARLF) is an organization that will fund other than state properties. ARLF funding can add another layer of potential confusion. One loan was foreclosed with ARLF/SOA owning the agricultural rights and the Borough owning the development rights of a borough-sold Title 13 property.

The objective of the ARLF is to promote the development of agriculture as an industry throughout the State by means of moderate interest rate loans.

- **SHORT TERM** - loans to finance annual operating expenses such as seed, feed, fertilizer, harvesting or planting activities.
- **CHATTEL** - loans to purchase equipment or livestock.
- **FARM DEVELOPMENT** - loans to purchase real property and construct non-residential improvements for agricultural purposes.
- **IRRIGATION** - loans to purchase and install irrigation systems.
- **PRODUCT PROCESSING** - loans to build and equip facilities to process Alaska agricultural products.
- **CLEARING** - loans to provide for land clearing.

Alaska Rural Rehabilitation Corporation has been supporting agriculture in Alaska since 1935. They were originally organized as a nonprofit in the Alaska territory and do still provide agricultural loans.

Alaska Commercial Fishing & Agriculture Bank. Commercial lender specializing in commercial fishing, agriculture, tourism, and natural resource industries. From **the beginning CFAB's principal lender has been a unit of the Federal Farm Credit System.**

United States Department of Agriculture, Farm Service Agency offers operating loans, ownership loans, beginning farmer loans, minority and women loans, emergency farm loans, microloans, and more.

Small Business Administration has Alaska Small Business Development Centers that provide assistance in planning and understanding as well as microloans and loan assistance.

MUFG Union Bank, N.A., is a full-service bank with offices across the United States. Our agriculture portfolio includes clients who incorporate a sustainable philosophy or "green" technology. Our Community Agribusiness unit lends to suppliers whose work protects the environment with products and solutions including equipment that increases yield, reduces harvest time and fuel costs, minimizes dust, cultivates natural insect predators, and conserves water.

Bank of America agricultural financing includes loans to purchase and refinance property, purchase or lease equipment and vehicles, and to finance production expenses.

Subdividing 7: I have more land than I can afford to farm. Wouldn't it be more beneficial to have more small farms? I think the subdivision of large parcels should be encouraged.

Again, this is all relevant. If you have 1200 head of cow/calf and hay fields, I think you would need about 2400 acres to graze the cow/calf pair and then you would want acreage to grow hay for winter feed.

Again, there are other ways to place the property in agriculture, i.e. rent, lease, sharecrop, etc.

Subdividing 8: Who enforces the collection of back taxes? What is the process of collecting back taxes from land that has agriculture deferments once that land is sold for development? Who pays the back taxes, the farmer or the developer?

This is a question for the borough assessment department, probably finance, and land management. Back taxes are collected through the finance department and they file in court for a trustee's deed if the taxes are not paid. The property would then go to the specialist who sells foreclosed properties but would also work with the agriculture property manager because there are CCRs and requirements placed and the property would not really be eligible for just an outcry sale.

The process of collecting back taxes from ag deferred property would be an assessments question. To receive an Ag deferment, the property is that not classified/sold as agricultural. It is private, often fee simple absolute, and the deferment must be applied for based on state statute and farm income. I don't know who pays the back taxes if sold to a developer ... statute .

Subdividing 9: Who builds the roads and who pays for the roads?

Again, that depends. Some roads have been built by the state, some by the borough, some by private property owners, etc. There are many funding mechanisms to pay for roads but those don't have a lot to do with agricultural property.

Subdividing 10: If further subdivision can we provide for more homesites than the original 5 acres only? Keep large enough to allow for individual farms allowing farmer to live on site?

I think this is addressed above, particularly under "subdividing 5."

Taxes 1: Can farmers automatically get farm use tax deferments regardless of income?

Not unless the State changes the requirements. Must file every year.

Taxes 2: Need tax equality/consistency.

Working with the Assessor toward that.

Taxes 3: What needs to be done to change Ag land tax policy? What needs to be done to change large parcel tax policy?

No idea who made this comment and not sure what tax policy they would like changed.

Taxes 4: Why more than 10% of your income for tax. A person who is successful in other business and has good income shot not have to have a larger farm and produce more to get a tax deferment. If it is Ag land, it should all have reduced taxes.

The amount of income required for deferment is set by the State, also the forms to apply for this deferment are state forms. In 1972, the requirement to apply for Ag deferment was 25% of income. Land eligible for tax "deferment" is NOT classified or sold as Ag land; rather it is being used as Ag land and owner is requesting it be taxes as Ag land.

Taxes 5: How does the Borough assess Ag land taxes? What is the process for accessing tax information and what is the criteria for taxing?

Sorry to say this is outside the scope of the Ag forum questions. Finance and Assessments would be the appropriate group to answer these questions.

Taxes 6: Why should wetlands be taxed when it is under jurisdiction of Army Corps of Engineers? It drains to salmon streams?

Again, this is a little far outside the scope of the forum. Many times if property contains a large amount of water (lake or stream) the assessment page will show gross acreage and net acreage. Wetlands, per se, are not unusable ... it's just difficult.

**Msatanuska-Susitna Borough
Agriculture Forum**

Category	#	Description	Resolution/Recommendation
Advisory	1	If no advisory board is formed, who will advise on ag issues?	
Advisory	2	Ag Board needed - it is alarming to know that only 3-5% of food comes from AK - if disaster should happen, AK residents would look to Ag community for food.	
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Homesites	3	We want to have separate building for farm hands, guest cabins, or family. Can we build in these instances?	
Homesites	4	Regarding improvement sites: Can only primary improvement sites have a residence on it? Can we have different sites on the same property for a home/residential structure so long as it does not exceed 5 acres?	
Homesites	5	Borough policy has encouraged me to invest in places other than our family's Ag parcel to have a secure homesite.	
Homesites	6	Should those who inherit the farm parcels be allowed to live on the property and not farm just so they don't develop?	
Legal	1	Can farmers and Borough residents be exempt from legal liens on property?	
Legal	2	Can Ag parcels be will to heirs? Ag rights only?	
Legal	3	I would like to farm some of my 160 acres but snowmachines and 4 wheelers trespass on my acreage	
Other	1	Is state residency (Alaska) a requirement for participation and conveyance of borough Ag parcels?	

**Msatanuska-Susitna Borough
Agriculture Forum**

Category	#	Description	Resolution/Recommendation
Other	2	I have 40 acres of treed land. The topography does not lend itself to agriculture. Will it ever be possible to convert the property for other uses?	
Other	3	When does the Borough plan on having new "improved" Ag sales?	
Other	4	Would like to see the definition of "Agriculture" to include kennels. Borough requires kennel license for more than 5 dogs. Dogs are used to help work farms. Not including kennels limits the number of dogs for Ag use only to 5 or less.	
Other	5	Currently no financial incentive or security exists to develop my livelihood on my parents borough Ag parcel.	
Other	6	Ag Board is needed - info from this meeting should not go into "black hole" - need results!	
Other	7	One goal of the meeting should be: Sustainable Ag regulations and lands	
Other	8	"Bona fide agriculture purchase and use" Who checks up after land is sold to determine if being so used?	
Other	9	Dairy happened and Barley happened and neither are working. What actually happened?	
Other	10	Does the Borough have maps showing all ag parcels and usage?	State has maps showing state, MSB and some private parcels.
Other	11	What is the status on Co-Alaska (QAP) buying out their Ag rights?	
Other	12	Why can't you buy dairy products for supermarkets from dairy that is grown in Matsu?	
Parcel Size	1	Why 40 Acres? My recommendation is to move down to 20 acres.	
Parcel Size	2	Why 40 acre minimum? Why not 20 acres?	
Parcel Size	3	What is the perceived optimal size, in acres, of an Alaska farm?	
Subdividing	1	If the land can be subdivided smaller and smaller, in time it is no longer Ag Land.	
Subdividing	2	Does the MSB really have and/or enforce or should there be a one-time only subdivision policy? Review '77 parcels and what happened for example with Watt's parcel versus Logan/Siminco parcel? Discuss need and practicality of more than one time (provided a minimum size and non-developmental purpose)	
Subdividing	3	How many times can you subdivide?	
Subdividing	4	1973 State patent and Bill of Sale - State easement was for the purpose for access to other Ag State lands. All state lands in our area have been sold. Borough says the easement belongs to the Borough. State says to pay \$750 to vacate the 27 acres of my land in the easement. What say does the Borough have for this easement? Since it is State Ag land?	
Subdividing	5	Why not allow 5 acre fee title homesite on subdivided parcels instead of 2 acre non-fee homesites?	
Subdividing	6	The banks and the Veterans Administration will not give a house loan on a 40 acre piece of agricultural land. What can the borough do to carve out a piece of property that the banks will loan on?	
Subdividing	7	I have more land than I can afford to farm. Wouldn't it be more beneficial to have more small farms? I think the subdivision of large parcels should be encouraged	
Subdividing	8	Who enforces the collection of back taxes? What is the process of collecting back taxes from land that had agriculture deferments once that land is sold for development? Who pays the back taxes, the farmer or the new developer?	
Subdividing	9	Who builds the roads and who paid for the roads?	
Subdividing	10	If further subdivision can we provide for more homesites than the original 5 acres only? Keep large enough to allow for individual farms allowing for farmer to live on site.	
Taxes	1	Can farmers automatically get farm use tax deferments regardless of income?	
Taxes	2	Need tax equality/consistency	
Taxes	3	What needs to be done to change Ag land tax policy? What needs to be done to change large parcel tax policy?	

**Msatanuska-Susitna Borough
Agriculture Forum**

Category	#	Description	Resolution/Recommendation
Taxes	4	Why more than 10% of your income for tax A person who is successful in other business and has good income should not have to have larger farm and produce more to get tax deferment. If it is Ag land, It should all have reduced taxes!!!	
Taxes	5	How does the Borough access Ag land taxes? What is the process for assessing tax information and what is the criteria for taxing?	
Taxes	6	Why should wetlands be taxed when it is under jurisdiction of Army Corps of Eng? It drains to salmon streams.	

Alaska News

Couple sell development rights on 80-acre farm

✍ Author: **Rindi White** ⌚ Updated: September 29 📅 Published April 8, 2010

PALMER -- A Palmer couple this week became the second Mat-Su landowners to sell development rights on their farmland to keep the property permanently farmed and avoid a chance that it would one day be turned into a subdivision.

The Mat-Su Assembly on Tuesday agreed to spend \$587,850, matched with another \$587,850 from the U.S. Department of Agriculture, to buy development rights for 80 acres of James and Debra McCormick's farm on Moffitt Road north of Palmer.

The McCormicks raise cattle and hay. The land has been farmed since 1935, when it was part of the New Deal colony project. A dairy operated there prior to the McCormicks' purchase in 1984.

SUPPORT, OPPOSITION

On Tuesday, several farmers and farm supporters told the Assembly that buying the development rights on the farm would encourage future farming in the Valley, which boasts Alaska's richest soils. It's tough for future farmers to pay full market value for the land, which could run \$10,000 to \$20,000 an acre if a housing developer wanted it. As a farm, the McCormick land would fetch closer to \$1,000 to \$2,000 an acre.

In essence, the borough and federal government will be paying the McCormicks the difference in the two values to keep it as a farm.

"The reason I'm a third-generation farmer is because I was born into it," said Todd Pettit, who runs Pitchfork Ranch on Lazy Mountain. "Now these kids have the ability to do that. Our community was founded on ag, and we will continue to feed the state."

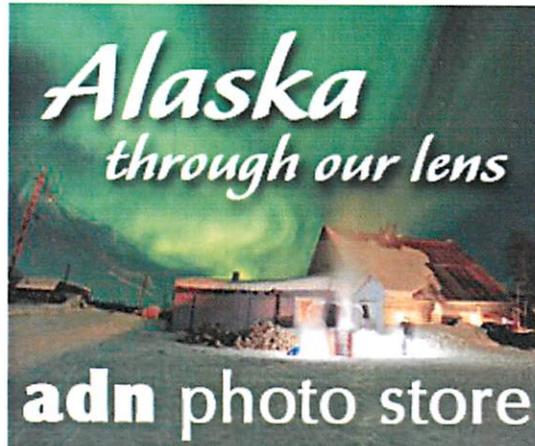
A handful of people disagreed. The borough shouldn't spend taxpayer money to protect farms, they said.

"Where does it stop, guys? It's not your money. It's the people's money. You don't have the right to take \$600,000 of our money so someone can retire," said Jennie Bettine, director of the Wasilla-based Conservative Patriots Group.

SPLIT VOTE

The Assembly has been setting aside money for farmland preservation just as it sets money aside for federal and state grants, Assemblywoman Lynne Woods said. The public weighed in on those decisions and no one protested setting the money aside.

"(The idea of preservation) began with the strong growth and our need to look at that segment of our economy. We have addressed other segments of our economy too," Woods said.



The Assembly voted 4-3 to buy the development rights. It's the borough's second such deal. It spent about \$300,000 in 2008 to buy development rights on 40 acres off Fairview Loop.

The nonprofit Alaska Farmland Trust is the middle man between the Agriculture Department, the borough and farmers.

Trust manager Steve Gallagher said eight other property owners want to sell development rights to their land. The trust hopes one day to be able to purchase development rights without using borough funds, he said.

DEVELOPERS BECKON

McCormick said he wanted to guarantee his land would be used for agriculture production in the future. His children, all grown, plan to continue operating it as a farm after he retires.

Keeping that commitment to farming is difficult when developers weekly are trying to persuade him to sell, however. McCormick said the toughest deal to turn down came from a gravel operator who said the family could earn \$50 million by stripping the topsoil and gravel from his land. One of several developers interested in the land offered \$3.5 million to turn the land into homesites. He didn't bite.

"I love what I'm doing, and I love this town," McCormick said.

Instead of the big dollars he could have made, McCormick gains \$1.1 million from selling the development rights and will keep farming. As for the money, McCormick said he's not the type of guy to head to Cancun or buy his wife fancy jewelry. "We're going to purchase a few more implements to take my farm to the next level," he said.

Find Rindi White online at adn.com/contact/rwhite or call 352-6709.

By RINDI WHITE

rwhite@adn.com



MATANUSKA-SUSITNA BOROUGH
Community Development Department
Land and Resource Management Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7869 • Fax (907) 861-8635

E-mail: lmb@matsugov.us

www.matsugov.us

MEMORANDUM

To: Agriculture Advisory Board

From: Glenda Smith

Date November 29, 2016 for December 21, 2016 meeting

Re: Complaint letter to Agriculture Advisory Board

A letter was received on November 7, 2016 from Jo Overholt, Rob Lipkin, James and Stephanie Gaiser, Carol Montgomery, and Paul Lugin, residents of Lazy Mountain. Separate letters were sent from Stephanie Gaiser and Dylan Berger as part of an information package from Representative Shelley Hughes office. Representative Hughes office also graciously provided information from Danny Consenstein, USDA and Dorothy Melambianakis, DEC. This information, and all other information I have received through research and discussion, is attached to this memorandum.

The letter states, *“we would like to voice some concerns from residents and landowners ... about a new business, Rocket Ranch, specifically about its proposed USDA certified slaughterhouse, custom exempt slaughterhouse, and impacts a business of this nature ... will have on our air, quality and availability of water resources, and corresponding land values.”*

The last paragraph states, *“We question why Lazy Mountain residents, the people who will be directly affected and impacted by this business, have been left out of the public discourse.”*

Research shows this is a private property transaction. The property is not borough agricultural land or state agricultural land and, as such, there is no required public discourse of public notice, comments, board or commission hearings, etc. The complete transaction includes a willing buyer and a willing seller transferring possessory interest in a particular property.

Another opinion stated is that *Rocket Ranch is currently operating without a business license.* Actually, a warranty deed was recorded on November 26, 2014 that transferred fee simple absolute interest from Charles F. and Gail E. Brown to Mike’s Quality Meats, Inc. Mike’s Quality Meats, Inc., does, in fact, have a business license as well as the business corporation status. Having said that, many farm names are family, sentimental, marketing oriented, etc., without any known requirement that the actual business/corporation name be what the ranch is called.

What about a slaughterhouse in a primarily residential area with large quantities of water, manure, blood, fat, carcasses, and urine? MSB “zoning, land use, and building regulations” with regard to permits are included in the information. Lazy Mountain established itself as a primarily agricultural area in the 1940s. Zoning is likely the only way to separate agricultural, commercial, industrial, and residential property uses.

Both the Alaska Department of Environmental Conservation and the Mat-Su Borough have received complaints ... there have been indications Rocket Ranch may not cooperate fully with regulatory agencies ... Mat-Su Borough code compliance received a complaint, opened a case, visited the property and found no violations of MSB code, and closed the case. On October 31, a letter was sent to the complainants outlining steps taken by Rocket Ranch with DEC, i.e. the State Veterinarian and staff from Air Quality and Solid Waste. Included was a copy of the advisory letter sent from DEC on January 27, 2016.

In addition, there is a Corps of Engineers letter regarding a visit and site inspection that the property does not contain waters of the United States under Corps jurisdiction.

Staff recommends no Agriculture Advisory Board action/resolution is appropriate under borough code with regard to this agricultural business.

cc: Complainants

Agriculture Advisory Board Info File
Alaska Farm Service Agency, USDA
Alaska DEC
MSB Code Compliance
SOA, DNR, Division of Agriculture
Jim Sykes, borough assembly
Representative Shelley Hughes

ATTN: MAT-SU
Agricultural Advisory
BOARD

October 23, 2016

From:
Lazy Mountain residents and landowners

To:
Kaylie Holland, DEC, Solid Waste
Oran Woolley, DEC, Division of Water
Jim Sykes, Mat-Su Borough Assembly Member
Kevin Sumner, Mat-Su Borough Code Compliance Officer
Shelley Hughes, State of Alaska Legislator
Arthur Keyes, Director, Division of Agriculture
Danny Consenstein, USDA, Alaska State Farm Service Agency

RECEIVED

NOV 07 2016

Community Development

Re: Rocket Ranch

To whom it may concern:

We would like to voice some concerns from residents and landowners of Lazy Mountain, a community near Palmer. Our concerns are about a new business, Rocket Ranch, specifically about its proposed USDA certified slaughterhouse, its custom exempt slaughterhouse, and the impacts a business of this nature and scope will have on the quality of our air, the quality and availability of our water resources, and corresponding land values.

Both the Alaska Department of Environmental Conservation and the Mat-Su Borough have received complaints about Rocket Ranch. Non-permitted activities that have been encountered and are especially troubling include disposal of animal carcasses within manure piles and strong, extremely unpleasant odors.

In addition to these problems, there are concerns that a 15-acre lot is not adequate to accommodate the proposed facilities. Will the high density of animals, along with large manure storage areas denude local vegetation causing manure-laden dust and odors to blow throughout the area? Slaughterhouse waste includes large quantities of water, manure, blood, fat, carcasses and urine. Will these byproducts create problems with local wildlife, water quality and availability, and air quality? Have these issues been addressed? How will Rocket Ranch's water use, runoff, and waste disposal impact our wells, septic systems, and aquifers?

Alex Giannulis, Rocket Ranch's manager, has indicated that the ranch hopes to expand from pigs to include cattle, chickens and rabbits. Although there is a long tradition of farming in the Matanuska Valley, including several beautiful farms and homesteads on Lazy Mountain, there is no precedent for commercial slaughterhouses or high-density livestock operations here. It is primarily a residential area. Clark-Wolverine Road is also not well developed for commercial traffic. It is narrow and windy, has little or no shoulder, and has a number of blind driveways - including Rocket Ranch's.

In addition, there have been indications that Rocket Ranch may not cooperate fully with regulatory agencies. DEC personnel have been asked to leave the area during on-site visits. According to the Alaska Division of Corporations, Business and Professional Licensing, Rocket Ranch is currently operating without a business license. These cases illustrate that Rocket Ranch's operation and slaughterhouse may be difficult to monitor and to regulate.

It is inexplicable that a business of this nature would choose to start up on a small lot in an established rural residential neighborhood, as it is bound to be highly controversial. We question why Lazy Mountain residents, the people who will be directly affected and impacted by this business, have been left out of the public discourse.

We are very interested in anything you can do to alleviate our concerns. We look forward to hearing from you.

Sincerely,

Jo Overholt - joverholt@mtaonline.net
Rob Lipkin - rlipkin@mtaonline.net
James and Stephanie Gaiser - hesalivefarm@mtaonline.net
Carol Montgomery - ancim4@mtaonline.net
Paul Lugin - luginalaska@gmail.com

Contact information for recipients of this letter:

Alaska Department of Environmental Conservation
Solid Waste
555 Cordova St.
Anchorage, AK 99501
Attn: Kaylie Holland (907) 269-7626
kaylie.holland@alaska.gov

Alaska Department of Environmental Conservation
Division of Water
1700 E Bogard Rd, Building B, Suite 103
Wasilla, AK 99654
Attn: Oran Woolley (907) 376-1852
oran.woolley@alaska.gov

Jim Sykes
Mat-Su Borough Assembly Member
PO Box 696
Palmer AK 99645
(907) 354-696
jimsykesdistrict1@gmail.com

Matanuska Susitna Borough
350 E. Dahlia Ave.
Palmer, AK 99645
Attn:: Kevin Sumner, Code Compliance Officer
(907) 861-8506
kevin.sumner@matsugov.us

Representative Shelley Hughes
600 E. Railroad Ave
Wasilla AK, 99654
Phone: 907-376-3725
Rep.Shelley.Hughes@akleg.gov

State of Alaska DNR
Division of Agriculture
1800 Glenn Highway, Suite 12
Palmer, Alaska 99645
Attn: Arthur Keyes, Director
Phone: 907 761-3867
arthur.keyes@alaska.gov

USDA
Alaska Farm Service Agency
800 West Evergreen Ave, Suite 216
Palmer, AK 99645
Attn: Danny Consenstein, Director
Phone: 761-7738
danny.consenstein@ak.usda.gov

To whom it may concern:

November 13, 2016

My name is Stephanie Gaiser and I live with my husband and children on Lazy Mountain in Palmer. Our property is across the road from Rocket Ranch. We live here because of the beauty and privacy. We have a farm and spend a lot of time outside. I can't remember the exact date, but a year or two ago, we started smelling a horrible stench in the air; a stench so revolting that it drove us into the house and away from our trails, which we used to use for exercise, and from working outside. That is when we learned about Rocket Ranch. I cannot express our dismay when we learned there was a slaughterhouse right across the road from our home. To say that a slaughterhouse and feed lot in a residential area is inappropriate, seems like the understatement of the year. We have to hear gunshots and what sounds like pigs squealing in terror. We have called Air and Water Quality in Anchorage two times to complain, and they are trying to help, but nothing has improved yet.

We pay premium property taxes on our land because it is considered to be a very desirable area to live; taxes that already seem unfair. But now that we cannot even walk on our own property or work outside without gagging, how can this area still be considered desirable? We have plans to insist the Borough lower our taxes if the slaughterhouse is to remain here. And quite frankly, we will likely end up moving somewhere else if Rocket Ranch is to remain here.

We understand that farming is a perfectly acceptable activity in our area, and we ourselves, farm. But farming is different than a commercial feed lot and slaughterhouse. The property on which Rocket Ranch is attempting to operate their business on, is way too small for the number of animals that they have, and way too close to people's homes. We have a right to fresh air, water and for our neighbors to not ruin the value of our properties. What can be done about this?

Thank you for your time,

Stephanie Gaiser

To whom it may concern:

My name is Dylan Berger, and I live and operate a business, He's Alive! Farm, near Rocket Ranch.

Since Rocket Ranch came, there is often a terrible smell outside that has greatly affected our business and quality of life. I am also concerned about how this could be affecting our and our neighbor's health, as it has been documented in other areas that the polluted air emanating from pig farms is causing health related issues.

Last winter, Seth Shelden and I went to Rocket Ranch and saw blood pooled on the ground and on the door of the slaughterhouse. When the owner was asked about it during a phone call, he said it was paint. We did not see anything on the property that had been painted red.

I am also extremely concerned about the effect that this poorly located business will have on our property values, as no one wants to live near a slaughterhouse.

Sincerely,

Dylan Berger



AFTER RECORDING, RETURN TO:

Mike's Quality Meats, Inc.

12110 BUSINESS BLVD
EAGLE RIVER AK 99577

FATIC 2346758

WARRANTY DEED

A.S. 34.15.030

The Grantors, **CHARLES F. BROWN and GAIL E. BROWN, husband and wife**, whose address is P.O. Box 55, Easton, WA 98925, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, convey and warrant to **MIKE'S QUALITY MEATS, INC.**, Grantee, whose mailing address is 10211 Crestview, Eagle River, AK 99577, the following-described real estate:

That portion of the Northwest 1/4 of the Northeast 1/4 of Section 27, Township 18 North, Range 2 East, Seward Meridian, Palmer Recording District, Third Judicial District, State of Alaska lying Easterly of the center line of Clark-Wolverine Road, with Tax ID #18N02E27A003

EXCEPTING THEREFROM the North 460 feet of the Northwest 1/4 of the Northeast 1/4 of Section 27, Township 18 North, Range 2 East, Seward Meridian, Palmer Recording District, Third Judicial District, State of Alaska lying Easterly of the center line of Clark-Wolverine Road.

SUBJECT TO the reservations, exceptions, easements, covenants, conditions and restrictions of record, if any.

FURTHER SUBJECT TO the reservations or exceptions in patents or in acts authorizing the issuance thereof recorded May 20, 1948 in Book 6 at Page 49.

FURTHER SUBJECT TO the rights of the public and/or governmental agencies in and to any portion of the above described real property lying within any roadway or public easement areas.

WARRANTY DEED
F-4308\1639\Warranty Deed

Page 1

FURTHER SUBJECT TO an easement reserved in a deed, including the terms and provisions thereof recorded November 10, 1964 in Book 54 at Page 349 from Ned Gene Morgenson and Glennice A. Morgenson, husband and wife to Charles F. Brown and Gail Brown, husband and wife for perpetual right of way. Affects - see instrument for exact location.

FURTHER SUBJECT TO the Right of Way Easement, including the terms and provisions thereof, granted to Matanuska Telephone Association, Inc., and its assigns and/or successors in interest, to construct, operate and maintain an electric transmission and/or telephone distribution line or system by instrument recorded August 15, 1977 in Book 145 at Page 985. Affects Blanket Easement.

FURTHER SUBJECT TO the Right of Way Easement, including the terms and provisions thereof, granted to Matanuska Electric Association, Inc., and its assigns and/or successors in interest, to construct, operate and maintain an electric transmission and/or telephone distribution line or system by instrument recorded October 27, 2000 in Book 1097 at Page 105. Affects see instrument for exact location.



DATED this 12 day of November, 2014.

GRANTORS:

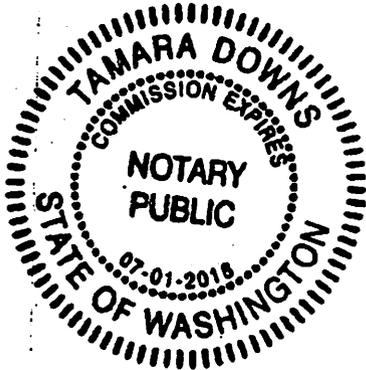
Charles F Brown
CHARLES F. BROWN

Gail E Brown
GAIL E. BROWN

STATE OF WASHINGTON)
COUNTY OF KITTITAS) ss.

The foregoing instrument was acknowledged before me this 12TH day of NOVEMBER, 2014, by CHARLES F. BROWN and GAIL E. BROWN, husband and wife.

WITNESS my hand and official seal on the day and year in this certificate first above written.



Tamara Downs
Notary Public in and for Washington
My Commission Expires: 07/01/2018

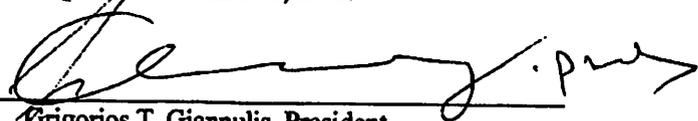
WARRANTY DEED
F-4308/1639/Warranty Deed

Page 3



DATED this 25 day of November, 2014.

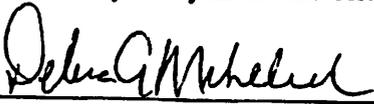
GRANTEE: **MIKE'S QUALITY MEATS, INC.**

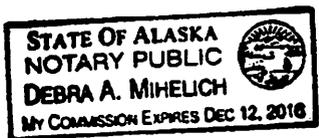
By: 
Grigorios T. Giannulis, President

STATE OF ALASKA)
)
THIRD JUDICIAL DISTRICT) ss.

THIS IS TO CERTIFY that on this 25th day of November, 2014, before me, the undersigned Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared **Grigorios T. Giannulis**, to me known and known to me to be the **President of MIKE'S QUALITY MEATS, INC.**, and known to me to be the person who signed the foregoing instrument, on behalf of said corporation, and he acknowledged to me that he signed and sealed the same as a free act and deed of the said corporation for the uses and purposes therein expressed pursuant to its bylaws or a resolution of its Board of Directors.

WITNESS my hand and official seal on the day and year in this certificate first above written.


Notary Public in and for Alaska
My Commission Expires: 12-12-2016





MATANUSKA-SUSITNA BOROUGH

Real Property Detail for Account: 18N02E27A003

Site Information

Account Number	18N02E27A003	Subdivision	
Parcel ID	26937	City	None
TRS	S18N02E27	Map PA06	
Abbreviated Description (Not for Conveyance)	TOWNSHIP 18N RANGE 2E SECTION 27 LOT A3	Tax Map	

Site Address

3809 N CLARK-WOLVERINE RD

Ownership

Owners	MIKES QUALITY MEATS INC	Buyers	
Primary Owner's Address	STE 12 12110 BUSINESS BLVD EAGLE RIVER AK 99577	Primary Buyer's Address	

Appraisal Information

Appraisal Information				Assessment			
Year	Land Appraised	Bldg. Appraised	Total Appraised	Year	Land Assessed	Bldg. Assessed	Total Assessed*
2016	\$120,000.00	\$0.00	\$120,000.00	2016	\$120,000.00	\$0.00	\$120,000.00
2015	\$120,000.00	\$0.00	\$120,000.00	2015	\$120,000.00	\$0.00	\$120,000.00
2014	\$120,000.00	\$0.00	\$120,000.00	2014	\$120,000.00	\$0.00	\$120,000.00

Building Information

Building Item Details

Building Number	Description	Area	Percent Complete				
Tax/Billing Information							
Year	Certified	Zone	Mill	Tax Billed	Recorded Documents	Area	Percent Complete
2016	Yes	0026	13.979	\$1677.48	11/26/2014	WARRANTY DEED (ALL TYPES)	Recording Info (offsite link to DNR)
2015	Yes	0026	13.951	\$1674.12	2/9/2009	IN LIEU OF FORECLOSURE	Palmer 2009-002353-0
2014	Yes	0026	13.592	\$1631.04	12/6/2004	WARRANTY DEED (ALL TYPES)	Palmer 2004-034566-0

Tax Account Status †

Status	Tax Balance	Farm	Disabled Veteran	Senior	Optional	Total	LID Exists
Current	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	No

Land and Miscellaneous

Gross Acreage	Taxable Acreage	Assembly District	Precinct	Fire Service Area	Road Service Area
15.00	15.00	Assembly District 001	11-099	132 Greater Palmer Consol	019 Lazy Mountain RSA

* Total Assessed is net of exemptions and deferrals, rest, penalties, and other charges posted after Last Update Date are not reflected in balances.

† If account is in foreclosure, payment must be in certified funds.

Last Updated: 11/9/2016 4:00:03 AM



STATE OF ALASKA
 DEPARTMENT OF
COMMERCE
 COMMUNITY AND
 ECONOMIC DEVELOPMENT

Bill Walker, Governor
 Fred Parady, Commissioner
 Sara Chambers, Director

Division of Corporations, Business and Professional Licensing

Office Use Only

COR

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Business Corporation

2015 Biennial Report

For the period ending December 31, 2014

- This report is due on January 02, 2015
- \$100.00 if postmarked before February 02, 2015
- \$137.50 if postmarked on or after February 02, 2015

Entity Name: MIKE'S QUALITY MEATS, INC.
Entity Number: 62340D
Home Country: UNITED STATES
Home State/Province: ALASKA

Registered Agent

Name: RACHEL M GIANNULIS
Physical Address: 12110 BUSINESS BLVD, EAGLE RIVER, AK 99577
Mailing Address: 12110 BUSINESS BLVD, EAGLE RIVER, AK 99577

Entity Physical Address: 12110 BUSINESS BLVD #12, EAGLE RIVER, AK 99577

Entity Mailing Address: 12110 BUSINESS BLVD. #12, EAGLE RIVER, AK 99577

Please include all officials. Check all titles that apply. Must use titles provided. All domestic business corporations must have a president, secretary, treasurer and at least one director. The secretary and the president cannot be the same person unless the president is 100% shareholder. The entity must also list any alien affiliates and those shareholders that hold 5% or more of the issued shares.

Name	Address	% Owned	Titles
Greg Giannulis	22795 Oak Knoll Drive, Chugiak, AK 99567	50	Director, President, Shareholder
Rachel Giannulis	22795 Oak Knoll Drive, Chugiak, AK 99567	50	Director, Secretary, Shareholder, Treasurer

Purpose: BUTCHERING, MARKETING & SALE OF MEAT

NAICS Code: 445210 - MEAT MARKETS

New NAICS Code (optional):

Complete the below stock information on record with the Department. You may not change your authorized shares with this form. An amendment is required. Fill in number of shares issued.

Class	Series	Authorized	Par Value	Amount Issued
Common		10000	\$0.00	100

I certify under penalty of perjury under the Uniform Electronic Transaction Act and the laws of the State of Alaska that the information provided in this application is true and correct, and further certify that by submitting this electronic filing I am contractually authorized by the Official(s) listed above to act on behalf of this entity.

Name: Rachel Giannulis

Department of Commerce, Community, and Economic
Development
Division of Corporations, Business and
Professional Licensing

State of Alaska > Commerce > Corporations, Business, & Professional Licensing > Corporations Search

NAME(S)

Type	Name
Legal Name	MIKE'S QUALITY MEATS, INC.

ENTITY DETAILS

Entity Type: Business Corporation

Entity #: 62340D

Status: Good Standing

AK Formed Date: 11/14/1997

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2017 [File Biennial Report](#)

Entity Mailing Address: 12110 BUSINESS BLVD. #12, EAGLE RIVER, AK 99577

Entity Physical Address: 12110 BUSINESS BLVD #12, EAGLE RIVER, AK 99577

REGISTERED AGENT

Agent Name: RACHEL GIANNULIS

Registered Mailing Address: 12110 BUSINESS BLVD, EAGLE RIVER, AK 99577

Registered Physical Address: 12110 BUSINESS BLVD, EAGLE RIVER, AK 99577

OFFICIALS

AK Entity#	Name	Titles	Percent Owned
	Greg Giannulis	Director, President, Shareholder	50
	Rachel Giannulis	Director, Shareholder, Treasurer, Secretary	50

FILED DOCUMENTS

Date Filed	Type	Filing	Certificate
11/14/1997	Creation Filing		
1/2/1998	Biennial Report		
2/16/1999	Biennial Report		

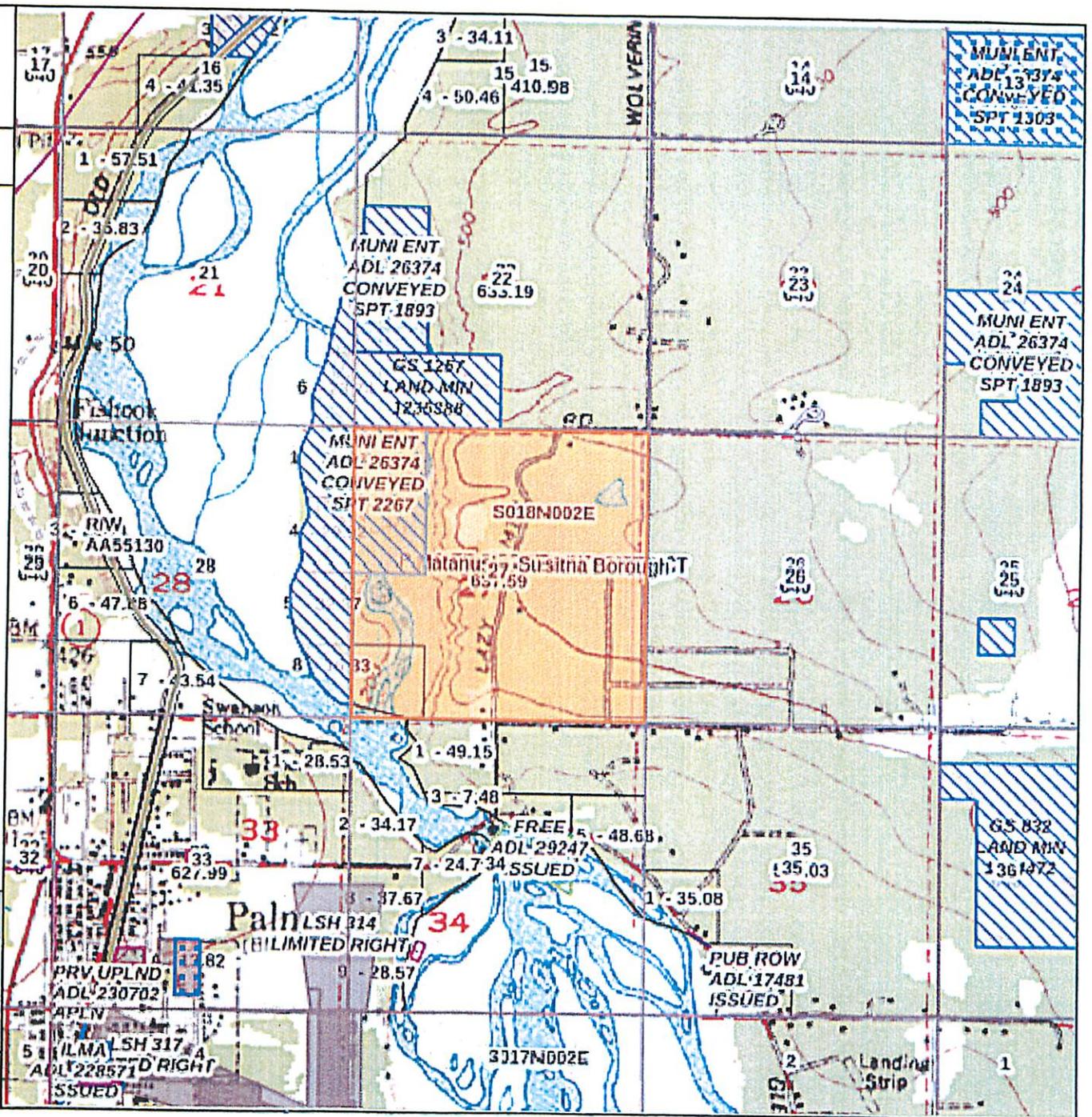
Zoning, Land Use and Building Regulations DO Exist in the Matanuska-Susitna Borough.

Be advised that permits may be required. Developers and land owners are responsible for knowing the rules. Please visit our Permit Center for questions regarding any of the following activities. If you plan to start, or are now conducting any of the following land use activities, those activities must comply with Borough regulations:

- Commercial and Industrial Use in the Core Area
- Racetracks in the Core Area
- Special Events Subdividing
- Land Mobile Home Parks
- Adult-Oriented Businesses
- Public Display of Fireworks
- Establishments that Sell Liquor
- Developing Land in Flood Hazard Areas
- Community Correctional Residential Centers
- Use of Lakes, Creeks and other Waterbodies
- Auto Salvage Yards
- Junkyards and Refuse Areas
- Development within any Special Land Use District Development in the Cities of Houston, Palmer, and Wasilla
- Development within Designated Residential Land Use Districts
- Building Structures Near Lot Lines, Public Easements, Right-of-Ways or Near a Shoreline



- Annotation - Polygon
- PLSS Sections
- Agmt, Sttlmt, Rcynvce
- Agmt, Sttlmt, Rcynvce
- Agmt, Sttlmt, Rcynvce
- Other Activities
- Other Activities
- Other Activities
- Permit or Lease
- Permit or Lease
- Permit or Lease
- Easements
- Easement
- Easement
- Resource Sale
- Resource Sale
- Federal Actions
- Federal Actions
- Land Disposal Available
- Land Disposal Available
- Land Disposal Available
- Land Disposal Conveyed
- Land Disposal Conveyed
- Land Disposal Conveyed
- Land Disposal Other
- Land Disposal Other
- Land Disposal Other
- Management Agreement
- Management Agreement
- Mental Health Trust Land
- Municipal Entitlement
- Municipal Tideland
- Native Allotment
- Other Acquired Land
- Other Acquired Land
- OSL 490 School Trust Land-Other Acquired Lands
- RS2477
- State Selected
- State Selected
- Tentative Approval or Patent
- Tentative Approval or Patent
- School Trust Lands-St Tentative App or Patent
- Boroughs
- Recording Districts
- Survey Boundary
- Survey Boundary
- Survey Boundary
- Township



GRAPHIC ILLUSTRATION ONLY.
SOURCE DOCUMENT REMAINS THE OFFICIAL RECORD.
Date Created: Wednesday, November 9, 2016
Created By: public

Glenda Smith

From: Kevin Sumner
Sent: Monday, November 14, 2016 9:33 AM
To: Glenda Smith
Subject: FW: Rocket Ranch Letter
Attachments: POA-2016-504 No Permit Required Ltr.pdf

Good Morning Glenda,

Here is a letter from the USACE about their findings. I forwarded information to the Alaska DEC but have not heard back. The property in question is not in a Special Use District, so the property falls under the general MSB code. This place has had a case opened on it and according to MSB code I could find no violations. I have since closed the case.

Thank you,

Kevin Sumner
Code Compliance Officer
Matanuska-Susitna Borough
(907)861-8506

-----Original Message-----

From: Budnik, Roberta K CIV USARMY CEPOA (US) [<mailto:Roberta.K.Budnik@usace.army.mil>]
Sent: Thursday, November 10, 2016 9:51 AM
To: Kevin Sumner
Subject: Rocket Ranch Letter

Sorry I forgot to send this to you. -Birdie

Roberta "Birdie" Budnik
Project Manager
USACE - Regulatory Division
907-753-2785



DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6898
JBER, AK 99506-0898

October 28, 2016

Regulatory Division
POA-2016-504

Rocket Ranch
Attention: Mr. Alex Giannulis
12110 Business Boulevard
Eagle River, Alaska 99577

Dear Mr. Giannulis,

This letter is in regard to the U.S. Army Corps of Engineers, Regulatory Division's site visit to your property, Rocket Ranch, on October 6, 2016. Your property is located at Section 27, T. 18 N., R. 2 E., Seward Meridian; Anchorage C-6; Latitude 61.6256° N., Longitude 149.0665° W.; Matanuska Susitna Borough; 3809 North Clark-Wolverine Road, in Palmer, Alaska. It has been assigned file number POA-2016-504, Matanuska River.

Based on our site visit, we have determined the subject property does not contain waters of the United States (U.S.) under Corps jurisdiction. Therefore, a DA permit is not required. A copy of the Approved Jurisdictional Determination form is available at: www.poa.usace.army.mil/Missions/Regulatory/JurisdictionalDeterminations.aspx under the above file number.

This approved jurisdictional determination is valid for a period of five (5) years from the date of this letter, unless new information supporting a revision is provided to us before the expiration date.

Enclosed is a Notification of Administrative Appeal Options and Process and Request for Appeal form regarding this approved jurisdictional determination (see section labeled "Approved Jurisdictional Determination").

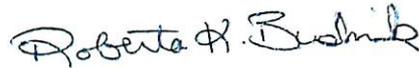
Section 404 of the Clean Water Act requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including jurisdictional wetlands (33 U.S.C. 1344). The Corps defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Section 10 of the Rivers and Harbors Act of 1899 requires that a DA permit be obtained for structures or work in or affecting navigable waters of the U.S. (33 U.S.C. 403). Section 10 waters are those waters subject to the ebb and flow of the tide shoreward to the mean high water mark, and/or other waters identified by the Alaska District.

Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

Please contact me via email at roberta.k.budnik@usace.army.mil, by mail at the address above, by phone at (907) 753-2785, or toll free from within Alaska at (800) 478-2712, if you have questions. For more information about the Regulatory Program, please visit our website at <http://www.poa.usace.army.mil/Missions/Regulatory.aspx>.

Sincerely,

A handwritten signature in cursive script that reads "Roberta K. Budnik".

Roberta K. Budnik
Project Manager

Enclosures

Buddy Whitt

From: Melambianakis, Dorothy N (DEC) <dorothy.melambianakis@alaska.gov>
Sent: Monday, October 31, 2016 2:02 PM
To: Holland, Kaylie A (DEC); Woolley, Oran L (DEC); jimsykesdistrict1@gmail.com; Sumner, Kevin (DOA sponsored); Rep. Shelley Hughes; Keyes, Arthur J (DNR); danny.consenstein@ak.usda.gov
Subject: FW: Rocket Ranch
Attachments: DEC Response re Rocket Ranch 10-31-2016-signed.pdf

All:

Attached please find the response from DEC regarding the letter received October 23, 2016 from Lazy Mountain residents and landowners regarding Rocket Ranch in Palmer.

Thank you,
Dorothy

Dorothy Melambianakis

Director's Office | Division of Environmental Health | Alaska Department of Environmental Conservation
555 Cordova Street, Anchorage, AK 99501
p: 907.269.6066 | f: 907.269.7654



Please consider the environment before printing this email.

From: Melambianakis, Dorothy N (DEC)
Sent: Monday, October 31, 2016 1:57 PM
To: joverholt@mtaonline.net; rlipkin@mtaonline.net; hesalivfarm@mtaonline.net; anclm4@mtaonline.net; luginalaska@gmail.com
Cc: Melambianakis, Dorothy N (DEC) <dorothy.melambianakis@alaska.gov>
Subject: Rocket Ranch

Good afternoon,

In response to your October 23, 2016 letter, please see the attached letter from the Department of Environmental Conservation regarding Rocket Ranch in Palmer.

This letter will also be forwarded to the agency contacts listed on your original letter.

Dorothy

Dorothy Melambianakis

Director's Office | Division of Environmental Health | Alaska Department of Environmental Conservation
555 Cordova Street, Anchorage, AK 99501
p: 907.269.6066 | f: 907.269.7654



Please consider the environment before printing this email.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Environmental
Conservation

DIVISION OF ENVIRONMENTAL HEALTH
Director's Office

555 Cordova Street
Anchorage, AK 99501
Phone: 907.269.7644
Fax: 907.269.7654
www.dec.alaska.gov

October 31, 2016

Jo Overholt / joverholt@mtaonline.net
Rob Lipkin / rlipkin@mtaonline.net
James and Stephanie Gaiser / hesalivfarm@mtaonline.net
Carol Montgomery / anclm4@mtaonline.net
Paul Lugin / luginalaska@gmail.com

Dear Lazy Mountain residents and landowners,

Thank you for your letter of October 23, 2016 regarding Rocket Ranch on Clark-Wolverine Road near Palmer. I'm writing on behalf of the Department of Environmental Conservation (DEC) about the issues you raised that are under our purview, specifically the air, water, and solid waste aspects of the operation.

DEC has received two complaints about Rocket Ranch, one on December 23, 2015 and one on October 11, 2016. Each complaint was from the same complainant and stated that there were nuisance odors leaving the property bounds of Rocket Ranch. These complaints were accompanied by concerns about waste water and solid wastes on the property, and the potential impact to surrounding residential properties.

On December 29, 2015, DEC made initial contact with the owner/operator of Rocket Ranch, to inform him of the complaint and to schedule an onsite inspection. Since that time, DEC has inspected the facility on two occasions, the first by our State Veterinarian to inspect the animals that had been shipped in from Canada, and the second time by a team of staff from our Air Quality and Solid Waste programs to investigate the odor and waste complaints.

An advisory letter detailing the complaint and actions taken by the Department was issued on January 27, 2016 (copy enclosed).

The operator has recently made contact with DEC's Solid Waste program to request information about composting the accumulated animal waste on the property. The program is assembling guidance materials and other information to send to Rocket Ranch in response to this request, and is in the process of determining the appropriate regulatory approach for the solid waste currently stored at this facility and new wastes that may be generated going forward. DEC is hopeful that proper composting will minimize the amount of nuisance odors that the ranch is currently generating, and that a waste management plan will prevent such problems from developing in the future. If these actions are insufficient, and complaints continue to be submitted, it may be necessary to explore other options.

Regarding groundwater contamination, there is only one public water system in close proximity to Rocket Ranch and their routine sampling has not shown exceedances of nitrates or total coliform, which would be the parameters that indicate groundwater contamination by animal waste. We will continue to monitor the situation to determine if that water system's sampling schedule needs to be adjusted. DEC does not regulate private water systems so we have no way of determining if nearby private wells have been contaminated. If a private water system owner would like to get their water tested, a list of private laboratories offering these services can be found at: <http://dec.alaska.gov/eh/lab/index.htm>. Additional resources for private well owners can be found on our website at http://dec.alaska.gov/eh/dw/DWP/DWP_PrivateWells.html.

Regarding surface water runoff, DEC has not observed direct discharge of water from the property into waters of the U.S, regulated by DEC under the Alaska Pollutant Discharge Elimination System (APDES). Additionally, there is no evidence that a discreet discharge has occurred.

Although there are several DEC programs that have, or may in the future obtain, regulatory authority over the operations at Rocket Ranch, please feel free to use Kaylie Holland, Environmental Program Specialist III with DEC's Solid Waste program, as a single point of contact for any future concerns or questions about the operations at Rocket Ranch. She can be reached at kaylie.holland@alaska.gov or (907) 269-7626.

Sincerely,



Dorothy Melambianakis
Acting Director

Enclosure

cc: Kaylie Holland, DEC
Oran Woolley, DEC
Jim Sykes, MSB Assembly
Kevin Sumner, MSB Code Compliance
Representative Shelly Hughes
Arthur Keyes, DNR
Danny Consentein, USDA



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Environmental Conservation

DIVISION OF AIR QUALITY
AIR PERMITS PROGRAM

619 E. Ship Creek Avenue, Suite 249
Anchorage, Alaska 99502-0122
Main: 907.269.7577
Toll free: 866.241.2805
Fax: 907.269.7508
<http://www.dec.state.ak.us>

CERTIFIED MAIL: 7014 2120 0001 4209 8667
Return Receipt Requested

January 27, 2016

Alex Giannulis
Rocket Ranch
12110 Business Blvd.
Eagle River, AK 99577

ADVISORY LETTER

Subject: Violation of State of Alaska regulations 18 AAC 50.110 and AS 46.03.810, December 23, 2015, Rocket Ranch. Enforcement Tracking No. 15-R0863-36-0001

Dear Mr. Giannulis:

On December 23, 2015, the Alaska Department of Environmental Conservation (ADEC) Air Quality Office received an air quality complaint concerning nuisance odors coming from Rocket Ranch. The complainant stated that nuisance odors were coming from the property of Rocket Ranch, due to a number of different concerns, including:

- Lack of proper blood collection,
- Animal carcasses being disposed in an open pit; and
- An unlined composting pit that was solely comprised of animal carcasses and feces.

The ADEC Solid Waste Division has also received complaints and is working in conjunction with the ADEC Air Quality Division. On January 6, 2016, Kaylie Peebles of Solid Waste and myself conducted an on-site investigation of the operation to document the facility's layout, operational processes, and note any possible odors. During the on-site investigation the primary source of the nuisance odor complaint, the composting pit, was observed and documented. The composting pit was surrounded on three sides by built up dirt berms, and was filled with frozen liquid that was running down a trench along the rear berm. In front of the pit was a large pile of animal feces to be added when the ground thawed. The waste was frozen the day of the on-site visit and odors were minimal; however, as the waste thaws the odor may increase.

Please be advised of the following state air quality regulations:

18 AAC 50.110. Air Pollution Prohibited.

No person may permit any emission which is injurious to human health or welfare, animal or plant life, or property, or which would unreasonably interfere with the enjoyment of life or property.

AS 46.03.810 Air and Land Nuisances.

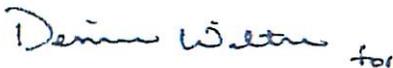
- (a) A person is guilty of creating or maintaining a nuisance if the person:
- (2) allows to be placed or deposited upon any premises owned by the person or under the person's control garbage, offal, dead animals, or any other matter or thing that would be obnoxious or offensive to the public or that would produce, aggravate, or cause the spread of disease or in any way endanger the health of the community.

ADEC Solid Waste may follow up with best management practices and ADEC Air Quality will monitor to ensure that any odor concerns are minimized. To avoid future odor complaints, please make every effort to ensure odors from composting waste are minimized.

Failure to comply may lead to the Department taking additional action, up to and including formal enforcement. Penalties for violations of State statutes and regulations can be quite severe.

Should you have any questions regarding this letter, please do not hesitate to contact me by phone at (907) 269-7562, or by email at andrew.mohrmann@alaska.gov.

Sincerely,



Andrew Mohrmann
Environmental Program Specialist II

cc: Jim Baumgartner, ADEC/APP, Juneau
Jim Plosay, ADEC/APP, Juneau
Jeremy Ptak, ADEC/APP, Anchorage
P. Moses Coss, ADEC/APP, Fairbanks
Kaylie Holland, ADEC/SW, Anchorage
Lori Aldrich, ADEC/SW, Anchorage

**MATANUSKA-SUSITNA BOROUGH
AGRICULTURE ADVISORY BOARD
RESOLUTION NO. 16-08**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AGRICULTURE ADVISORY BOARD RECOMMENDS THE ASSEMBLY AMEND TITLE 23 AGRICULTURAL LAND SALE PROGRAMS TO SELL AGRICULTURAL RIGHTS ONLY, VALUED AT 10% OF THE FAIR MARKET VALUE, WITH DEVELOPMENT RIGHTS RETAINED BY THE BOROUGH.

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, the Matanuska-Susitna Borough Planning Commission, Agriculture and Forestry Advisory Board, and Assembly have severally and jointly recommended purchase of development rights on fee simple absolute property in order to retain the property as agricultural; and

WHEREAS, Matanuska-Susitna Borough Assembly has requested a policy to provide "no net loss" of agricultural property with the goal being to retain such properties in perpetuity; and

WHEREAS, Matanuska-Susitna Borough recognizes growth in the agricultural community as an opportunity for economic development and increased food safety and stability through local production and processing; and

WHEREAS, preserving sustainable production and processing will preserve portions of the \$1.9 billion leaving the state annually; and

WHEREAS, the public interested in purchasing agricultural

property and creating their livelihood in agriculture have expressed concerns that the property is not affordable to purchase and will not provide sufficient profit for re-investment in the agriculture venture and personal living costs.

NOW, THEREFORE, BE IT RESOLVED, the Agriculture Advisory Board recommends the Assembly amend Title 23 agricultural land sale programs to sell agricultural rights only, valued at 10% of the fair market value, with development rights retained by the Borough.

ADOPTED by the Matanuska-Susitna Borough Agriculture Advisory Board this 21st day of December 2016.

Norman Rex Harris, Chairman

ATTEST:

Elizabeth Derbonne
Department Administrative Specialist

**MATANUSKA-SUSITNA BOROUGH
AGRICULTURE ADVISORY BOARD
RESOLUTION NO. 16-09**

A RESOLUTION RECOMMENDING ASSEMBLY APPROVAL, TO ESTABLISH POLICY FOR SUBDIVISION OF AGRICULTURAL PROPERTY, AND AMENDING THE LAND AND RESOURCE MANAGEMENT POLICY AND PROCEDURES MANUAL, PART 5, AGRICULTURAL LAND.

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 of agricultural property was an identified issue at the Matanuska-Susitna Borough Agriculture Forum held on November 10, 2014; and

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

WHEREAS, agriculture property sold under Title 15 allowed for subdivision to a minimum of 40 acres; property rights of subdivision were not conveyed under the Title 13 agricultural rights only sales; and

WHEREAS, agricultural subdivision under current Title 23 is limited to one time, creating no more than four parcels, and no parcels smaller than 40 acres.

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

agricultural rights property subdivision by amending the Land and Resource Management Policy and Procedures Manual, Part 5, Subsection 1.1 Authority, and Subsection 8.1 Subdivision and Sale to be amended as follows:

1.1 Authority: 23.05.030(E), 23.10.070, 23.10.150

8.1 Subdivision and Sale.

E. Property classified agricultural and sold prior to Title 23 (1994 to present), shall adhere to the following subdivision policy:

i. Property classified agricultural land under Title 15 sold fee simple with deed restrictions from 1970 through 1974 shall not be subdivided smaller than 40 acres in size:

ii. Property classified agricultural land under Title 13 with the agricultural rights only sold and rights to subdivide retained by the Borough from 1974 to 1994, shall be required to apply to the Borough and receive Assembly approval to subdivide the property, and no subdivided parcels may be smaller than 40 acres in size:

iii. If Assembly approval is provided for subdivision, property classified agricultural land under Title 13 and sold with the agricultural rights only, all subdivided home sites shall be sold with the farm

unit, and not retained separately to alleviate an agricultural rights only property to have no home site.

- iv. Current Title 23 sales are fee simple determinable with all rights conveyed but agricultural land use is required in perpetuity, subdivision only allowed once after 10 years, no parcels may be smaller than 40 acres, with one 5-acre homesite that is required to be recorded.
- v. If Assembly approval is provided the manager shall have the authority to approve subdivision applications as long as sufficient evidence is provided that the result will be enhanced agricultural use.

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

Norman Rex Harris, Chairman

ATTEST:

Elizabeth Derbonne
Department Administrative Specialist

**MATANUSKA-SUSITNA BOROUGH
AGRICULTURE ADVISORY BOARD
RESOLUTION NO. 16-10**

A RESOLUTION RECOMMENDING ASSEMBLY APPROVAL TO ESTABLISH POLICY FOR THE SALE OF AGRICULTURAL PROPERTY AND AMEND THE LAND AND RESOURCE MANAGEMENT POLICY AND PROCEDURES MANUAL, PART 5. AGRICULTURE LAND 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, the Land and Resource Management Division offers land sale financing under a **Contract for the Sale of Real Property**; and

WHEREAS, financing under a Contract for the Sale of Real Property requires less cost to the applicant; and

WHEREAS, the ability to provide food safety and security through local agricultural economic development, at a lower initial investment, encourages interest in agriculture through affordability.

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 purchaser qualifications by amending the Land and Resource Management Policy and Procedure Manual. Part 5, Subsections 8.1(D) Subdivision and Sale and 9.1(B) Enforcement of Agricultural Use and Program Requirements to be amended as follows:

D. The terms and conditions of Contract for the Sale of Real Property [THE FINANCING] offered by MSB to purchase borough-owned land, among other things prohibits the property from being subdivided or the ownership transferred without the specific consent of the [LENDER] Borough during the [LOAN] contract term. If the [LOAN] contract is longer than ten years, then the restrictions under the [LOAN] contract would survive the expiration of the ten year rule set forth in 9.1(A).

B. The requirements of any financing offered by the MSB to purchase the agricultural parcels will be enforced based on the terms and conditions of the [DEED OF TRUST AND NOTE SECURED] Contract for the Sale of Real Property.

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

Norman Rex Harris, Chairman

ATTEST:

Elizabeth Derbonne
Department Administrative Specialist

Agricultural Advisory Board
Meeting Schedule
January 2017 – December 2017

Assembly Chambers
Dorothy Swanda Jones Administration Building
4:30 – 6:30 p.m.

Agenda Cut-off	Meeting Date
January 4, 2017	January 18, 2017
February 1, 2017	February 15, 2017
March 1, 2017	March 15, 2017
April 5, 2017	April 19, 2017
May 3, 2017	May 17, 2017
NO MEETING JUNE, JULY, AUGUST	
September 6, 2017	September 20, 2017
October 4, 2017	October 18, 2017
November 1, 2017	November 15, 2017
December 6, 2017	December 20, 2017