

**PETERSBURG BOROUGH
ORDINANCE #2014-01**

**AN ORDINANCE PROVIDING FOR CHAPTER 3.50 (HOSPITAL BOARD) OF THE MUNICIPAL CODE,
UPDATING CURRENT LANGUAGE TO REFLECT BOROUGH INCORPORATION; AND PROVIDING
PROVISIONS FOR THE HOSPITAL BOARD FOR THE BOROUGH**

Whereas, on January 3, 2013 the Election Division for the State of Alaska, certified the election results of the December 18, 2012 incorporation election for the Petersburg Borough; and

Whereas, the certified election confirmed the incorporation of the Petersburg Borough and dissolved the City of Petersburg.

Therefore the Petersburg Borough ordains, the existing provisions for providing for a hospital board of the dissolved City of Petersburg, Alaska, as noted with amendments below, are hereby approved and adopted as a borough ordinance to be administered on an areawide (borough-wide) basis.

Section 1. Classification: This ordinance is of a permanent nature and shall be codified in the Petersburg Borough Code.

Section 2. Purpose: The purpose of this ordinance is to provide for provisions of an elected hospital board to administer, operate and maintain a medical center/hospital for the borough.

Section 3. Substantive Provisions: The provisions of the former City of Petersburg (Service Area 1) Municipal Code, Chapter 3.50 is hereby transferred and incorporated into this borough ordinance.

Chapter 3.50 of Title 3 (Hospital Board) of the Petersburg Borough Code shall read:

Chapter 3.50 - HOSPITAL BOARD

Sections:

3.50.010 - Established.

3.50.020 - Membership.

3.50.030 - Oath of members.

3.50.040 - Compensation.

3.50.050 - Adoption of bylaws and election of officers.

3.50.055 – Meetings and Public Records.

3.50.060 - Powers with respect to property.

3.50.070 - Power to operate hospital.

3.50.080 - Finance.

3.50.090 - Liaison with the Assembly.

3.50.010 - Established.

Pursuant to Section 9.01 of the Borough Charter, the hospital board is established and is authorized to manage and operate the Petersburg Medical Center.

3.50.020 - Membership.

- A. The hospital board shall consist of seven members who are qualified electors of the borough city who have resided within the borough city for a period of one year immediately preceding the date of election or appointment. They shall be elected at large for staggered three-year terms at a regular municipal election. Each member shall serve until a successor has been confirmed and taken the oath of office.
- B. Vacancies for unexpired terms on the hospital board shall be filled in the same manner as vacancies on other elected borough boards, as set out in subsection 3.04.060 (A) of this code. A vacancy is created on the board in the same manner as vacancies on the assembly, as set out in paragraphs A and B of section 2.04 of the borough charter, provided for in Section 3.04.060 of this code.
- C. The Personal Financial Interest and Nepotism provisions of Section 19.03 of the Borough Charter, and any ordinances adopted thereunder, The conflict of interest provisions of Section 6.3 of the Municipal Charter, insofar as they may apply, are binding on members of the board.

3.50.030 - Oath of members.

Before entering upon their duties, each member of the hospital board shall subscribe to an oath or affirmation as required by the borough city Charter.

3.50.040 - Compensation.

No member of the hospital board shall be paid for any services rendered or duties performed in connection with the administration or operation of the hospital. Exceptions may be allowed for professional services rendered by a board member when prior hospital board approval has been obtained.

3.50.050 - Adoption of bylaws and election of officers.

The hospital board shall adopt bylaws governing its affairs and providing for election of such officers as it deems necessary. The duties and terms of hospital board officers shall be established by the bylaws. A copy of the bylaws adopted under this section, and any amendments thereto, shall be provided to the assembly.

3.50.055 – Meetings and Public Records.

A, Meetings - The board shall designate a public meeting area that is accessible to persons with disabilities and all meetings will be open to the public and conducted in accordance with Alaska's Open Meetings Law. Meetings shall be given public notice as required in Chapter 3.10 of this code and the meeting agendas shall afford an opportunity for the public to address the board.

B. Public Records – The records of the board, and the Petersburg Medical Center, except patient records, are public records subject to disclosure under the Alaska Public Records Law, Title 40, Chapter

25, Section 110 of the Alaska Statutes and Section 19.01 of the Borough Charter. Additional exceptions to disclosure shall be as set out in Federal, State and local law.

3.50.060 - Powers with respect to property.

- A. The custody, ~~and management and maintenance~~ of the hospital, hospital buildings and associated facilities, and of the real property on which the hospital, hospital buildings and associated facilities are situated, together with all other improvements to the real property and all personal property, including equipment, furnishings and supplies, are entrusted to the hospital board.
- B. The board shall adopt, subject to assembly approval, procedures for competitive bidding, and exceptions thereto, for the purchase, sale, lease, and exchange of real property in the custody of the board. Any sale or exchange of real property, or any lease of real property for a term exceeding ten years, including extensions, must be approved by the assembly. ~~The hospital board has full power and authority to buy, sell, lease, exchange and transfer real property for hospital purposes, as it deems advisable.~~
- C. The hospital board has full power and authority to buy, sell, lease, exchange, replace, ~~and transfer~~, operate, improve, maintain and repair equipment, furnishings, supplies and any other personal property for hospital purposes, as it deems advisable. The board shall adopt, subject to assembly approval, procedures for competitive bidding, and exceptions thereto, for purchases, sales, leases and exchanges of such personal property.

3.50.070 - Power to operate hospital.

- A. The hospital board has full power and authority to operate the hospital and associated facilities, as it deems advisable in the best interests of the public's health, subject to the provisions of this Chapter and applicable State and Federal law.
- B. The hospital board has authority to employ an administrator to manage the hospital and associated facilities, subject to the supervision and control of the hospital board. The hospital board may delegate to the administrator such authority, and assign to the administrator such duties, as it deems advisable
- C. The hospital board has authority to employ or contract for the services of physicians, surgeons, advisors, dentists, auditors, accountants, consultants, architects, attorneys, appraisers and any other medical care providers or professionals, as it deems advisable.
- D. The hospital board shall determine the ranges of salaries, wages and benefits paid to each employee class of the hospital and associated facilities.
- E. The hospital board has authority to determine, charge and collect such fees and charges for services, and to take any necessary action to collect amounts owing for services rendered by the hospital and associated facilities, as it deems advisable.
- F. The hospital board shall require that all persons admitted to the hospital be under the supervision and care of a licensed physician.
- G. The hospital board has full power and authority to make and enforce rules and operating procedures for the safe and efficient operation of the hospital and associated facilities, as it deems advisable.
- H. The hospital board shall continue to maintain a smoke-free facility with exception of an area designated for Long Term Care Residents.
- I. The hospital board may establish one or more programs for the purpose of attracting qualified physicians, surgeons and other medical ~~care providers to the community staff~~. Such programs may include, but are not limited to, grants, loans, lease or use of improved real or personal property of the hospital and associated facilities, on such terms as the hospital board deems advisable.

3.50.080 - Finance.

- A. The hospital board has full power and authority to manage the finances of the hospital and associated facilities; provided, however, that property or equipment other than supplies may be purchased only from funds derived from the operation of the hospital and associated facilities, or appropriated for hospital purposes by the city council assembly, or obtain through grants or by a private bequest.
- B. The hospital board shall establish, maintain and supervise such accounting systems and procedures as are necessary and proper for collection of revenue and payment of expenses of the hospital and associated facilities.
- C. The board shall adopt an investment policy governing procedures for hospital banking, investment and collateralization.
- DC. The hospital board shall provide for an audit of the accounts of the hospital and associated facilities as of June 30th of each year and have the financial statements finalized and published by September 15 of each year and submit such audit to the Borough Assembly for review and discussion.
- ED. The hospital board shall annually prepare and adopt a budget setting forth the anticipated income and expenses of the hospital and associated facilities for the forthcoming fiscal year and a six-year capital improvements plan for equipment and buildings. The budget and capital improvements plan shall be adopted on or before June 15th of each year by the hospital board on or before April 1st of each year, and thereafter promptly delivered to the Borough Clerk, for transmittal to the assembly.
- F. Any loan, line of credit, or similar financing or credit transaction to be obtained by the board for hospital operations or improvements, other than a lease or lease-purchase agreement for hospital equipment, must be approved 1) by the assembly and 2) by the voters of the Borough if voter approval is required under State or Borough law.

3.50.090 - Liaison with the ~~city council~~ Assembly.

The hospital board is encouraged shall meet with the city council from time to time assembly at least annually to discuss its issues— and coordinate financial planning, capital improvement needs, comprehensive plans for health care and other issues relating to the hospital and associated facilities, and at such other times as called by the assembly or the hospital board.

Section 5. Severability: If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Section 6. Effective Date: This Ordinance shall become effective areawide immediately upon final passage.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this ____ day of _____, 2013.

Mark Jensen, Mayor

ATTEST:

Kathy O'Rear, Clerk

Adopted:
Published:
Effective:

