

**MATANUSKA-SUSITNA BOROUGH  
AGRICULTURE ADVISORY BOARD**

<b>Chairman</b> – Cody Beus (04)	Dick Zobel (02)	Steven Sawyer (06)	Kenneth Hoffman (10)
<b>Vice Chair</b> – Stephen Brown (08)	Mark Stahl (03)	Adam Jensi (07)	Erik “Moe” Johnson (11)
VACANT (01)	Jozef Slowik (05)	Benjamin Swimm (09)	VACANT (12)

**AGENDA**

**REGULAR MEETING**

**LOWER LEVEL CONFERENCE ROOM**

**Call In #: 1-907-290-7880**

**Participant Code: 374 365 807**

**September 21, 2022**

**4:30 P.M.**

- I. CALL TO ORDER; ROLL CALL
- II. APPROVAL OF AGENDA; PLEDGE OF ALLEGIANCE
- III. AUDIENCE PARTICIPATION (Limit 3 minutes)
- IV. APPROVAL OF MINUTES
  - A. February 23, 2022
- V. ITEMS OF BUSINESS
  - A. Resolution 22-02 - A RESOLUTION RECOMMENDING ASSEMBLY ACTION TO APPROVE THE REQUEST BY AGRICULTURAL RIGHTS HEIRS TO SUBDIVIDE AND COMBINE THREE PARCELS, CONTAINING 680 ACRES, INTO TWO PARCELS TO SEPARATE THE HEIRS TITLE INTEREST AFTER SUBDIVISION (MSB007376)
- VI. MEMBER COMMENTS (Limit to 3 minutes)
- VII. NEXT MEETING
  - October 19, 2022
- VIII. ADJOURNMENT

1                                   **MATANUSKA-SUSITNA BOROUGH**  
2                                   **AGRICULTURE ADVISORY BOARD**  
3

<b>Chairman</b> – VACANT	Mark Stahl (03)	Stephen Brown (08)	VACANT (12)
<b>Vice Chair</b> – Cody Beus (04)	Jozef Slowik (05)	Benjamin Swimm (09)	
VACANT (01)	Steven Sawyer (06)	Kenneth Hoffman (10)	
Dick Zobel (02)	Adam Jensi (07)	Erik “Moe” Johnson (11)	

4  
5  
6                                   **DRAFT MINUTES**  
7

8   **REGULAR MEETING**

**February 23, 2022**

9   **DSJ BUILDING**

**4:30 P.M.**

10 **LOWER LEVEL CONFERENCE ROOM**  
11

12 I.     **CALL TO ORDER; ROLL CALL**

13       Mr. Beus called the meeting to order at 4:31 p.m.

14       Members present and establishing a quorum were:

15       Benjamin Swimm, Stephen Brown, Steven Sawyer, Cody Beus, Adam Jensi, Jozef  
16       Slowik, Kenneth Hoffman

17       Members Absent and Excused: Mark Stahl

18       Members Absent: Dick Zobel, Erik Johnson

19       Staff present: Tracy McDaniel, Asset Manager  
20                      Jill Irsik, Dept. Admin Specialist  
21

22 II.    **ELECTION OF CHAIR AND VICECHAIR**

23       MOTION: Mr. Brown nominated Mr. Beus for Chairperson. Mr. Sawyer 2<sup>nd</sup>. Mr. Beus  
24       accepted the nomination. No other members were nominated. All in favor

25       MOTION: Mr. Brown nominated himself for Vice-Chairperson. Mr. Sawyer 2<sup>nd</sup>. No  
26       other members were nominated. All in favor.  
27

28 III.   **APPROVAL OF AGENDA; PLEDGE OF ALLEGIANCE**

29       MOTION: Mr. Sawyer moved, Mr. Slowik 2<sup>nd</sup>. Agenda approved  
30

31 IV.    **AUDIENCE PARTICIPATION (Limit to 3 minutes)**

32       Beverly Cutler - spoke in favor to the Ag Conversion PPM. Also spoke to a correction  
33       being needed to her comments in the October 20<sup>th</sup> minutes.  
34

35       Rob Wells – spoke in favor to the Ag Conversion PPM, and in favor to allow a 10 acre  
36       minimum.  
37

38       Amber McDonough – spoke in support Ag Board Reso 22-01, also spoke in favor to an  
39       option of a 10 acre minimum, and in support of an option for a fee simple title conversion  
40       with ag covenants remaining tied to the land.  
41  
42  
43  
44

V. APPROVAL OF MINUTES

A. October 20, 2021

MOTION: Mr. Brown moved, Mr. Sawyer 2<sup>nd</sup>. Line 26 of Ms. Cutler's comments should say "would like to see the term "no net loss" better defined in regards to ag land.

MOTION: Mr. Sawyer moved to approve the amendments, Mr. Slowik 2<sup>nd</sup>. Minutes approved as amended.

VI. ITEMS OF BUSINESS

A. Ag Conversion PPM Draft

- As directed by the board in October 2021, staff came up with this Agricultural Conversion Program, which is a voluntary program.
- The board would need to look at what the minimal requirement for subdivision would be.
- Did not put in the cost associated with this program. Staff wanted the board to weigh in on that issue.
- Mr. Swimm – in favor of smaller subdivision option, younger generation is looking for smaller parcels.
- Mr. Sawyer – in favor of smaller subdivision option, but need to have caution regarding the option to build a house or out-buildings on a smaller parcel
- Mr. Jenski – opposed to a smaller subdivision option, need larger parcels for ranching purposes, worried about the larger parcels being subdivide too much. 40 acres allow for more variety.
- Mr. Beus – the numbers show that the growth in agriculture is in the smaller acres.
- Mr. Brown – people are looking for smaller acres
- Mr. Slowik – just a reminder that this program is optional.

B. Resolution 22-01 - A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AGRICULTURE ADVISORY BOARD RECOMMENDING THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ADOPT THE LAND AND RESOURCE MANAGEMENT DIVISION POLICY AND PROCEDURES MANUAL, PART 5, FOR THE AGRICULTURAL LAND SALES THAT OCCURRED IN 1977, 1981, 1982 AND 1983 AND MERGE THE BOROUGH'S DEVELOPMENT RIGHTS WITH THE AGRICULTURAL RIGHTS TITLE FOR FEE SIMPLE TITLE WITH AGRICULTURAL COVENANTS

MOTION: Mr. Sawyer moved, Mr. Slowik 2<sup>nd</sup>. Discussion

- Amend resolution 22-01 to add a \$1500.00 processing fee

MOTION: Mr. Sawyer moved for approval of amendment, Mr. Beus 2<sup>nd</sup>. All in favor.

MOTION: Mr. Sawyer moved, Mr. Slowik 2<sup>nd</sup>. Resolution 22-01 approved as amended.

VII. MEMBER COMMENTS (limit to 3 minutes)

- Mr. Sawyer – appreciate Ms. McDaniel's work. Would like to keep conversation open about smaller subdivision, but with caution, to make sure we are moving in the right direction

- Mr. Hoffman – all for subdividing. Since Alaska can't grow the commodity crops very well, it's poised to have more specialty crop farmers and micro farmers.
- Mr. Beus – Thank-you to Ms. McDaniel.
  - Need to keep talking about the subdivision issue.
  - Farm Bureau Mat-Su Chapter annual meeting is March 16<sup>th</sup> at the Train Depot, 6:00 pm. All Alaskan Grown Dinner, elections, pie & pickle contest.
  - Youth member just needs to turn in the paperwork.
- Mr. Slowik – Thank-you to Ms. McDaniel and Ms. Irsik for helping him out and answering his questions.
- Mr. Brown – Echo Mr. Hoffman's statement regarding specialty crops.
- Mr. Jenski – Thank-you to Ms. McDaniel. Because of ag land going away has had to kill an extra 50 animals because there's not enough food for them. Hay and feed may not be the high dollar stuff, but we can't keep bringing everything in from Alberta. Getting rid of acreage is not going to do give us food security. A lot of people are getting rid of animals. Would like the state of open up more ground. Fertilizer is going up by 70%. Have to look at all aspects of farming.
- Mr. Swimm – Echo the rest of the board members in thanking Ms. McDaniel in putting this together. Thank AJ for sharing thoughts on that side of the acreage issue. Would love to keep the discussion going. Look for ways to encourage all types of ag in the borough, maybe something that can be discussed at future meetings.

#### VIII. NEXT MEETING

April 20, 2022

#### IX. ADJOURNMENT

Mr. Beus adjourned the meeting at 5:45 pm

---

Cody Beus, Chairperson

ATTEST:

---

Margie Cobb

Department Administrative Specialist

# Matanuska-Susitna Borough



## MEMORANDUM

TO: Agriculture Advisory Board Members

FROM: Tracy K. McDaniel, Asset Manager *TKM*

DATE: September 1, 2022 for the September 21, 2022 meeting

RE: Staff Report for Subdivision Approval – Resolution No. 22-02  
MSB007376 Mark Petersen & Cindy Mattingley

---

### SUMMARY STATEMENT:

On March 15, 2018, the Land and Resource Management Division received an application from agricultural rights heirs requesting to subdivide and combine four (4) parcels, a total of 720-acres, into two (2) parcels to complete their father's estate and separate the heirs' title interest after subdivision. The proposed 40 Acre Exemption Subdivision created a 440-acre parcel and a 280-acre parcel from the 720 acres (Exhibit A).

On May 16, 2018, the Agriculture Advisory Board adopted Resolution Serial No. 18-02 and on October 30, 2018, Assembly Ordinance Serial No. 18-101, approved the subdivision request. The subdivision process was never completed with the Platting Division.

On May 10, 2022, the applicants requested an amendment of the 2018 subdivision request from to combine three (3) parcels, a total of 680 acres, into two (2) parcels to complete their father's estate and separate the heirs' title interest after subdivision. The proposed subdivision creates a 440-acre parcel and a 240-acre parcel from the 680 acres (Exhibit B).

The recorded Covenants, Conditions, and Restrictions of the property require the agricultural rights owners to obtain Borough Assembly approval for changes to the farm plan, subdivision, and/or further conveyance that would separate the farm unit.

**LEGAL DESCRIPTIONS & CURRENT OWNERSHIP:**

TAX ID PARCEL	LEGAL DESCRIPTION	CURRENT OWNER(S)
24N04W23D001	The south one-half of the south one-half (S1/2 S1/2 of Section 23, Township 24 North, Range 4 West, Seward Meridian, Talkeetna Recording District, Third Judicial District State of Alaska (160 Acres).	Mark A. Petersen and Cindy M. Mattingley  Brother & Sister
24N04W26A002	The north one-half (N1/2), and the north one-half of the south one-half (N1/2 S1/2) of Section 26, Township 24 North, Range 4 West, Seward Meridian, Talkeetna Recording District, Third Judicial District, State of Alaska (480 Acres).	Mark A. Petersen and Cindy M. Mattingley  Brother & Sister
24N04W26C001	The southwest 1/4 of the southwest1/4 of Section 26, Township 24 North, Range 4 West, Seward Meridian, Alaska, Talkeetna Recording District (40 Acres).	Mark A. and Cindy S. Petersen  Husband & Wife

**PUBLIC NOTICE COMMENTS:**

In accordance Title 23.05.025, public notice was fulfilled with notice on the Matanuska-Susitna Borough web page, public notices were sent to the manager, assembly members, Agriculture Advisory Board, Talkeetna Chamber of Commerce, road service area, Upper Susitna Soil & Water Conservation District, and neighbors within 600 feet of the current property. Furthermore, financial and department review was completed and no comments received from borough departments or from the public notice.

At the time of writing the staff report, staff confirmed with the Frontiersman newspaper that they received the public notice, and not published as required under Title 23.05.025(C) during the 30-day public notice comment period. Therefore, the Frontiersman newspaper will publish the public notice on September 2<sup>nd</sup> and the 21<sup>st</sup> and staff will accept public comments until September 30<sup>th</sup> to fulfill the requirements of public notice.

**DISCUSSION:**

The original farm was offered in the 1983 agricultural land sale brochure for leases with the option to purchase the agricultural rights only. Through a subsequent assignment of lease, on October 16, 1984, the Matanuska-Susitna Borough approved an assignment of lease to Arthur J. Petersen and recorded on February 15, 1985, Book 105, Page 483, Talkeetna Recording District. Upon Mr. Arthur Petersen's completion of the development requirements under former Title 13,

the Matanuska-Susitna Borough conveyed by Quitclaim Deed, the Agricultural Rights on October 14, 1994, at Book 149 and Page 872, Talkeetna Recording District.

Mr. Arthur Petersen received Assembly approval for subdivision in September of 2011 by Notice of Forty-Acre Exemption recorded on May 18, 2012, Serial No. 2012-000918-0, Talkeetna Recording District, State of Alaska. The parent parcel, 160-acres, located in the South 1/2 of the South 1/2, Section 26, Township 24 North, Range 4 West was subdivided into four (4), 40 acre parcels (Tax ID Parcels **24N04W26C001 (Mark Petersen)**, 24N04W26C002, **24N04W26D002 (Cindy Mattingley)**, and 24N04W23D003).

In 2014, Mr. Arthur Petersen passed away. The larger Tax ID Parcels, 24N04W23D001 and 24N04W26A002, were conveyed by the Estate of Arthur J. Petersen to Mark A. Petersen and Cindy M. Mattingley. The heirs, Mark Petersen and Cindy Mattingley desire to subdivide the two (2) larger parcels. In essence, the three (3) parcels, totaling 680 acres, creates the proposed 440-acre parcel and a 240-acre parcel.

**RECOMMENDATION OF ADMINISTRATION:**

The proposed subdivision will allow Mr. Petersen and Ms. Mattingley to pursue their individual agricultural endeavors that will favorably contribute to the economics of agricultural production and allow them the ability to prepare their individual estates.

The Land and Resource Management Division recommends the Agricultural Advisory Board approve the proposed subdivision with Assembly approval.

**AUTHORITY:**

The Covenants, Conditions, and Restrictions, for Agricultural Restricted Property, recorded at Book 327 and Page 295, on October 20, 1983, in the Talkeetna recording District, states the following:

“Further Subdivision. Further subdivision of the property is prohibited, except where the owner applies to the Assembly for such subdivision and where the Assembly finds that such subdivision, if permitted, could reasonably be expected to increase the agricultural production to be realized from the new parcel to be generated by virtue of the fact that it will be added to an adjacent farm, or a similar circumstance favorable contributing to the economics of agricultural production.”

**MATANUSKA-SUSITNA BOROUGH  
AGRICULTURE ADVISORY BOARD  
RESOLUTION SERIAL NO. 22-02**

A RESOLUTION RECOMMENDING ASSEMBLY ACTION TO APPROVE THE REQUEST BY AGRICULTURAL RIGHTS HEIRS TO SUBDIVIDE AND COMBINE THREE PARCELS, CONTAINING 680 ACRES, INTO TWO PARCELS TO SEPARATE THE HEIRS TITLE INTEREST AFTER SUBDIVISION (MSB007376).

---

WHEREAS, the Agriculture Advisory Board was enacted by Matanuska-Susitna Borough Ordinance No. 15-050 to provide advice to the Assembly and Manager on agricultural issues; and

WHEREAS, on May 16, 2018, the Agriculture Advisory Board approved Resolution Serial No. 18-02 recommending the Assembly approve the agricultural rights heirs application to subdivide and combine four parcels, a total of 720-acres, into two parcels to complete their father's estate and separate the heirs' title interest after subdivision; and

WHEREAS, on October 30, 2018, the Assembly approved Ordinance Serial No. 18-101 allowing the subdivision as proposed; and

WHEREAS, on May 10, 2022, the applicants requested an amendment of the subdivision request to subdivide three parcels, a total of 680 acres, into two parcels and create a 440 acre parcel and a 240 acre parcel; and

WHEREAS, the recorded Covenants, Conditions, and Restrictions of the property require the agricultural rights owners to obtain Borough Assembly approval prior to subdivision; and



WHEREAS, Mr. Arthur Petersen passed away in 2014 and Tax ID  
Parcels 24N04W23D001 and 24N04W26A002 were conveyed by the Estate  
of Mr. Arthur Petersen to the heirs, Mark A. Petersen and Cindy M.  
Mattingley; and

WHEREAS, the proposed subdivision will allow Mr. Petersen and  
Ms. Mattingley to pursue their individual agricultural endeavors  
that will favorably contribute to the economics of agricultural  
production and allows the heirs the ability to prepare their  
individual estates.

NOW, THEREFORE, BE IT RESOLVED, this Resolution No. 22-02  
supersedes the previous adopted Resolution No. 18-02.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Matanuska-  
Susitna Borough Agriculture Advisory Board recommends the  
Matanuska-Susitna Borough Assembly pass an Ordinance to allow Mark  
Petersen and Cindy Mattingley to subdivide their interest as  
proposed through the Platting Division under Title 43.

ADOPTED by the Matanuska-Susitna Borough Agriculture Advisory  
Board this \_\_\_\_st day of \_\_\_\_\_, 2022.

---

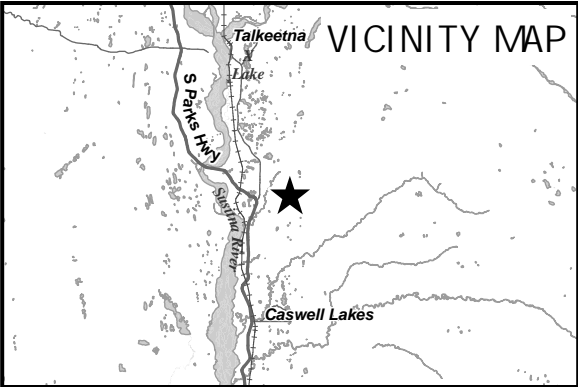
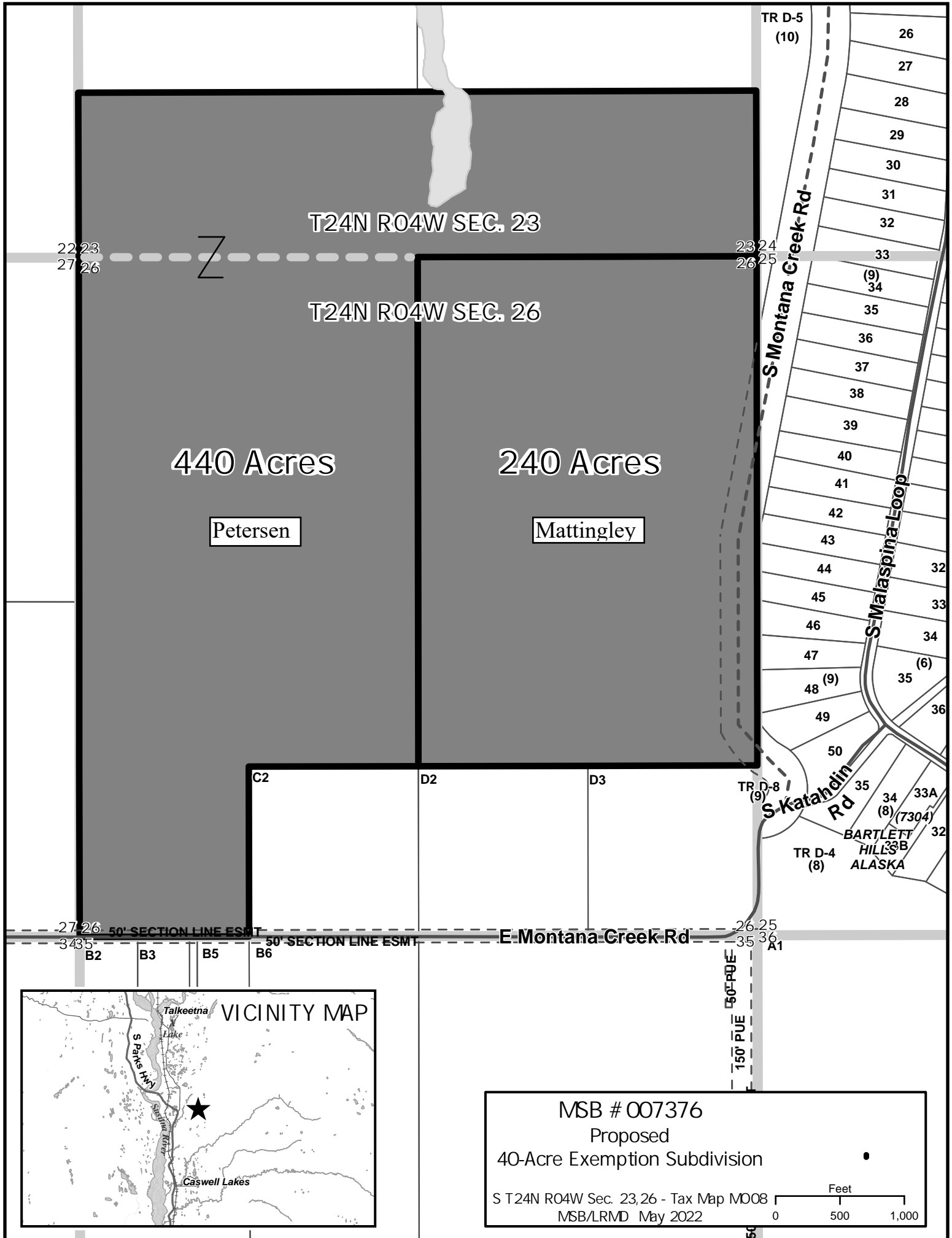
Cody Beus, Chairman

ATTEST:

---

Margie Cobb  
Department Administrative Specialist





MSB # 007376  
Proposed  
40-Acre Exemption Subdivision

S T24N R04W Sec. 23,26 - Tax Map M008  
MSB/LRMD May 2022

Feet  
0 500 1,000