

Introduced by: Mayor at the Request of the South
Kenai Peninsula Hospital Service
Area Board
Date: 12/07/21
Action: Adopted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2021-087**

**A RESOLUTION APPROVING BOARD BYLAWS FOR THE SOUTH KENAI
PENINSULA HOSPITAL SERVICE AREA BOARD**

WHEREAS, the South Kenai Peninsula Hospital Service Area Board bylaws were last updated and approved on November 21, 2000; and

WHEREAS, on October 14, 2021, the South Kenai Peninsula Hospital Service Area Board reviewed and amended their bylaws; and

WHEREAS, Article VIII, Section 1 of the current South Kenai Peninsula Hospital Service Area Board bylaws provide for revision to the bylaws to be approved by the Assembly;

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

SECTION 1. That the Kenai Peninsula Borough Assembly hereby approves the revised South Kenai Peninsula Hospital Service Area Board Bylaws, dated October 14, 2021, attached hereto.

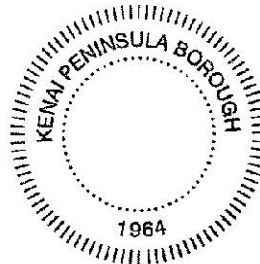
SECTION 2. That this resolution shall become effective immediately upon its adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH
DAY DECEMBER, 2021.**


Brent Johnson, Assembly President

ATTEST:


John Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Chesley, Cox, Derkevorkian, Ecklund, Elam, Hibbert, Tupper, Johnson
No: None
Absent: None

SOUTH KENAI PENINSULA HOSPITAL SERVICE AREA BOARD

BYLAWS

PREAMBLE

Recognizing that we are a duly elected body as prescribed by Kenai Peninsula Borough (KPB) 16.24 establishing the South Kenai Peninsula Hospital Service Area Board, we hereby accept the responsibility of providing for hospital and any other legally authorized services within the Service Area and for the administration and operation of the Service Area, the boundaries of which are defined in KPB 16.24.010.

ARTICLE I – NAME AND MEMBERSHIP

Section 1. DEFINITIONS

- A This elected body shall be known as the South Kenai Peninsula Hospital Service Area Board and is referred to in these bylaws as the Service Area Board (SAB). The SAB is a nine-member board elected by voters of the South Kenai Peninsula Hospital Service Area, having fiduciary responsibility for expenditure of funds and for provision of hospital services as delegated by the Borough.
- B. "Borough" is the Kenai Peninsula Borough.

Section 2. Members of the SAB 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 3 years as outlined in KPB 16.24.050.

Section 3. Vacancies on the SAB shall be created and shall be declared by official action of the SAB under the following conditions:

- A. If no candidate files for election to a seat which is to be filled, or if a successful candidate fails to qualify or take office within 30 days after his/her election or appointment;
- B. If a member is physically absent from the Service Area for a 90-day period unless excused by the SAB;
- C. If a member resigns and his/her resignation is accepted;
- D. If a member is physically or mentally unable to perform the duties of his/her office;
- E. If a member is removed from office;

- F. If a member has missed three consecutive regular meetings, unless excused by the SAB; or
- G. If a member is convicted of a felony or of an offense involving a violation of his/her oath of office.

Section 4. Vacancies shall be filled by formal action of the SAB in accordance with KPB 16.24.070.

ARTICLE II – POWERS AND DUTIES

Section 1. Pursuant to the provisions of AS 29.35.460 and KPB 16.24.080, the SAB shall have the supervisory power to provide for hospital and any other legally authorized services, including long-term care, within the Service Area and for the administration and operation of the Service Area. It is intended that SAB members shall be responsible for the determination of the level of services provided and to that end must be responsible to the electorate for recommending to the Borough the amount of funds necessary to provide such services. The Borough, through its Assembly, will adjust the amount of the tax levy whenever in its judgment such action is necessary to secure adequate funds to supplement operations, as well as repaying bonded indebtedness of the Service Area. In exercising its power and authority, the SAB will consider the impact of its actions upon the managing entity.

Section 2. The SAB may develop policies and procedures to assist in providing continuity from year to year, as needed to carry out its responsibilities.

ARTICLE III – OFFICERS AND RESPECTIVE DUTIES

Section 1. OFFICERS. The Officers of the SAB shall be: Chair, Vice Chair, Secretary, and Treasurer. Each officer shall be elected on an annual basis at the first regular meeting following certification of the Service Area election and after the administration of oath of office to the elected members.

Section 2. CHAIR. The Chair shall preside at all meetings of the SAB and shall serve as an ex-officio member of all committees. He/she signs documents on behalf of the entire SAB and shall be responsible for the preparation of meeting agendas prior to all regular and special meetings. The Chair shall vote on all motions on the floor unless excused due to a conflict of interest. The Chair shall be a representative to the Borough; present the annual budget to the Borough Mayor; attend any Borough Assembly, Homer City Council, or committee meetings, as required; and oversee the annual SAB retreat, when held. The Chair shall have committee oversight.

Section 3. VICE CHAIR. The Vice Chair shall assume duties of the Chair as needed and shall coordinate orientation and training for new SAB members.

Section 4. SECRETARY. The Secretary shall sign documents and work with the Recording Secretary to maintain the SAB member roster, prepare and process correspondence, maintain official files, and oversee the Borough and the City of Homer websites for accurate and timely information.

Section 5. TREASURER. The Treasurer shall monitor invoices to the Borough, be a member of the finance committee, coordinate preparation of the SAB budget, and prepare requests from SAB members for disbursements from the Borough.

ARTICLE IV – MEETING PROCEDURES

Section 1. MEETINGS. The SAB shall hold regular meetings at such date, time, and place as may be designated, unless there is no business to conduct, in which case members will be notified in the regular manner. All meetings shall be subject to the Alaska Open Meeting Law.

Section 2. SPECIAL MEETINGS. Special meetings may be called by the Chair or at the request of three SAB members. All members shall be notified of the time, place, date, and purpose of a special meeting at least 24 hours in advance of said meeting. The notice may be verbal, but must be followed up with an e-mail.

Section 3. QUORUM. At any regular or special meeting, a quorum shall consist of five members of the SAB. A majority of those present shall have the power to take necessary actions and to adjourn or recess.

Section 4. MINUTES. All proceedings of meetings shall be permanently recorded. The SAB may hire secretarial services for this purpose. The minutes are to be regularly distributed to the members of the SAB. The minutes shall be approved by the SAB and then forwarded to the Borough Clerk. The recorded tapes of SAB meetings shall be maintained for a period of 1 year.

ARTICLE V – COMMITTEES

Section 1. BUDGET/FINANCE. A Budget/Finance Committee shall be empaneled annually composed of three members appointed by the Chair. A representative from the Budget/Finance Committee or, if there is no Budget/Finance Committee, a representative from the SAB, may participate in the South Peninsula Hospital Operating Board's budget work session.

Section 2. GOVERNANCE COMMITTEE. A governance committee shall be empaneled annually composed of three members appointed by the Chair and shall assist the SAB in ensuring effective and efficient SAB performance.

Section 3. AD HOC COMMITTEES. Such other special committees may be appointed by the Chair from time to time as deemed necessary to carry out the work of the SAB.

Section 4. COMMITTEE OF THE WHOLE. In lieu of empaneling the Budget/Finance and Governance committees, the SAB may also hold Committee of the Whole meetings prior to the regular SAB meeting to fulfill the duties of the Budget/Finance and Governance committees. The Committee of the Whole meeting shall be open to the public.

ARTICLE VI – PARLIAMENTARY AUTHORITY

The procedures contained in the current edition of Robert's Rules of Order shall govern SAB meetings in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the SAB may adopt.

ARTICLE VII – VOTING

Section 1. All votes shall be by usual sign following Robert's Rules of Order.

Section 2. A roll call vote may be requested by any member prior to call for the vote.

ARTICLE VIII – CONFLICT OF INTEREST

The SAB is subject to the Conflict of Interest Policies for the Borough Service Area Boards, as prescribed in Chapter 2.58 of the Borough Municipal Code.

ARTICLE IX – CHANGES TO BYLAWS/AMENDMENTS/OR REPEAL

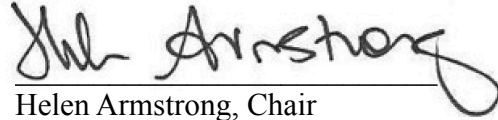
Section 1. Subject to Assembly approval and compliance with applicable Borough codes and ordinances and State statutes, these bylaws may be amended at any regular meeting of the SAB by a vote of two-thirds of the SAB members, provided that the Amendment has been submitted in writing at a previous regular meeting.

Section 2. These bylaws and amendments shall be reviewed annually to determine if any changes are necessary.

ARTICLE X – INDEMNIFICATION

KPB 2.34.120 requires the Borough to indemnify employees against claims arising out of and in the scope and course of their employment by the Borough where the employee has defended the claim successfully. For the purpose of that chapter of the ordinance, the term "employee" includes all employees, officers, assemblies, boards, and committees of the Borough and school district. See KPB 2.34.020.

Signed by order of the South Kenai Peninsula Hospital Service Area Board this 14th day of October 2021.



Helen Armstrong, Chair



Kathryn Ault, Secretary

Approved by the Kenai Peninsula Borough Assembly on this day ___ of ___, 20__.

Signature

Assembly President

Signature

Borough Clerk