

Introduced	Merkes, Drathman
Date:	October 28, 1997
Hearing:	December 2, 1997
Action:	Enacted
Vote:	6 Yes, 3 no

**KENAI PENINSULA BOROUGH
ORDINANCE 97-70**

**AN ORDINANCE ESTABLISHING AN ELECTED
SERVICE AREA BOARD FOR THE
CENTRAL KENAI PENINSULA HOSPITAL SERVICE AREA**

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 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, in order to provide improved borough oversight of the hospital, 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 elected 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. That KPB 16.08.020 is enacted to read as follows:

16.08.020 Board - Established - Nomination and election.

There is established a board of directors for the Central Kenai Peninsula Hospital Service Area

composed of 7 members who shall be nominated and elected by the qualified voters of the service area as provided in the borough elections code and KPB16.04.065.

16.08.030 Board - Meetings - Quorum.

The 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 chair of the board or by 3 members upon 1 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. Four members shall constitute a quorum, and if a quorum is present, actions may be taken by a majority vote of those members present.

16.08.040 Board - Election of officers.

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.

16.08.050 Board - Qualifications and terms of office.

Members shall be qualified voters of the borough who are residents of the service area. Members shall be elected to Seat A for a term of 1 year, and seats B through G for a term of 3 years, except that the first board shall contain members elected to Seats B and C for initial terms of 1 year and to Seats D and E for initial terms of 2 years in order to provide for staggered terms.

16.08.060 Board - Vacancies - Created when.

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

- A. 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 30 days after his or her election;
- B. If a member is physically absent from the service area for a 90-day period, unless excused by the board;
- C. If a member resigns and his or her resignation is accepted;
- D. If a member is physically or mentally unable to perform the duties of office;
- E. If a member is removed from office;
- F. If a member misses 3 consecutive regular meetings unless excused; or
- G. If a member is convicted of a felony or of an offense involving a violation of his or her oath of office.

16.08.070 Board - Vacancies - Filling.

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 full term if no unexpired term remains.

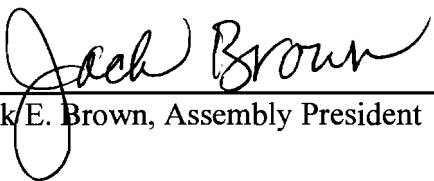
16.08.080 Board -- Powers and duties.

The service area board shall advise and make recommendations to the mayor and the assembly concerning the operation and management of service area activities, review and recommend the

annual service area budget, and perform such additional functions as the assembly may authorize. The board shall promptly furnish accurate and complete copies of board packets, including the minutes of all board meetings, to the mayor and the assembly.

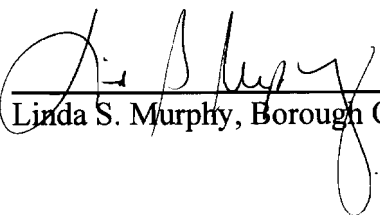
SECTION 2. That this ordinance shall take effect after the next regular borough election held in October, 1998.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 2ND DAY OF DECEMBER, 1997.



Jack E. Brown, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk