

Introduced by: Mayor  
Date: 6/17/97  
Hearing: 7/15/97  
Postponed to: 8/05/97  
Action: Tabled  
Vote: Unanimous

**KENAI PENINSULA BOROUGH  
ORDINANCE 97-42**

**AN ORDINANCE ESTABLISHING A  
CENTRAL KENAI PENINSULA HOSPITAL SERVICE AREA BOARD**

**WHEREAS,** in 1969 with ordinance 69-3 the assembly established the Central Kenai Peninsula Hospital Service Area ("CKPHSA") and provided for an appointed hospital board to advise the assembly and mayor (then "chairman") concerning the administration and operation of the service area, review the annual budget and to perform other functions as directed by the assembly;

**WHEREAS,** following voter approval of ordinance 69-3 the appointed service area board provided local input and control over the hospital operations while the hospital was operated by a nonprofit corporation with an out-of-state board; and

**WHEREAS,** in 1992, the borough created CPGH, Inc., a local non-profit corporation, to operate the hospital, with the corporate membership including sitting assembly members; and

**WHEREAS,** following formation of CPGH, Inc. the assembly abolished the CKPHSA Board with Ordinance 92-54 to eliminate essentially duplicate boards; and

**WHEREAS,** the assembly finds that it is in the best interests of the borough and the Central Kenai Peninsula Hospital Service Area to provide for an appointed service area board of directors; and

**WHEREAS,** it is the intent of the assembly that the service area board serve in an advisory capacity, and as a liaison between the assembly and the hospital operator, and that there not be duplication between the functions of the hospital operating board and the service area board;

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** KPB 16.08.100 through 16.08.150 are hereby enacted to read as follows:

**16.08.100. Service Area Board.**

There is hereby established a board of directors for the Central Kenai Peninsula Hospital Service Area composed of nine (9) members who shall be appointed by the borough mayor and confirmed by the assembly as provided in this chapter.

**16.08.110. Qualifications and terms of office.**

Members of the service area board shall be qualified voters of the borough who are residents of the service area. Members shall be appointed to Seats A through I for a term of 3 years, except that the first board shall contain members appointed 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. The board shall consist of at least one member residing in Kenai, and at least one member residing in Soldotna, one member from each of two major employers with offices in the service area, one licensed physician, one representative of the health care community other than a physician, and three at-large members.

**16.08.120. Powers and duties.**

The service area board shall advise the mayor and assembly concerning the administration and operation of the service area, review and recommend the annual service area budget, and perform such additional functions as the mayor may direct.

**16.08.130 Board - Meetings - Quorum.**

The service area board shall meet periodically at a regularly scheduled time and place designated by the board. Special meetings of the board may be called by the board chair or by three members upon one day's notice. 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 29.20.020 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.

**16.08.140. Board - Election of officers.**

At the first regular meeting following the confirmation of the appointment of the first board members by the assembly, and annually thereafter, the service area board shall elect by majority vote of the members and from the members a chairman who shall hold office until a successor is elected.

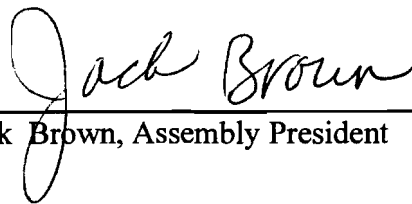
**16.08.150 Board - Vacancies - Created when.**

- A. Vacancies on the board are created under the following conditions and upon declaration of vacancy by the board if a member:
  1. Fails to qualify or take office within 30 days after his or her appointment;
  2. Resigns and the resignation is accepted;
  3. Is physically or mentally unable to perform the duties of office;
  4. Is removed from office;
  5. Misses three consecutive regular meetings unless excused;
  6. Is convicted of a felony or of an offense involving a violation of his or her oath of office; or

7. Either changes his or her residency to a location outside of the service area or fails to qualify for the seat to which he or she was appointed for a period longer than 60 days.
- B. Vacancies on the board shall be filled as prescribed in Section 16.08.100 above. The appointment shall be to fill the unexpired term or for a 3-year term if no unexpired term remains.

**SECTION 2.** That this ordinance shall be effective immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \* DAY OF \*, 1997.**

  
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Jack Brown, Assembly President

ATTEST:

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Linda S. Murphy, Borough Clerk