

AMENDED AND RESTATED BY-LAWS  
City-County Board of Health  
Lincoln County

ARTICLE I – Name

The name of this organization shall be the City-County Board of Health for Lincoln County, hereinafter the Board.

ARTICLE II – Object

Specific functions, powers, and duties of local boards of health are set forth in Title 50, Chapter 2, M.C.A. Pursuant to Title 50, Chapter 2, Section 116, M.C.A. and the Interlocal Agreement(s) creating the Board, the Board works closely with and relies upon the Lincoln County Health Department to accomplish the objectives of the Board. As part of its work with the Board, the Lincoln County Health Department reports to the Board at all regular meetings. The Lincoln County Health Department is a department of Lincoln County and staffed by employees of Lincoln County. To the extent the Board has any supervisory duties over the Lincoln County Health Department, those duties are fulfilled by receiving the regular report described herein.

ARTICLE III – Membership

The composition of the Board and the terms of its members are set forth by Title 50, Chapter 2, 106, M.C.A. The Board shall be composed of no less than five members appointed by the governing bodies in Lincoln County in accordance with the Interlocal Agreement(s) as follows:

- a. One (1) current board member from the Board of County Commissioners appointed by the Board of County Commissioners.
- b. Three (3) additional board members appointed by the Board of County Commissioners, based on recommendations from the Board. Board members should be appointed, when possible, to represent various disciplines such as preventative health, health care, environmental health and environmental engineering/science. Recommended combined secondary education and experience in these disciplines should be equivalent to not less than 10 years for each member.
- c. One (1) board member appointed by the City/Town, who may be, but is not required to be a member of the City Council or its Mayor, of each city/town that participates in the Board.
- d. Terms. Terms of appointed members to the Board shall be staggered and shall be for three (3) years each.
- e. Vacancies. Vacancies which occur on the Board by resignation or for other reasons, shall be filled for the unexpired term of the vacated member and appointments to fill said vacancies shall be made as hereinbefore specified.

- f. Absenteeism. The following rules regarding absenteeism shall apply: absenteeism is the responsibility of the governing body who appointed that member. Two consecutive absences from regularly scheduled meetings during the year shall cause the appropriate governing body to review the appointment of that member and replace that member when considered appropriate.

#### ARTICLE IV – Officers

1. At the first regular meeting of the Board following the first day of January each year, said Board shall organize by electing a Chairperson, a Vice Chairperson, Secretary and such other officers as it may deem best and advisable.
  - a. Chair. The Board shall elect a Chair who shall conduct all meetings and business of the Board.
  - b. Vice Chair. The Board shall elect a Vice Chair who shall conduct all meetings and business of the Board in the Chair's absence.
  - c. Secretary. The office of the Secretary may be filled with two individuals: 1) a board member who is the Secretary in name and who has oversight over the recording Secretary's duties, and 2) an employee of the Lincoln County Health Department who is the recording Secretary who shall keep minutes of the meetings; see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law; and bring a copy of these Bylaws to every meeting.
2. The Health Officer, who is a physician or a person with a Master's Degree in public health or equivalent and appropriate experience, employed by the Board shall not be a member of said board but shall serve as an advisor to the Board and perform duties as defined in Title 50, Chapter 2, 118, M.C.A.
3. In the event of vacancy of the board member elected Chairperson due to resignation or for other reasons, the Vice-Chairperson shall act as Chairperson and a new Vice-Chairperson shall be elected. Both shall serve until the next regular election of officers.
4. In the event of vacancy of both the Chairperson and Vice Chairperson due to resignation or for other reasons, the remaining board members shall elect an Acting Chairperson who will function until the first regular meeting after all new board members have been appointed. At that time the board shall reorganize by electing a Chairperson and a Vice-Chairperson.

#### ARTICLE V – Meetings and Quorum

1. Regular meetings. Regular meetings of the Board shall be held no less frequently than quarterly.
2. Special meetings. Special meetings of the Board may be held upon call of the Chairperson or any two board members.
3. Quorum. A quorum for both regular and special meetings shall consist of a simple majority of members of the board.
4. Meeting participation. Board members may participate in any meeting through the use of a conference telephone or similar contemporaneous communications equipment. Such participation in a meeting, and any votes cast therein, shall constitute presence in person at the meeting.
5. Notice of meetings. The recording Secretary shall notify all members of all meetings in writing. No special meetings shall be held unless diligent efforts have been made to notify all members.
6. Open meeting requirements. All meetings of the Board shall be held in compliance with Montana's Open Meeting and Public Participation laws set forth at Title 2, Chapter 3, M.C.A.

To comply with the spirit and intent of Montana's open meeting and public participation laws, public notice of not less than two (2) business days shall be given of all Board meetings, regular and special. Notice need not be given where the Board must make a decision to deal with an emergency situation affecting the public health, welfare, or safety, or as otherwise allowed by Title 2, Chapter 3, 112(1), M.C.A. The Chair may close a meeting of the Board as allowed by Title 2, Chapter 3, 203, M.C.A.

7. Agenda. Agenda items should be submitted to the recording Secretary at least two (2) days before a meeting. This rule may be suspended upon approval of the Board's Chair.
8. Minutes. Minutes of all regular and special meetings of the Board shall be kept by the recording Secretary or designee, and shall be signed by the member Secretary and by the Chairperson. Minutes of all open meetings, and portions of meetings that are open to the public shall be kept available for inspection by the public, with copies also available with the clerk of each unit of government participating.
9. Record. The minutes shall contain a complete and accurate record of all motions made, and votes thereon, and shall also contain such summary of proceedings and debate as the Board considers convenient.

## ARTICLE VI – Committees

The Board shall have authority to create from time to time, such Standing or Special Committees as it may deem appropriate for the conduct of the business of the Board.

## ARTICLE VII – Financing

1. The financing of the Board will be as set out in Title 50, Chapter 2, 111 (2), M.C.A., and the Interlocal Agreement(s) under which the Board was created.
2. Official and non-official agencies may contribute funds to the Board.

## ARTICLE VIII – Board Member Reimbursement

Board members may not be compensated for their time but may be reimbursed from local funds for transportation and actual expenses up to but not exceeding state transportation reimbursements and allowable expenses incurred in attending the Board meetings or other Board related activities.

## ARTICLE IX – Parliamentary Authority

The rules contained in “Roberts Rules of Order Revised” shall govern the Board for all matters not covered in these By-Laws.