

Airport Board Training

Law Department

Topics

- Open Meetings Act
- Public Records Act
- Conflict of Interest

Open Meetings Act

- **A.S. 29.20.020, A.S. 44.62.310, Charter 3.12(d)**
 - ❖ All meetings to be public
 - ❖ Public have an opportunity to comment at regular and special meetings
 - ❖ Executive session (very limited on topics – mainly litigation related or other confidential item) *See the notes below.*

OMA: Best Practices

- ❖ OMA purpose is to ensure deliberations of a board are done in public.
- ❖ Minimize private Board member discussions.
- ❖ **“Serial” meetings: Avoid using “reply all” in email.**
- ❖ Reasonable notice of meeting.
 - *24 hrs. min., more notice for complex issues*
- ❖ Make sure agendas include location and time.
- ❖ **Cure by completely redoing illegal action.**

Public Records Act

- **A.S. 40.25.110, Charter 15.7, CBJ 01.70**
- Two big rules:
 - 1) Every person has the right to inspect public record unless an exception applies.
 - 2) Strong presumption in favor of disclosure
- **Applies to emails, texts, documents, even if on your personal devices**

Conflict of Interest

You are a municipal officer

You are prohibited from using your position to:

- ❖ Gain a benefit
- ❖ Secure employment or contracts
- ❖ **Take or withhold action if you have personal/ financial (P/F) interest**
- ❖ Use CBJ time or equipment for P/F interest
- ❖ **Vote or deliberate if you have a P/F interest**

Conflict of Interest: **Best Practice**

- ❖ If in doubt, contact your attorney, before the meeting.
 - If you act consistent with attorney advice, then you are immune from personal liability - CBJ 01.45.145(b)
- ❖ Close calls, go ahead and disclose in meeting. The board can vote to determine if it is a conflict, wherein you would remove yourself from the table for those deliberations and discussions. (*The chair can ask if there are any members that believe there is a conflict. Note – this are the close calls, not the clear conflicts.*)