

# CHARTER OF THE TRUST LAND OFFICE EXECUTIVE DIRECTOR

## Introduction

Alaska Law, AS 37.14.009(b), requires the board of trustees of the Alaska Mental Health Trust Authority (AMHTA) to contract with the Department of Natural Resources (DNR) to manage the land, non-cash and natural resource assets (Non-Cash Assets) of the trust (DNR/AMHTA Contract) and also requires DNR to manage those land assets in conformity with AS 38.05.801. AS 44.37.050 further directs DNR to establish a separate unit within DNR with responsibility for management of the mental health trust land assets. DNR has done so with the organization of the Trust Land Office (TLO). Per regulation, the TLO is overseen by an executive director who is required to exercise the authority of the TLO consistently with state law and 11 AAC99.010 et. seq., and as required by the DNR/AMHTA Contract.

~~1.~~ The TLO executive director (TLO ED) is an employee of DNR in the exempt service. DNR has delegated to AMHTA, in consultation with the DNR Commissioner, the authority to appoint, set compensation, evaluate, and retain or not retain the TLO ED. The AMHTA Board Chair shall prepare the annual evaluation of the TLO ED with the assistance of the Chairs of the Finance and Resource Management Committees. The staff shall also assist as deemed necessary by the Board Chair.

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~~2-3.~~ The TLO ED shall report to the Chair of the Resource Management Committee.

## Duties and Responsibilities

~~3-4.~~ The TLO ED shall keep the Board members informed of all ~~material~~ matters the TLO ED determines to materially affectingaffect the AMHTA Non-Cash Assets.

~~4-5.~~ The TLO ED shall provide the Board members with a list eopies of all reports received by the TLO ED from outside consultants, advisors, auditors and others on at least a monthly or more frequent basiswithin 5 days of receipt of the reports.

~~5-6.~~ The TLO ED shall report to the Board, on at least a monthly or more frequent basis, with a report identifying the TLO ED's progress on all tasks assigned to the TLO ED by the Board. The report shall identify each assignment, the date of the assignment, whether the assignment was completed and if not completed why and when completion is expected.

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~~6-7.~~ Act as one of the official spokespersons for AMHTA when so designated by the Board.

~~7-8.~~ The TLO ED shall assist the Resource Management Committee with the following activities and at the direction of the Committee Chair:

- (a) Develop policies and procedures for protecting, enhancing, and managing AMHTA's Non-Cash Assets;
- (b) Ensuring that AMHTA's Non-Cash Assets are managed in the best interest of the beneficiaries of the Trust;
- (c) Assist with the development of a resource management strategy and make recommendations to the Resource Management Committee; and
- (d) Monitor all commercial real estate ~~investment~~ activities and performance and report to the Board on at least a quarterly basis;
- (e) Advise and recommend revision to the Asset Management policy with respect to AMHTA non-cash assets as needed; and
- (d)(f) Advise and recommend on the sale of AMHTA's commercial real estate holdings.

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## Authorities

~~8-9.~~ The TLO ED is required to report to the Board, at each of the four regularly scheduled meetings per year and any special meetings, on the major activities and status of the progress against the budget.

~~9-10.~~ The TLO ED shall not delegate the authority granted herein to any other individual or employee. Quarterly summary reports of all TLO ED approved items will be provided to the Board and a standing item will be placed on the next scheduled Resource Management Committee agenda following the report for any trustee discussion.

~~10-11.~~ The board delegates authority to the TLO ED to provide consultations on behalf of the Trust Land Office (TLO) to the Board as required by law regarding projects with projected total sale revenue below \$250,000 or projected annual total land or mineral lease or easement rental below \$50,000, and to quarterly report such consultations to the Board.

~~11-12.~~ The Board delegates authority to the TLO ED to approve project specific expenditures by the TLO from the principal, budget reserves or the facility maintenance account below \$50,000 per approval with a cumulative maximum of \$100,000 per year, and to quarterly report such approvals to the Board.

~~12-13.~~ The TLO ED has authority to raise issues to the Board at any Board or committee meeting.

~~13-14.~~ The TLO ED may delegate duties to staff except as specifically prohibited by herein.

~~15.~~ The TLO ED will actively consult with the Board and receive their consent to the employment or termination of the following key roles:

\_\_\_\_\_ The TLO ED shall provide the Board with all terms and conditions of employment offers for the above listed positions as part of the consultation.

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## Review and Amendment of the Charter

~~15-16.~~ The Executive Committee will review this charter at least once every three years and recommend any amendments to the board for approval.

~~16-17.~~ This charter may be amended at any meeting of the full Board.

~~17-18.~~ The Board adopted this charter on \_\_\_\_\_, 2024.