

# BY-LAWS OF THE MEAGHER COUNTY BOARD OF HEALTH

## **ARTICLE I - NAME**

The name of this organization shall be the Meagher County Board of Health.

## **ARTICLE II - PURPOSE**

The purpose of the Meagher County Board of Health shall be to improve and protect the health of the population of Meagher County by providing local government leadership and advocacy on behalf of public health issues.

## **ARTICLE III - POWERS AND DUTIES**

1. Montana law requires that every county shall have a board of health.
2. Specific functions, powers, and duties of local boards of health are primarily set forth in: Title 50 (Health and Safety), Chapter 2 (Local Boards of Health); Section 103 -130 of the Montana Code Annotated (MCA).
3. References to both boards of health and health officers are scattered throughout the statutes.

## **ARTICLE IV - MEMBERSHIP**

1. Membership shall be composed of at least five persons,
  - a. The three County Commissioners
  - b. The City Mayor
  - c. One person appointed by the County Commissioners
2. The term of office for the County Commissioners shall run for six years
  - a. The term shall coincide with their respective term of the County Commission,
  - b. The terms of the County Commission should be on a rotational schedule so that all members do not turn over at the same time.
3. The Term of office for the City Mayor shall be for four years, coinciding with their respective term as elected.
4. The term of office for the appointed member shall be four years.
  - a. In the event of vacancy, the County Commission shall appoint a replacement as soon as possible to finish the remaining term.
5. The membership shall vote to remove any officer or member from the board at any time, for dereliction of duty, incapacitation or other condition deemed inappropriate by the members. Said member shall have the opportunity to address the board on their behalf before a vote will be taken.
6. A listing of all members and their contact information shall be recorded and kept current at the Clerk & Recorder's office and a copy given to the members and advisors.

## **ARTICLE V - OFFICERS**

1. The County Commission Chair shall serve as the Chairperson of the Meagher County Board of Health.
  - a. The Chair shall conduct the meetings of the board
2. The Vice-Chairperson shall be appointed by the board
  - a. The Vice-Chairperson shall conduct the meetings of the board in absence of the Chairperson.
  - b. In the event of vacancy of the board Chairperson, the Vice-Chairperson shall act as Chairperson until a replacement has been found.
  - c. In the event of vacancy of the board Secretary, the Vice-Chairperson shall act as Secretary until a replacement has been found.
3. A Secretary shall be appointed by the board
  - a. The Secretary shall ensure that all books, records and minutes are accurate and up-to-date,
  - b. The Secretary shall provide notice to the public and to the board members of all meetings.
4. In the event of vacancy of both the Chairperson and Vice-Chairperson, the remaining board members shall elect a member as an acting Chairperson,
  - a. After the remaining board positions are filled and the membership has returned to five

members, the board shall re-organize at the next meeting by electing a Chairperson and Vice-Chairperson.

#### **ARTICLE VI - MEETINGS AND QUORUM**

1. Regular meetings shall be held at least quarterly.
  - a. All members shall receive at least one week's notice by phone, mail or e-mail.
2. Montana's open meeting and public participation laws enable all public persons to attend meetings.
  - a. Advanced notice of the matters before the board shall be done at least one week's notice by newspaper or by posting the agenda in the Clerk & Recorder's Office.
  - b. The public must be allowed a reasonable opportunity to participate prior to making decisions of significant interest to the public.
  - c. Open meeting requirements may conflict and have to give way to an individual's privacy rights, confidentiality requirements, Montana's Health Care Information Act, or HIPAA privacy rules.
3. Special meetings shall be held upon call of the Chairperson or any two board members.
  - a. All members shall receive at least 48 hours' notice by phone.
4. Three members of the board present at a regular or special meeting shall constitute a quorum.
5. Action required to be taken by the board may be taken without a meeting provided that a majority of the members have consented to such action by telephone, letter, or email.
  - a. Such action shall be ratified at the next meeting and shall be filed in writing and attached with the minutes of the meeting.
6. The recording of all meetings shall be provided by the Secretary or another appointed employee of the Meagher County Clerk & Recorder's office,
  - a. All documentation shall be stored in a notebook that is located in the Clerk & Recorder's Office of the Meagher County Courthouse.

#### **ARTICLE VII - ADVISORS**

1. The County Attorney serves as a legal advisor to county boards of health.
2. The Meagher County Public Health Nurse shall serve as an advisor to the board and shall report to the board at the regularly scheduled meetings.
3. The Meagher County Public Health Officer shall serve as an advisor to the board and shall report to the board at the regularly scheduled meeting.
4. The County Sanitarian(s) shall serve as an advisor to the board and shall report to the board at the regularly scheduled meetings.
5. The Montana Department of Health and Human Services shall have a working relationship with the board. See MCA Chapter 50, Chapter 1-Administration of Public Health Laws.

#### **ARTICLE VIII - FINANCING**

1. County boards are financed by an appropriation from the general fund of the county, special levy appropriations, state and federal funds available and contributions from school boards and other official and nonofficial agencies. MCA 50-2-108, 109, 113

#### **ARTICLE XI - AMENDMENTS**

1. Notice of a meeting to vote on bylaw amendments must be given to all members by written or electronic notice at least two weeks in advance.
2. Any amendment to the bylaws must be approved by majority vote of the board.

#### **ARTICLE X - APPROVAL & IMPLEMENTATION**

Approved and adopted this 12<sup>th</sup> day of October, 2010.

County Commission, Chair – Herb Townsend  
County Commission – Nancy Schlepp  
County Commission – Ben Hurwitz