

# MEMORANDUM

(Open Session Report)

# State of Alaska

Department of Law

to: Board of Agriculture and  
Conservation

Division of Agriculture,  
Department of Natural Resources

DATE: January 13, 2015

FILE NO.: BAC general

TEL. NO.: (907) 269-3039

SUBJECT: AAG report for  
January 23, 2015, BAC  
meeting

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## **PART 1: NON-CONFIDENTIAL MATTERS FOR OPEN MEETING SESSION**

**Delta Junction Real Property Disposal:** The ARLF just recently acquired real property in Delta Junction, Alaska as the result of foreclosure proceedings and a deed-in-lieu of foreclosure. The ARLF must now dispose of that property. ARLF regulations at 11 AAC 39.720 (b) permit the board to dispose of real property by public auction, sealed bid, or any other manner that is reasonable and in the best interest of the state. Since there are a number of options for disposing of the Delta Junction property the board will need to discuss these options and make a decision on the best way to market this property.

## **PART 2: CONFIDENTIAL MATTERS FOR EXECUTIVE SESSION**

Open Meetings Act – A.S. 44.62.310(b)<sup>1</sup>  
Attorney Client Privilege - Alaska Evidence Code §503(b)<sup>2</sup>  
Board of Agriculture and Conservation Statutes<sup>3</sup>  
ARLF Regulations<sup>4</sup>

<sup>1</sup> A motion to convene in executive session must clearly and with specificity describe the subject of the proposed executive session. AS §44.62.310(b).

<sup>2</sup> Section 503(b) of the Alaska Evidence Code states in relevant part: “A client has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications made for the purpose of facilitating the rendition of professional legal services to the client...”

<sup>3</sup> AS §03.09.040 authorizes the board to classify some loan and marketing information confidential.

<sup>4</sup> ARLF Regulations at 11 AAC 39.061 makes most loan information confidential and 11 AAC 39.031(f) authorizes the board to meet in executive session to consider loan applications.

[The Board of Agriculture and Conservation will discuss marketing options and strategy for the subject property in executive session pursuant to 11 AAC 39.061].