

Title 2

ADMINISTRATION

Chapters:

- 2.04 Borough Assembly**
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Chapter 2.04 BOROUGH ASSEMBLY

Sections:

2.04.010	Borough assembly--Composition.
2.04.020	Qualifications of assembly members.
2.04.030	Election of assembly members--Terms.
2.04.040	Compensation of assembly members.
2.04.050	Assembly vacancy.
2.04.060	Conflict of interest statement deadline.

2.04.010 Borough assembly-composition.

The assembly shall consist of seven (7) members, six of whom will be nominated by district and elected area-wide, and one of whom shall be the mayor elected at large. The Districts are as follows:

District 1 - 3 Seats (A, B, and C)

Igiugig
Iliamna
Kokhanok
Newhalen
Nondalton
Pedro Bay
Pope Vannoy
Port Alsworth

District 2 - 3 Seats (D, E, and F)

Chignik Bay
Chignik Lagoon
Chignik Lake
Egegik
Ivanof Bay
Levelock
Perryville
Pilot Point
Port Heiden
Ugashik

At Large - 1 seat, Mayor

(Amended by Ordinance 01-02, 8/21/01)

2.04.020 Qualifications of assembly members.

Each assembly member shall be a qualified voter of the borough, and shall have been a resident of, and have physically resided in, the district

within which he or she seeks to be elected, for at least one (1) year immediately preceding his or her election. An assembly member who ceases to be a resident of, and to physically reside in, the district to which his or her seat is assigned shall immediately forfeit his or her office. The mayor shall be elected at large and shall be a resident for at least three (3) years of either District 1 or 2. All assembly members and the mayor represent all the voters of the borough. *(Amended by Ordinance 11-06, 8/16/2011 – approved by DOJ 9/30/2011, Amended by Ordinance 10-07, 9/21/10, Amended by Ordinance 07-01, 3/20/07)*

2.04.030 Election of assembly members--Terms.

The first borough election will be held October 2, 1990 and thereafter elections will be held annually on the first Tuesday of every October, to choose assembly members for three year staggered terms and until their successors are elected and have qualified. The regular term of office begins on the first Monday following the election.

2.04.040 Compensation of assembly members.

Each member of the assembly shall receive compensation at the rate of \$100.00 for each meeting day of the assembly attended, including board of equalization meetings attended. Per diem and reimbursement of travel expenses are not considered compensation.

2.04.050 Assembly vacancy.

- A. If a vacancy occurs in the assembly, the assembly by vote of a majority of its remaining members shall, no later than the second regular meeting after the vacancy occurs, designate a person to fill the vacancy until the next regularly scheduled election. If less than thirty days remain in the term a vacancy may not be filled unless the vacancy reduces the body to less than a quorum, in which case the remaining members shall appoint a number of qualified persons to constitute a quorum within seven days.
- B. An assembly seat is vacated upon death, resignation, removal from office in any manner authorized by law, or by this charter, or by forfeiture of office. An assembly member shall immediately forfeit his office if he:
 - 1. Fails to comply with all qualifications prescribed by the borough charter.
 - 2. Fails to qualify or take office within thirty days after his election or appointment;
 - 3. Fails to attend three (3) consecutive regular meetings of the assembly without being excused by the assembly prior to that absence.
 - 4. Is physically absent from the borough for a ninety-day period, unless excused by the assembly prior to that absence; *(Amended by Ordinance 07-01, 3/20/07)*
 - 5. Is physically or mentally unable to perform the duties of his office as determined by two-thirds vote of the assembly.
 - 6. Is convicted of a felony or of an offense involving a violation of his oath of office.

7. Is convicted of a violation of A.S.15.13. State Election Campaigns, or
8. No longer physically resides in the borough or the appropriate election district.

2.04.060 Conflict of interest statement deadline

Each elected official shall complete and file with the clerk a report of financial and business interests, as required by A.S. 39.50.010-200, no later than April 15th of each year or fifteen (15) days after he/she has filed his/her personal federal income tax return, whichever occurs first.

Chapter 2.08 ASSEMBLY MEETINGS

Sections:

2.08.010	Regular assembly meetings.
2.08.020	Special meetings.
2.08.030	Meetings--Location change.
2.08.040	Meetings--Emergency special meetings - Waivers.
2.08.050	Executive session.
2.08.060	Absences.

2.08.010 Regular assembly meetings.

- A. The manager shall schedule at least nine regular meetings each year at such time, date and place as he/she may prescribe. Notice shall be posted at least ten (10) days prior to every meeting. (Ordinance 90-03, 11/16/90 & Ordinance 15-01, 1/20/2015)
- B. All regular meetings of the assembly shall be public meetings and the public shall have reasonable opportunity to be heard. Closed or executive sessions shall be held only in compliance with State law. The mere discussion of persons or finances shall not be cause for an executive session.
- C. Assembly members may attend meetings of the assembly in person or by teleconference. Assembly members attending meetings by teleconference shall do so only after the assembly, by majority vote, approves this manner of attendance due to extenuating circumstances including inability to travel due to weather.
- D. A majority of the membership of the assembly, authorized by this charter, shall constitute a quorum. A member disqualified from voting on a question may be considered present for the purpose of constituting a quorum. In the absence of a quorum, any number less than a quorum may recess or adjourn the meeting to a later time or date.
- E. Actions of the assembly are adopted by a majority of the total membership of the body. The final vote of each member on each ordinance, resolution or substantive motion shall be recorded "Yes" or "No", except that if the vote is unanimous, it may be recorded as such.
- F. Each assembly member in attendance at an assembly meeting shall vote on all questions presented at the meeting, unless prohibited from doing so by the borough charter. Failure as an attending member to vote on a question, unless prohibited to do so by this charter, shall be recorded as a "No" vote.

2.08.020 Special meetings.

- A. Special meetings of the assembly may be called by the borough manager, or by at least three assembly members, if a majority of the assembly is given at least 24 hours oral or written notice and reasonable efforts are made to notify each

member as to time, place and subject of the meeting. A special meeting may be conducted with less than 24 hours notice if all assembly members are present or if all absentee members have waived in writing the required notice. Waiver of notice can be made before or after the special meeting is held. A waiver of notice shall be made a part of the journal for the meetings.

- B. No business shall be transacted at a special meeting which is not mentioned in the notice. Such notice shall be served personally on each member of the assembly or left at his usual place of business or residence by the borough clerk or his designee.

2.08.030 Meetings--Location change.

Notwithstanding the provisions of Sections 2.08.010 or 2.08.020, if after having been lawfully assembled in a location properly designated, assembly determines that a condition exists which renders such location unsuitable, it may recess the meeting and reconvene at a different location suitable to the needs of the assembly. The location to which the meeting shall be reconvened shall be made known publicly prior to recess and notices thereof shall be posted at the place originally designated by the clerk.

2.08.040 Meetings--Emergency special meetings-Waivers.

In an emergency, any special meeting shall be a legal meeting if all assembly members are present, or if there is a quorum present and all absent members have waived in writing the required notice. Such waivers may be made before or after the time of the meeting and any waivers shall be made a part of the record of the special meeting.

2.08.050 Executive session.

The assembly may at any time go into a closed or executive session from which the general public may be excluded by a majority vote taken at a public meeting, at which session only those subjects shall be considered as are mentioned in the motion for the executive session:

- A. Matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the borough;
- B. Subjects that tend to prejudice the reputation and character of any person, provided the person is notified, invited to attend, and may request public discussion;
- C. Matters which by law, borough charter, or ordinance are required to be confidential.
- D. The following shall be discussed in an executive session when the best interests of the borough so require:
 - 1. Negotiations with labor organizations representing borough employees;
 - 2. Discussions of pending or threatened lawsuits in which the borough has an interest.

E. If subjects are to be discussed in executive session, the meeting must first be convened as a public meeting, and then the question of holding an executive session to discuss matters that come within the exceptions contained in subsections A, B, C and D of this section shall be determined by a vote of the body. No subjects may be considered in executive session except those mentioned in the motion calling for the executive session unless auxiliary to the main question. No action may be taken in executive session.

2.08.060 Absences.

No member shall absent himself from any meeting of the assembly except for good and sufficient reason.

Chapter 2.12 ASSEMBLY PROCEDURES

Sections:

2.12.010	Mayor designated presiding officer.
2.12.020	Meetings--Order of business.
2.12.030	Agenda.
2.12.040	Minutes.
2.12.050	Assembly rules.
2.12.060	Duties of the clerk at assembly meetings.

2.12.010 Presiding Officer.

- A. The mayor shall preside at all meetings of the assembly. He shall preserve order and decorum among the assembly members, and is responsible for conduct of all meetings in compliance with the rules of the assembly. He may at any time make such rules as he deems proper to preserve order among the spectators in the borough assembly chamber during sessions of the assembly.

The mayor may speak to points of order in preference to other members, and shall decide all points of order, subject to appeal to the assembly by motion duly seconded as herein provided. He may at any time call the deputy mayor to the chair during any meeting, such substitution to discontinue when he elects to resume the chair, and in no event beyond adjournment of the meeting at which such substitution is made.

- B. In the absence or disability of the mayor, the deputy mayor shall succeed to the office of mayor. He/she shall perform the duties and exercise the powers of the mayor when the mayor is absent or unable, as determined by the assembly, to perform the duties of his/her office.

2.12.020 Meetings--Order of business.

At every regular meeting of the borough assembly the order of business shall be as follows:

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF CONSENT CALENDAR
- D. APPROVAL OF AGENDA
- E. APPROVAL OF MINUTES
- F. PUBLIC HEARINGS
- G. COMMUNICATIONS AND APPEARANCES
- H. ORDINANCES AND RESOLUTIONS
- I. UNFINISHED BUSINESS
- J. NEW BUSINESS
- K. MANAGER'S REPORT
- L. TIME AND PLACE OF NEXT MEETING
- M. CITIZEN'S COMMENTS
- N. ASSEMBLY COMMENTS

- O. MAYOR'S COMMENTS
- P. EXECUTIVE SESSION (as needed)
- Q. ADJOURNMENT

(Ordinance 90-09, 5/15/90)

2.12.030 Agenda.

- A. Regular Assembly Meetings. All items and matters to be submitted to the assembly at a regular meeting shall be presented to the borough clerk no later than the close of business fifteen days prior to the meeting. The manager shall then arrange the agenda according to the order of business provided in Section 2.12.020. No later than ten days before the next meeting, the clerk shall provide copies of the agenda and agenda packet to the manager and borough attorney and send a copy of the agenda packet to the mayor and each assembly member.
- B. Special Meetings. Agendas and packets for a special meeting shall be prepared by the Clerk and provided to assembly members as early as possible before the special meeting.

2.12.040 Minutes.

- A. Minutes of all regular and special meetings shall be taken. Minutes shall be in the form of a summary of discussion including a verbatim report of motions made and actions taken plus a report of each vote cast by assembly members when a roll call vote is made. Summary notes shall be provided for each work session. All minutes of regular and special meetings, and summary notes of work sessions, shall be kept in the journal of the proceedings of the assembly. All minutes of the assembly shall be distributed by the borough clerk to the public desiring same after payment of a reasonable charge. One copy of the minutes shall be given free of charge to any person appearing in person and requesting same with extra copies in person or by mail available at twenty-five cents per copy per page, and subscriptions available by mail at a fee determined by the manager.
- B. Unless a reading of the minutes of a assembly meeting, regular or special, is requested by a member of the assembly, such minutes may be approved without a reading if the clerk has previously furnished each member with a copy thereof.
- C. All meetings and work sessions shall be recorded electronically and the tapes shall be maintained until an accurate and true account of the meetings, in the form of written minutes formally approved and adopted by the Assembly, has been entered permanently into the record by the Borough Clerk. Upon formal approval of the minutes, electronic recordings will be destroyed and the tapes re-used. *(Amended by Ordinance 97-03, 5/20/97)*
- D. The clerk may be directed by the mayor, with the consent of the assembly, to enter in the minutes a synopsis of the discussion on any question coming regularly before the assembly.

2.12.050 Assembly rules

- A. In all matters of parliamentary procedure not covered in these rules, Robert's Rules of Order shall be applicable and govern.

2.12.060 Duties of the clerk at assembly meetings.

The borough clerk shall give notice of borough assembly meetings, shall attend all meetings of the assembly and keep the journal of its proceedings, shall authenticate by his/her signature and record in full in a book or file kept for that purpose all ordinances and resolutions duly indexed and open to public inspection. In case of the temporary absence of the borough clerk, the borough manager may appoint a clerk protempore, with all the powers, duties and obligations of the borough clerk, who shall be duly qualified.

Chapter 2.16 MAYOR

Sections:

2.16.010	Duties generally.
2.16.020	Mayor's additional duties.
2.16.030	Qualifications--Election--Term.
2.16.040	Removal from office.
2.16.050	Succession.
2.16.060	Compensation.

2.16.010 Duties generally.

The mayor shall perform all duties required by the borough charter or by the assembly by ordinance. He shall be head of the borough for ceremonial purposes and be recognized by the governor for purposes of martial law. The mayor shall vote on every issue before the assembly. The mayor shall not have veto power. The duties of mayor shall include but not be limited to:

- A. Presiding at assembly meetings.
- B. Participation as a member of the assembly with all the powers and duties of that office.
- C. In emergencies, assuming the powers conferred by law upon peace officers and exercising such powers to prevent disorder, preserve the public peace and health, and to provide for the safety of persons and property.

2.16.020 Additional duties. (Reserved)

2.16.030 Qualifications--Election--Term.

- A. A voter of the borough who has been a resident of the borough for no less than three (3) years prior to his candidacy for office is eligible to hold the office of Mayor. *(amended by Ordinance 11-03 passed April 19, 2011, approved by DOJ September 30, 2011)*
- B. The mayor is elected at large for a term of three years and until a successor is elected and has qualified.
- C. The mayor's regular term begins on the first Monday following his election, which is held on the first Tuesday of October.

2.16.040 Removal from office.

The mayor's office shall be vacated as provided in 2.04.050 of this code.

2.16.050 Succession.

Should the office of the mayor become vacant, or if the existing mayor is disabled or unable to act, the assembly may appoint a mayor pro tempore, to serve until the mayor resumes his official duties, or until a new mayor is qualified.

2.16.060 Compensation.

Other than reimbursement of expenses, the mayor shall serve without compensation except as prescribed by Section 2.04.040 of this code.

Chapter 2.17 DEPUTY MAYOR

Sections:

- 2.17.010 Election of deputy mayor.**
2.17.020 Duties.

2.17.010 Election of deputy mayor.

The deputy mayor shall be elected for a one year term by and from the borough assembly membership each year during the first meeting following municipal elections.

2.17.020 Duties.

The deputy mayor shall succeed to the office of mayor when a vacancy occurs in that office. He/she shall perform the duties and exercise the powers of the mayor when the mayor is absent or unable, as determined by the assembly, to perform the duties of his/her office.

Chapter 2.20 BOROUGH OFFICES AND OFFICERS

Sections:

2.20.010	Meetings public.
2.20.020	Private meetings.
2.20.030	Public notice of meetings.
2.20.040	Publication.
2.20.050	Oath of office.
2.20.060	Salaries of elected officers not to be varied.
2.20.070	Appointment of officers.
2.20.080	Prohibitions.
2.20.090	Conflicts of interest.
2.20.100	Vacancies.

2.20.010 Meetings public.

Meetings of all municipal bodies shall be public as provided in AS 44.62.310. The assembly shall provide reasonable opportunity for the public to be heard at regular and special meetings.

2.20.020 Private meetings.

- A. All meetings of the assembly, subcommittees of the assembly, boards, administrative agencies and commissions created by this code or by the assembly, shall be open to the public; provided, however, that the excepted subjects may be discussed in a private meeting as provided in 2.08.050 of this code.

2.20.030 Public notice of meetings.

Reasonable public notice shall be given of all meetings of an administrative body, board, commission, committee, subcommittee, authority, agency or other organization including subordinate units of the above groups of the borough including but not limited to assembly, school board, and commissions or organizations advisory or otherwise of the borough.

2.20.040 Publication.

For the purpose of giving notice of meetings, reasonable public notice is given if a statement containing the date, time and place of the meeting is published in accordance with 2.12.030 of this code.

2.20.050 Oath of office.

- A. All officers elected or appointed before entering upon the duties of office shall affirm in writing the following oath and affirmation:

"I, _____, do solemnly swear that I will support the Constitution of the United States and State of Alaska and the laws and ordinances of the Lake and Peninsula Borough, State of Alaska, and that I will honestly, faithfully and impartially perform the duties of the office of _____, so help me God."

- B. The oath is filed with the borough clerk.

2.20.060 Salaries of elected officers.

The assembly may fix by ordinance the salaries of elected officials. Per diem payments or reimbursements for expenses are not compensation under this section.

2.20.070 Appointment of officers.

The borough clerk and other employees are appointed by the manager. Officers serve at the pleasure of the appointing authority. Appointments by the manager are subject to confirmation by the assembly.

2.20.080 Prohibitions.

No person may be appointed to or removed from borough office or in any way favored or discriminated against with respect to a borough position because of race, color, sex, creed, national origin or, unless otherwise contrary to law, because of his political opinions or affiliations.

2.20.090 Conflicts of interest.

A member of the assembly shall declare a substantial financial interest he or she has in an official action and ask to be excused from a vote on the matter. The presiding officer shall rule on the request for abstention (excusal). The decision of the presiding officer on the request may be overridden by the majority vote of the assembly. An employee or official of the borough, other than an assembly member, may not participate in an official action in which he has a substantial financial interest. A.S. 29.20.010.

2.20.100 Vacancies.

An elected borough office is vacated as provided in 2.04.050 of this code.

Chapter 2.21 BOROUGH MANAGER

Sections:

- 2.21.010 Appointment--Compensation.**
- 2.21.020 Term--Removal.**
- 2.21.030 Qualifications.**
- 2.21.040 Powers and duties.**
- 2.21.050 Participation at assembly meetings.**
- 2.21.060 Interference with borough manager prohibited.**
- 2.21.070 Regulation of personnel.**
- 2.21.080 Acting manager.**

2.21.010 Appointment--Compensation.

The borough manager shall be the chief administrative officer of the borough and shall be responsible to the assembly. He/she shall be appointed by a majority vote of the assembly membership. The manager shall receive compensation as the assembly may determine.

2.21.020 Term--Removal.

Subject to the contract of employment, the borough manager shall hold office at the pleasure of the assembly and may be removed with or without cause by a vote of the majority of all members of the assembly.

2.21.030 Qualifications.

The borough manager shall be appointed solely on the basis of his or her executive and administrative qualifications, with particular reference to education, training and experience as a professional municipal administrator. The assembly may set forth specific qualifications by ordinance. No elected borough official may be appointed manager unless at least two (2) years have intervened since the expiration of his/her last term of office and the date of appointment.

2.21.040 Powers and duties.

The borough manager is the chief administrative officer and shall:

- A. Appoint borough employees and administrative officers except as provided otherwise in this code and A.S. 14.14.065; the manager may hire necessary administrative assistants and may authorize an appointive administrative officer to appoint, suspend, or remove subordinates in his or her department.
- B. Suspend or remove, by written order, borough employees and administrative officers, except as provided otherwise in this code and Alaska Statutes.

- C. Supervise enforcement of borough law;
- D. Prepare and submit the annual budget and capital improvement program for the borough;
- E. Execute the budget and capital program as adopted;
- F. Make monthly financial reports to the assembly on borough finances and operations;
- G. Report to the assembly at the end of each fiscal year on the finances and administrative activities of the borough. Within three months after the end of each fiscal year, prepare and make available to the public such reasonable price as the assembly may direct, an annual report on borough affairs during the preceding fiscal year.
- H. Serve as borough personnel officer unless the assembly authorizes the manager to appoint a personnel officer;
- I. Direct the care and custody of all borough property;
- J. Direct and supervise the construction, maintenance, and operation of borough facilities, excluding schools;
- K. Make such recommendations to the assembly as he or she may deem expedient or necessary;
- L. Assign, in his or her discretion and subject to assembly approval, additional functions or duties to offices, departments or agencies established by ordinance and likewise transfer functions or duties from one office, department or agency to another, or establish a distribution of work among the divisions of offices, departments, or agencies;
- M. Execute other powers and duties as specified in Title 29 of the Alaska Statutes or lawfully prescribed by the assembly.

2.21.050 Participation at assembly meetings.

The manager shall have the right to take part in the discussion of all matters coming before the assembly.

2.21.060 Interference with borough manager prohibited.

Except for the purposes of inquiry, the assembly and its members and mayor or other officials of the borough shall deal with the administrative service solely through the borough manager, and neither the assembly nor any assembly member nor mayor nor other borough official shall give orders to any subordinate of the borough manager, either publicly or privately. Neither the assembly nor any of its members nor the mayor shall dictate the appointment of any person to office or employment by the borough manager, except as permitted by state law or ordinance of this borough, or in any manner interfere with the borough manager or prevent him/her from exercising his/her own judgment in the selection of officers and employees in the administrative service.

2.21.070 Regulation of personnel.

The borough manager, subject to assembly approval, shall have the power to make rules and regulations relating to the hiring and firing, retirement program classification, salaries, and the like of all the employees of the borough. These rules and regulations shall be published from time to time as the assembly may direct, and shall be on file in the office of the borough clerk. All appointments and promotions of borough officers and employees shall be made on the basis of merit.

2.21.080 Acting manager.

If the manager is absent from the borough or is unable to perform his or her duties, if the assembly suspends the manager, or if there is a vacancy in the office of the manager, the assembly may appoint an acting manager to serve until the manager returns, or until his or her disability or suspension ceases or until another manager is appointed. The assembly shall replace the acting manager with a permanent manager within a reasonable time, and in no case may anyone serve as acting manager for more than one year. An assembly member may serve as acting manager but first must resign from the assembly.

Chapter 2.28 BOROUGH CLERK

Sections:

2.28.010	Appointment--Term.
2.28.020	Duties of borough clerk.
2.28.030	Additional duties of the clerk.
2.28.040	Acting clerk.

2.28.010 Appointment--Term.

The borough clerk shall be appointed by the manager and confirmed by the assembly.

2.28.020 Duties of borough clerk.

The borough clerk shall:

1. Give notice of the time and place of assembly meetings to the assembly and to the public;
2. Attend assembly meetings and keep the journal;
3. Arrange publication of notices, ordinances, and resolutions;
4. Maintain and make available for public inspection an indexed file including the municipal ordinances, resolutions, rules, regulations, and codes;
5. Attest deeds and other documents;
6. Perform other duties specified in this title or prescribed by the mayor or by the assembly.

2.28.030 Additional duties of the clerk.

- A. The borough clerk shall record and certify all actions of the assembly.
- B. The borough clerk shall have the power to administer all oaths required by law.
- C. The borough clerk shall be custodian of the borough seal and the official records of the borough.
- D. The borough clerk shall give to the proper officials ample notice of the expiration or termination of any term of office and, when necessary, the conditions or requirements of all bonds, franchises, contracts or agreements.
- E. The borough clerk shall be the registrar of the borough and shall be responsible for the calling and supervision of all borough elections unless otherwise provided by law.

2.28.040 Acting clerk.

In case of the temporary absence of the borough clerk, the manager may appoint an acting borough clerk, with all the powers and obligations of the borough clerk. The acting borough clerk shall be duly qualified.

The acting borough clerk shall in all cases sign all documents in the name of the

borough clerk, subscribing his/her personal signature as acting borough clerk.

Chapter 2.35 BOROUGH ATTORNEY

Sections:

- 2.35.010 Borough attorney.**
- 2.35.020 Duties of borough attorney.**

2.35.010 Borough attorney.

There shall be a borough attorney appointed by the manager and confirmed by the assembly.

2.35.020 Duties of borough attorney.

The borough attorney may:

- A. Be charged with the performance of all legal services of the borough, including those of legal advisor to the assembly, the mayor, the manager and to all departments and offices of the borough;
- B. Upon the request of the borough assembly, take the necessary steps to arrange for the prosecution of violations of borough ordinances;
- C. Represent the borough in all matters, civil and criminal, in which the borough is interested;
- D. Draft any ordinance when required by the borough assembly or mayor;
- E. Perform such other duties as may be required by the borough assembly or the ordinances of the borough;
- F. Attend meetings of the borough assembly;
- G. Report to the borough assembly promptly all suits brought against the borough;
- H. Call to the attention of the borough assembly, the mayor and the manager all matters of law affecting the borough;
- I. Render all opinions in writing, as far as is practicable;
- J. Maintain a record of all his opinions rendered and turn such record over to his successor in office.

Chapter 2.45 EDUCATION

Sections:

2.45.010	Education
2.45.020	School Board - election
2.45.030	School Board - management duties
2.45.040	School District-treasury/bond
2.45.050	School District-accounting
2.45.060	School District budget
2.45.070	Location of school buildings
2.45.080	Design criteria of school buildings
2.45.090	Purchase of supplies/equipment
2.45.010	Education.

The Lake and Peninsula Borough hereby adopts education powers on an area-wide basis. (Ordinance 89-04, 6/12/89)

2.45.020 School Board--election.

The Borough constitutes the Lake and Peninsula School District, of which the governing body is the Lake and Peninsula School Board.

Members of the school board are elected at the regular election held annually on the first Tuesday of October, for three year terms and until their successors take office. All members are nominated by district and elected areawide in accordance with 2.04.010.

2.45.030 School Board--management duties.

The borough school district shall be operated on a borough-wide basis under the management and control of the borough school board. The school board shall perform the duties as set forth in A.S. 14.08.010.

2.45.040 School District--treasury/bond.

All school money shall be deposited in a school district treasury. The borough school board shall have the custody of, invest and manage all such money in the school district treasury pursuant to A.S. 14.14..060(a) The officer responsible for custody, investment and management of school district funds shall comply with the bonding provisions of A.S. 14.14.020.

2.45.050 School district--accounting.

The responsibilities of the school accounting system are delegated to the borough school board pursuant to A.S. 14.14.060(b) except where otherwise agreed upon with respect to the design and construction of school facilities.

2.45.060 School district budget.

Provisions of A.S. 14.14.060(c) shall be followed in the annual submittal of the school district budget to the assembly for review, approval and appropriation of funds.

2.45.070. Location of school buildings.

The borough assembly shall determine the location of school buildings with due consideration to the recommendations of the borough school board.

2.45.080. Design criteria of school buildings.

The borough school board is responsible for the design criteria of school buildings. Subject to the approval of the assembly, the school board shall select the appropriate professional personnel to develop the designs. The school board shall submit preliminary and subsequent designs for a school building to the assembly for approval or disapproval; if the design is disapproved, a revised design shall be prepared and presented to the assembly. The borough delegates the responsibility to the school board for major rehabilitation, all construction and major repair of school buildings unless mutually agreed otherwise.

2.45.090. Purchase of supplies and equipment.

The borough school board may determine its own separate policy for the purchase of supplies and equipment. A.S.14.14.060(h)

Chapter 2.55 FISHERIES ADVISORY COMMITTEE

Sections:

- 2.55.010 Fisheries Advisory Committee Established**
- 2.55.020 Terms of Office**
- 2.55.030 Qualifications of Committee Members**
- 2.55.040 Compensation of Committee Members**
- 2.55.050 Appointment and Duties of Officers**
- 2.55.060 Removal and Vacancies**
- 2.55.070 Meetings**
- 2.55.080 Quorum**
- 2.55.090 Public Meetings - Minutes**
- 2.55.100 Resolutions**
- 2.55.110 Duties and Responsibilities**

Section 2.55.010 Fisheries Advisory Committee Established

A Borough Assembly Fisheries Advisory Committee (hereafter "Advisory Committee") is established consisting of five (5) members. The Advisory Committee shall be appointed by the Mayor and confirmed by the Borough Assembly.

Section 2.55.020 Terms of Office

Advisory Committee members shall serve at the pleasure of the Borough Assembly. Members of the Advisory Committee shall be appointed for a term of three years except those first appointed, who shall determine their respective terms of office by lot so that two shall be appointed for a term of three years, two for two years, and one for one year.

Section 2.55.030 Qualifications and Composition of the Advisory Committee

- A. An Advisory Committee member must:
 - 1. Be registered to vote in the Lake and Peninsula Borough;
 - 2. Physically reside within the Lake and Peninsula Borough;
 - 3. Be knowledgeable about commercial and subsistence fishing issues in Alaska.

- B. The Advisory Committee shall be composed of the following:
 - 1. One member of the Lake and Peninsula Borough Assembly;
 - 2. One member residing within the Chignik Commercial Fishing District;
 - 3. One member residing within the Egegik Commercial Fishing District;
 - 4. One member residing within the Ugashik Commercial Fishing District;
 - 5. One member residing within the Borough from the public at large.

Section 2.55.040 Compensation of Advisory Committee Members

Members of the Advisory Committee shall serve without compensation, but shall receive per diem and reimbursement of travel expenses associated with attendance at meetings and performance of other official duties.

Section 2.55.050 Appointment and Duties of Officers

At their first regular meeting following appointment, the members of the Advisory Committee shall meet and organize by electing one of their members chairperson and another as vice-chairperson to serve for a term of one year and until the successor of each takes office.

- A. The Chairperson shall preside at all meetings of the Advisory Committee. He/she shall appoint all sub-committees and shall perform the duties necessary or incidental to the office.
- B. The Vice-Chairperson shall act as Chairperson in the absence of the Chairperson or in case of the inability of the Chairperson to act.

Section 2.55.060 Removal and Vacancies

A member of the Advisory Committee may be removed by a majority vote of the Borough Assembly or by the Mayor with approval of the Assembly. A vacancy is filled in the same manner as the original appointment. A person appointed to fill a vacancy serves for the remainder of the unexpired term.

Section 2.55.070 Meetings

The Advisory Committee shall establish a regular place and time of meeting and shall meet at least quarterly. Special meetings may be called by the presiding officer or at the request of two members if at least 24 hours oral or written notice and reasonable efforts are made to notify each member as to time, place and subject of the meeting. All meetings shall be open to the public. Closed or executive sessions shall be held only in compliance with State law. Notice of regular meetings shall be posted at least five (5) days prior to every meeting.

Section 2.55.080 Quorum

Three members shall constitute a quorum. Any action of the Advisory Committee requires a quorum and the affirmative vote of a majority of members present and voting, which shall, in no event, be fewer than two affirmative votes.

Section 2.55.090 Public Meetings - Minutes

The Advisory Committee shall keep a record of all business, resolutions, transactions, findings, determinations, minutes and other matters coming before it. Such record shall

be filed with the Borough Clerk and retained as a public record.

Section 2.55.100 Resolutions

Formal recommendations of the Advisory Committee to the Borough Assembly may be by Resolution.

Section 2.55.110 Powers of the Advisory Committee

- A. The Advisory Committee is advisory in nature and may not be delegated administrative authority or responsibility.
- B. The Advisory Committee shall have the responsibility of advising the Borough Assembly in matters relating to commercial fishing within the Borough. The Advisory Committee shall not have direct power to effect policy, but shall provide information and recommendations to the Borough Assembly. The Advisory Committee is not empowered to distribute its findings to any individual or group other than the Borough Assembly and the Borough Manager.

Section 2.55.120 Duties and Responsibilities

- A. The Advisory Committee shall examine commercial fishing issues as assigned by the Borough Assembly, and formulate recommendations for the Borough Assembly's consideration relating to those issues.
- B. The Advisory Committee shall report its actions and recommendations to the Borough Assembly at least quarterly.
- C. When authorized by the Borough Assembly or Borough Manager, members of the Advisory Committee may attend meetings where commercial fisheries issues are being discussed or acted upon.

(Chapter 2.55 added by Ordinance 93-07, 10/19/93)