



LOCAL BOUNDARY COMMISSION

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STATE OF ALASKA LOCAL BOUNDARY COMMISSION

Minutes of Meeting for December 29, 2020, at 1 pm
via Zoom

1. **Call to order** – Chair Wood called the December 11, 2021, discussion of the draft written decision pertaining to the City of Soldotna’s petition to annex territory by the local option method back into order
2. **Roll call** - At the request of the Chair, Jedediah Smith called the roll of the commissioners.
Present: John Harrington, Lance Roberts, Kenny Gallahorn, and Larry Wood
Absent: Commissioner Trotter
Also present: LBC staff Jedediah Smith, Chief Assistant Attorney General Rebecca Polizzotto, and Division of Community and Regional Affairs Staff Robert Pearson
3. **Motion to approve draft decision with amendments as a written decision required by 3 AAC 110.570(f) regarding City of Soldotna petition to annex 2.63 square miles by the local option method. Motion made by Commissioner Roberts, Seconded by Commissioner Gallahorn.**

Jedediah Smith explained that he had now prepared a Version 5 of the draft written decision and that it had been posted to the LBC website after incorporating commissioners’ suggested edits.

Commissioner Roberts agreed that Version 5 is the draft written decision now the subject of his motion. The motion’s second, Commission Gallahorn, concurred.

Commissioner Roberts said that he agrees with the final edits to the draft written decision, but wishes that in the future, the private sector should be considered when considering services to be provided by an annexing city.

Chair Wood said he was concerned about the absence of Commissioner Trotter from the meeting, who would likely have voted in favor of the written decision. In light of Commissioner Trotter’s absence, Chair Wood felt compelled to vote in favor of the written decision, but only as to its form, not to its substance. He has joined in a Statement of Dissent to the decision.

Discussion of the motion having concluded, a vote was taken: Commissioners Roberts, Gallahorn, and Wood voted “Yes.”

Commissioner Harrington voted “No.”

The motion passed by a vote of three to one.

Commissioner Roberts thanked the authors of the dissent for taking his comments into consideration.

4. Motion to relax or suspend procedural regulations regarding mailing of statement of decision to petitioner and other interested persons requesting a copy per 3 AAC 110.570(f) (allowing dissemination by email)

Commissioner Harrington moved to suspend the procedural regulations to allow dissemination of the statement of decision by email to the Petitioner and other interested persons. Commissioner Roberts seconded the motion.

Commissioner Harrington said he would like LBC to consider revising the regulations to allow routine suspensions without special action by the commission.

Discussion of the motion having concluded, the motion was approved without objection.

LBC staff described the procedures for reconsideration of the commission's decision.

Commissioner Roberts requested commissioners be informed by staff when the prohibition against ex parte contact or communication has expired.

Commissioner Wood requested members be polled as to whether they have had any ex parte contact or communication since the commission's previous meeting. No commissioners had any ex parte contact to declare.

ADJOURN

Upon motion, and hearing no objection, Commissioner Wood adjourned the meeting at approximately 1:19 p.m.

APPROVED: _____

LOCAL BOUNDARY COMMISSION

LARRY WOOD, CHAIR

ATTEST:

JEDEDIAH SMITH, STAFF