

Introduced by: Bjerregaard
Date: July 10, 1973 Amended 7/10/73
Hearing: August 7, 1973
Hearing Continued August 21, 1973
Adopted: August 21, 1973

KENAI PENINSULA BOROUGH

ORDINANCE 73-33

AN ORDINANCE ENTITLED: AN ORDINANCE AMENDING SECTIONS 27.20.020, 27.20.030 and 27.20.040, PROVIDING FOR AN ELECTED BOARD OF DIRECTORS FOR THE SOUTH KENAI PENINSULA HOSPITAL SERVICE AREA, REGULAR AND SPECIAL BOARD MEETINGS, A BOARD CHAIRMAN, TERMS OF THE DIRECTORS, VACANCIES OF THE BOARD AND CLARIFYING THE POWERS AND DUTIES OF THE BOARD.

WHEREAS, the Assembly finds that it is in the best interests of the borough and the South Kenai Peninsula Hospital Service Area to provide for an elected board of directors, regular and special board meetings, a board chairman, terms of the directors, vacancies of the board and to clarify the powers and duties of the board;

BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That section 27.20.020 of the Kenai Peninsula Borough Code of Ordinances is hereby amended to read as follows:

Section 27.20.020. Board of Directors. (a) There is hereby established a board of directors for the South Kenai Peninsula Hospital Service Area composed of nine members who shall be nominated and elected by the qualified voters of the service area in the same manner as provided for areawide assemblymen in the Kenai Peninsula Borough Code of Ordinances Title 11, Elections.

(b) The board shall meet once a month at a regularly scheduled time and place designated by the board. Special meetings of the board may be called by the chairman of the board or by three members upon one day's notice thereof. The notice shall set forth the time and place of the meeting and shall be mailed or telephoned to each member. The attendance of a member at a meeting constitutes a waiver of notice of the meeting. All meetings are open to the public as provided in AS 29.23.580 and AS 44.62.310 and in accordance with the policies set forth in AS 44.62.312.

Five members shall constitute a quorum, and if a quorum is present, actions may be taken by a majority vote of those members present.

(c) At the first regular meeting following the certification of the election by the assembly, and annually thereafter the board shall elect by majority vote of the members and from the members a chairman who shall hold office until a successor is elected.

Section 2. That section 27.20.030 of the Kenai Peninsula Borough Code of Ordinances is hereby amended to read as follows:

Section 27.20.030. Terms and Qualifications. (a) Members of the board of directors shall be qualified voters of the borough who are residents of the service area. Members shall be elected to Seats A through I for a term of three years, except that the first board shall contain members elected to Seats G, H, and I for initial terms of one year and to Seats D, E, and F for initial terms of two years in order to provide for staggered terms.

(b) Vacancies on the board are created under the following conditions and upon declaration of vacancy by the board:

1. if no candidate files for election to a seat which is to be filled at said election or if a successful candidate fails to qualify or take office within thirty days after his election or appointment;
2. if a member is physically absent from the service area for a ninety day period, unless excused by the board;
3. if a member resigns and his resignation is accepted;
4. if a member is physically or mentally unable to perform the duties of his office;
5. if a member is removed from office;
6. if a member misses three consecutive regular meetings unless excused; or
7. if a member is convicted of a felony or of an offense involving a violation of his oath of office.

(c) Vacancies on the board shall be filled by majority vote of the remaining board until the next general election of the borough at which time a new member shall be elected to fill the unexpired term or for a three year term if no unexpired term remains.


Section 3. That section 27.20.040 of the Kenai Peninsula Borough Code of Ordinances is hereby amended to read as follows:

Section 27.20.040. Powers and Duties. Pursuant to the Provisions of AS 29.63.090 the board of directors of the service area shall have the power to provide for hospital services within the service area and for the administration and operation of the service area, providing however, that in exercising such power, the board of directors must comply with the objectives and provisions of the Hill-Burton Hospital Construction Act and the regulations passed pursuant thereto and with the agreements entered into by the Kenai Peninsula Borough as part of the application for grant and loan funds under such act. It is intended that board members shall be responsible for the level of services provided and to that end must be responsible to the electorate for the amount of taxes necessarily raised to provide such services, and the Kenai Peninsula Borough will raise the amount of the levy whenever in its judgment such action is necessary to secure adequate funds for repaying bonded indebtedness of the service area. The board shall promptly furnish accurate and complete copies of the minutes of all board meetings to the mayor and the assembly.

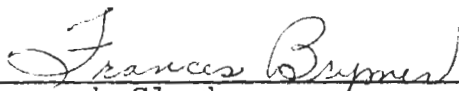
Section 4. This ordinance with respect to the election of board members becomes effective on adoption and with respect to all other matters becomes effective on the date the Kenai Peninsula Borough Assembly certifies the result of the election of members of the board of directors.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS
21st DAY OF August, 1973.

ATTEST:



Erle Cooper, Assembly Pres.



Frances Bryant
Borough Clerk

