

POSTPONED INDEFINITELY

DENALI BOROUGH, ALASKA  
ORDINANCE NO. 05-15  
INTRODUCED BY: Teresa Hall

Version A

AN ORDINANCE AMENDING TITLE 2 CHAPTER 7 SECTION 6  
EXECUTIVE SESSION

BE IT ENACTED BY the Assembly of the Denali Borough:

Section 1. Classification. This ordinance is of a general and permanent nature

Section 2. Title II of the Municipal Code is amended.

Title II, Chapter 9 titled Assembly Meetings section 6 Executive Session shall be amended to include:

**CHAPTER 7**  
**ASSEMBLY MEETINGS**

Sections:

1. Meetings public.
2. Quorum.
3. Regular assembly meetings.
4. Special meetings.
5. Notice.
6. Executive Session.

Section 1. Meetings public. Meetings of all Borough bodies shall be public as provided in A.S. 44.62.310. The Assembly shall provide reasonable opportunity for the public to be heard at regular and special meetings.

Section 2. Quorum. Five (5) Assembly members constitute a quorum. A member disqualified by law from voting on a question may be considered present for purposes of constituting a quorum. In the absence of a quorum any number of members may recess or adjourn the meeting to a later date.

Section 3. Regular assembly meetings. All regular meetings of the Assembly shall be held on the second Wednesday of each month after 7PM, meetings may be preceded by work sessions. Such meetings will be rotated in order among the four (4) major communities of Healy, McKinley Park, Cantwell and Anderson. The usual place of assembly meetings shall be the School Board Conference Room in Healy, the McKinley Park Fire Hall, the Cantwell Community Center and the Anderson School Auditorium. The date and/or location of individual regular meetings may be changed by a majority vote of the Assembly, provided such changes are published per Chapter 1, Section 2 of this code. In the event any condition renders the meeting place unfit to conduct any meeting of the

## POSTPONED INDEFINITELY

Assembly, the meeting may be moved to such other place as the Assembly may choose, provided reasonable prior notice is given.

Section 4. Special meetings. Special meetings of the Assembly are those meetings which are called by the presiding officer or one-third of the members of the Assembly for a time other than that fixed for the regular assembly meetings. The location of all special assembly meetings shall be the same as that for regular meetings. At least twenty-four (24) hours oral or written notice must be given a majority of Assembly members and reasonable efforts made to notify all members. A special meeting may be conducted with less than twenty-four (24) hours notice if all Assembly members are present or if absent 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 meeting.

Section 5. Notice. For the purpose of giving notice of meetings of the Assembly, reasonable public notice is given if a statement containing the date, time and place of the meeting is posted not less than ten (10) days before the time of the meeting in each of the four (4) major communities of Anderson, Cantwell, Healy and McKinley Park, in at least three public places with one of the public places being the post office. Notwithstanding the preceding, as much notice as is practicable shall be given. In the case of a special meeting where twenty-four (24) hours or less notice is given Assembly members, public notice shall be posted at the same time as notice is given Assembly members.

### Section 6. Executive session.

- A. All meetings of the Assembly are public meetings. However in cases where excepted subjects are to be discussed at an assembly meeting the Assembly may consider holding an executive session.
- B. The meeting must first be convened as a public meeting and the question of holding an executive session to discuss matters that are excepted subjects shall be determined by a majority vote of the Assembly. This vote shall be a recorded roll call vote.
- C. Attending the executive session shall be the Assembly, the Mayor, and the Borough Clerk who shall act as the parliamentary advisor and any person(s) the Assembly deems necessary to provide information pertinent to the discussion.
- D. [C.] If the vote to hold an executive session is affirmative the public will be asked to leave the meeting hall until the executive session is concluded, or the Assembly shall withdraw to a private area of the hall to hold the executive session.
- E. [D.] The public shall be given notice of the excepted subject to be discussed. [the amount of time the Assembly expects to spend in

POSTPONED INDEFINETELY

executive session, and the expected time of reconvening of the public meeting.]

F. [E.] No subjects may be considered at the executive session except those mentioned in the motion calling for the executive session unless auxiliary to the main question.

G. [F.] No action may be taken at the executive session. Upon conclusion of the executive session the public meeting will be reconvened.

H. [G.] During the public meeting action may be taken on the excepted subjects discussed at the executive session.

I. [H.] Excepted subjects which may be discussed at an executive session are:

1. matters in which the immediate knowledge of such which would clearly have an adverse effect upon the finances of the government unit;
2. subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; and
3. matters which by law, municipal charter, or ordinance are required to be confidential.

J. [I.] The following shall be discussed in a private meeting 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.

Section 3. Effective Date. This ordinance becomes effective upon adoption by the Denali Borough assembly and signature of Denali Borough mayor

DATE INTRODUCED: August 10, 2005  
 FIRST READING: September 12, 2005  
 PUBLIC HEARING: September 12, 2005

PASSED and APPROVED by the DENALI BOROUGH ASSEMBLY this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
BOROUGH MAYOR

ATTEST: \_\_\_\_\_  
BOROUGH CLERK