



LOCAL BOUNDARY COMMISSION

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STATE OF ALASKA LOCAL BOUNDARY COMMISSION

Minutes of Meeting for January 19, 2022 at 10:00 am
Anchorage
Via Zoom Meeting

Chair Wood called the meeting to order at 10:01 a.m. Present at the meeting are commissioners John Harrington, Clayton Trotter, Lance Roberts, and Larry Wood. All commissioners are attending via video teleconference. Also attending the meeting are Jedediah Smith (LBC staff), Robert Pearson, with the Division of Community and Regional Affairs, Lynn Keneally (DCRA), Gene Hickey (Dept. of Law), as well as two members of the public who were not identified.

Commissioner Clayton Trotter moved to approve the agenda. Commissioner John Harrington seconded the motion. The motion to approve the agenda passed without objection.

Chair Larry Wood congratulated Clayton Trotter to his reappointment to a five year term. No new news on appointment to the vacant seat from the second judicial district.

Chair Wood asked for any objections to approving the minutes from January 26, 2021. Hearing none, the minutes were adopted.

Commissioner Lance Roberts moved to adopt the Annual Report to the Legislature. Commissioner John Harrington seconded the motion.

Commissioner Harrington noted that the first two thirds of the report don't really change from year to year, and it provides all legislators a good background on what the Local Boundary Commission is and how it performs its duties.

Chair Wood asked if there were any other comments on the report. Hearing no objection, he said the report was adopted.

Jedediah Smith, Local Government Specialist IV, staff for the Local Boundary Commission, reported the 32nd Alaska Legislature gaveled into the second session on January 25. House Bill 224, introduced by Rep. Ron Gillham (Soldotna, R), proposes to amend Title 29 by eliminating the power for a municipality to annex by ordinance property owned by that municipality, and also eliminate the so-called "unanimous consent" annexation, whereby all property owners and voters consent to the annexation, bypassing an election. The bill also proposes to set a 2/3 majority threshold in an area approving an annexation, regardless of the size or composition of the annexation. If the bill is adopted, it will require changes to sections of the Alaska Administrative Code, including but not limited to 3 AAC 110.590 and 3 AAC 110.600.

Staff have invested time in becoming familiar with LBC historical records of decision, and can offer to host LBC trainings regarding legislative histories on mandatory borough formation, examples of local action or legislative review petitions, including Skagway, Wrangell, and Petersburg, or an overview of LBC caselaw.

Chair Wood asked whether staff could propose a more thorough analysis of HB 224.

Commissioner Harrington said he has real concerns. Wants to avoid a long process for simple annexations. is.. From the sound of it, HB224 will make the process more complicated. This legislation sounds like it is moving in the wrong direction. Also wonders if it is appropriate to speak on this.

Commissioner Roberts said he was interested in seeing an analysis of the bill.

Chair Wood asked whether Assistant Attorney General Gene Hickey could assist with the analysis. Wood also said he would appreciate a work session in the spring, covering one or two of the topics mentioned over a two hour session. He is also interested in historical LBC decisions.

Commissioner Roberts said he is also interested in the aforementioned topics, and requested that the Commission conduct an in-person work session in the spring, in order to better facilitate discussion.

Commissioner Trotter asked whether the annual report to the legislature should be amended to include discussion of HB 224?

Commissioner Roberts suggested the commission could compile comments and submit as testimony to the legislature regarding the bill, rather than amend the annual report.

Assistant Attorney General Hickey reported all briefs regarding the Soldota annexation decision have been filed in superior court. No date has been set for oral arguments.

Commissioner Roberts made a motion to adjourn the meeting. Commissioner Trotter seconded the motion. Chair Wood asked whether there were any objection to the motion. Motion to adjourn passed without objection.

APPROVED: _____

LOCAL BOUNDARY COMMISSION

LARRY WOOD, CHAIR

ATTEST:

JEDEDIAH SMITH, STAFF