

BYLAWS OF THE
NORTH PENINSULA RECREATION SERVICE AREA BOARD

A Service Area Board of the Kenai Peninsula Borough,
A Municipal Corporation

PREAMBLE

Recognizing that the service area was formed to provide and maintain recreational facilities and activities consistent with the desires of the citizens of the service area, we hereby organize ourselves in conformity with these bylaws.

ARTICLE I

Service Area Establishment--Government--Name

Section 1. Name. The name of the service area is the "North Peninsula Recreation Service Area" (hereinafter the "Service Area" or "NPRSA").

Section 2. Establishment. The service area was established by the Kenai Peninsula Borough assembly by Ordinance 74-16, and approved by service area voters on July 30, 1974, for the provision of recreation services and programs within the service area.

Section 3. Government. Service area operations are governed by Alaska statutes; particularly Title 29, and Borough Ordinances and Resolutions; specifically, KPB 16.16 (formerly Ordinance 74-16, as amended by Ordinance 83-13 and Ordinance 87-21).

ARTICLE II

Service Area Board

Section 1. Establishment -- Election. The service area board, as established by KPB 16.16.020, is composed of five (5) members, who are nominated and elected by the qualified voters of the service area in the same manner as provided for candidates in the Kenai Borough Code of Ordinances, Title 4, Elections. Specific seats on the board are designated by the Borough Clerk.

Section 2. Powers and Duties of the Board. The board of directors of the service area, subject to assembly approval and the appropriation of funds and the provisions of KPB 16.04.001, shall provide for recreation services and programs within the service area, and may construct, operate and maintain facilities to provide such services. The board shall advise the mayor and assembly concerning the administration and operation of the service area.

Section 3. Terms and Qualifications.

A. A member of the board shall be elected for a term of three (3) years, and shall serve thereafter until a successor has been elected, qualified, and sworn to assume the duties of the office.

B. Candidates for board seats must be qualified voters of the Borough and residents of the service area at the time they file to run for the board, and must comply with the Borough elections code, Title 4.

C. Newly elected board members must be sworn in within thirty (30) days after the certification of election results. Newly elected board members may be sworn in by the Borough Clerk anytime after the election is certified, or by the designee of the Borough Clerk at the first board meeting after the certification of the election results.

D. Newly elected board members take office at the end of the first board meeting after the certification of election results.

Section 4. Vacancies.

A. Vacancies on the board are created upon declaration of a vacancy by the board if a member:

1. Fails to qualify or take office within thirty (30) days after election or appointment;

2. Is physically absent from the service area for a ninety (90) day period, unless excused by the board;

3. Resigns, and the board accepts the resignation;

4. Is physically or mentally unable to perform the duties of office;

5. Is removed from office;

6. Misses three (3) consecutive regular meetings unless excused by the board;

7. Has four (4) excused or unexcused absences from board meetings in a fiscal year; or

8. Is convicted of a felony or an offense involving a violation of the oath of office.

B. Vacancies on the board shall be filled by a majority vote of the remaining board until the next general election of

the Borough, at which a new member shall be elected to fill the unexpired term, or shall be elected for a three (3) year term if no unexpired term results from the vacancy.

C. Vacancies shall be filled no later than the second meeting after the meeting in which the vacancy is declared.

Section 5. Absences. To qualify for an excused absence, a board member must (1) notify the service area administrator or board chair of the intended absence a reasonable time before the meeting at which the member will be absent, and (2) excused by action of the board.

Section 6. Removal.

A. Board members may be removed for the following reasons:

- 1. Violation of State statutes or Borough ordinances;
- or
- 2. Taking actions outside board approval or authority.

B. Removal of a board member shall be done by four (4) of the five (5) board members, subject to Borough assembly approval.

Section 7. Ex-officio Members. The service area administrator or equivalent shall be an ex-officio member of the service area board, but shall not vote.

ARTICLE III
Board Meetings

Section 1. Time and Place of Meetings. The service area board shall hold regular meetings at the place designated by the board, at the time designated by the board.

Section 2. Special Meetings. Special meetings may be called by the board chair, or by any two (2) members, upon at least three days' notice, as set out below in Article III, Section 5.

Section 3. Work Sessions. Work session meetings of the board may be called at any time by the board chair, upon at least one days' notice, as set out below in Article III, Section 5. No official action may be taken by the board at a work session.

Section 4. Executive Session. The board may go into executive session, upon compliance with and for the reasons listed in the Alaska Open Meetings Act. (AS 44.62.310-312).

DUPLICATE
ORIGINAL

Section 5. Notice of Meeting--Board Member Attendance--Public Attendance.

A. Public notice of all meetings and work sessions of the board shall be given as specified by the Alaska Open Meetings Act, and Borough ordinances and policies. Public notice of special meeting and work sessions of the board shall be published in a newspaper having general circulation within the service area, and otherwise distributed and posted within the service area, as designated by the board. The notice shall set forth the time and place of the meeting. The notice shall also be mailed or telephoned to each board member as soon after the meeting is scheduled as possible. The agenda of the special meeting, or purpose of the work session, shall be posted and otherwise distributed within the service area, as designated by the board.

B. The attendance of a board member at a special meeting or work session constitutes a waiver of notice of the meeting.

C. All board meetings and work sessions are open to the public, as provided by the Alaska Open Meetings Act and Borough Open Meetings Ordinances.

Section 6. Quorum. Three (3) board members shall constitute a quorum. No action may be taken without an affirmative vote of at least three (3) board members. In the absence of a quorum, a majority of those present may adjourn the meeting to a later date.

Section 7. Minutes. All proceedings of board meetings and sessions shall be permanently recorded, in writing, and regularly distributed to the board members and ex-officio members. After the minutes are approved, a copy shall be forwarded to the Borough Clerk for the Borough Mayor and assembly.

Section 8. Order of Business. The order and conduct of business at all meetings and sessions of the board shall be governed by Roberts Rules of Order, Newly Revised, except when provided otherwise in these bylaws.

ARTICLE IV
Committees and Task Forces

Section 1. Committee Appointment. Committees shall be established by the chair, consistent with the size and scope of the activities of the service area. The chair shall appoint the members of such committees.

Section 2. Committee Rules. The board may adopt rules for the purpose, composition and government of any committee, provided they are consistent with these bylaws; or, in the absence of rules adopted by the board, the committee may adopt such rules.

Section 3. Open Meetings. All meetings of committees shall comply with public meeting statutes and ordinances.

ARTICLE V
Board Officers

Section 1. Officers. The officers of the board shall be the chair and the vice-chair.

Section 2. Election of Officers--Term--Qualifications. At the first regular meeting following certification of the election by the assembly, and annually thereafter, the board shall elect by majority vote of the board members a chair and vice-chair who shall hold office until successors are elected. All officers shall hold office for one (1) year.

Section 3. Resignation--Vacancies. Should any officer resign, or the officer's seat become vacant, the board shall elect by majority vote a successor to fill that office, for the rest of the term, at the first meeting following the notice of the resignation.

Section 4. Chair. The chair shall preside at all meetings of the board.

Section 5. Vice-Chair. The vice-chair shall act as chair in the absence of the chair, and when so acting, shall have all the power and authority of the chair.

ARTICLE VI
Service Area Records

Service area records shall be open for public inspection as provided in Alaska statutes and Borough ordinances, resolutions, and policies. Service area records are maintained and retained according to Borough ordinances, resolutions and policies.

ARTICLE VII
Service Area Administrator

Section 1. Employment of Administrator. The service area board shall make recommendations to the Mayor concerning the hiring of candidates for the position of service area administrator, or equivalent position, and the compensation for the position. The administrator, or equivalent, is an employee of the Kenai Peninsula Borough, and is governed by Borough employee policies and benefits relevant to the position.

Section 2. Job Duties and Responsibilities. The job duties and responsibilities of the service area administrator shall be set out in the job description for that position, or the equivalent, as recommended by the board, approved by the Borough assembly, and maintained by the Borough personnel office.

**ARTICLE VIII
Amendments**

Section 1. Bylaw Adoption, Amendment or Repeal. The Board may adopt, amend or repeal bylaws at any regular or special meeting of the board; provided that public notice of such bylaw change shall be given; and provided further, that no bylaw shall be inconsistent with Alaska statutes or Borough ordinances or resolutions.

Section 2. Voting Requirement. No bylaw may be adopted, amended or repealed except by affirmative vote of four (4) of the five (5) board members.

THESE BYLAWS ARE HEREBY APPROVED AND ACCEPTED:

Service Area Resolution No. _____.

Borough Assembly Resolution No. 89-83.

**NORTH PENINSULA RECREATION
SERVICE AREA**

By: [Signature]
Its: Chairman
Date: April 30, 1990

KENAI PENINSULA BOROUGH

By: [Signature]
Its: Mayor
Date: 4-30-90

ATTEST:

[Signature]
Borough Clerk

APPROVED as to legal form
and sufficiency:

[Signature]
Borough Attorney