

NON-CODE ORDINANCE

Sponsored By: Borough Manager

Introduced: 03/27/18

Public Hearing: 04/03/18

Public Hearing Continued to 04/17/18: 04/03/18

Public Hearing: 04/17/18

Amended: 04/17/18

Adopted: 04/17/18

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 18-017**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AUTHORIZING THE MANAGER TO ENTER INTO A NEW CHIJUK CREEK TIMBER SALE CONTRACT WITH CHARLES NASH AND DENALI TIMBER FOR THE SALE OF BOROUGH-OWNED TIMBER RESOURCES FOR A CONTRACT PERIOD OF FIVE YEARS(MSB007375).

WHEREAS, in 1998, the Borough entered into a Timber Sale Contract Agreement with Charles Nash and Denali Timber to purchase and log timber covering 24,660 acres of Borough-owned property in the Chijuk Creek Forest Management Unit located in the Oilwell Road area within Township 23 North, Range 7 West, Seward Meridian; and

WHEREAS, the contract was terminated in 2002 and an amended contract was executed between the Borough and Mr. Nash in 2013; and

WHEREAS, the current amended contract expires April 15, 2018, and Mr. Nash has applied for a new five-year contract for the same area with similar purpose; and

WHEREAS, a new contract was negotiated between Mr. Nash and Denali Timber, and the Borough to include:

- 1) A contract area containing 15,126 operable acres (more or less);

- 2) A term of five-years to harvest and remove the timber resource;
- 3) A timber purchase price of \$31.50 per acre; and
- 4) Estimated revenue of \$476,469 to be paid to the Borough for the timber resources over the five-year term; and

WHEREAS, pursuant to MSB 23.10.020, the Manager is authorized to approve all disposal of interest in Borough-owned real property (of which timber is included); any single disposal with a fair market value in excess of \$25,000 shall be approved by the Assembly; and

WHEREAS, the contract is to be approved notwithstanding any provision of the 2010 Matanuska Susitna Borough Natural Resource Management Unit Plan that may cause conflict with this ordinance, or any provision of Title 23 of the Borough Code that may be in conflict with this ordinance in order to implement the negotiated contract; and

WHEREAS, MSB 23.20.010, states that prudent forest management techniques are necessary to enhance and maintain the health of forests and forests resources on Borough-owned land and through this timber contract, forest health benefits include fuel reduction to mitigate fire damage, overall forest health by removing trees affected by beetle kill and preventing future outbreaks, and culling of overaged timber susceptible to disease.

BE IT ENACTED:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Approval. The Matanuska-Susitna Borough Assembly approves and authorizes the Manager to enter into the new Chijuk Creek Timber Sale Contract for the sale of Borough-owned timber resources to Charles Nash and Denali Timber for a contract period of five years.

Section 3. Effective Date. Approval of the transportation plan is required before the ordinance becomes effective.

ADOPTED by the Matanuska-Susitna Borough Assembly this 17 day of April, 2018.


VERN HALTER, Borough Mayor

ATTEST:


LONNIE R. MCKECHNIE, CMC, Borough Clerk
(SEAL)

VOTE:

YES: Beck, Leonard, Mayfield, Doty, and Kowalke

NO: Sykes and McKee