

**BYLAWS OF THE BROADWATER COUNTY BOARD OF HEALTH**

**ARTICLE 1. GENERAL POWERS AND DUTIES:**

- (a) The Broadwater County Board of Health has the powers and exercises the duties and functions conferred upon it by the Legislature of the State of Montana. The provisions of Title 50, Chapter 2, MCA, including revisions and amendments, are made a part of these Bylaws.
  
- (b) The Board is responsible for approving the employment, or termination of employment, of the Health Officer and other employees of the Broadwater County Health Department.
  
- (c) The Board will hear and act upon grievances of the public and employees of the Broadwater County health Department.
  
- (d) The purpose of Montana’s public health system is to provide leadership and to protect and promote the public health by:
  - a. Promoting conditions in which people can be healthy;
  - b. Providing or promoting the provision of public health services and functions including the 10 essential public health services;
  - c. Encouraging collaboration among public and private sector partners in the public health system;
  - d. Seeking adequate funding and other resources to provide public health services and functions or accomplish public health system goals through public or private sources;
  - e. Striving to ensure that public health services and functions are provided and public health powers are used based upon the best available scientific evidence; and
  - f. Implementing the role of public health services and functions, health promotion, and preventive health services within the state health care system.

**ARTICLE 2. MEMBERSHIP**

- (a) The Board shall consist of the County Commissioners and two members who are appointed by the County Commissioners and serve at their pleasure; **or** a minimum of five persons who are appointed by the County Commissioners and serve at their pleasure. 50-2-104, MCA

- (b) Terms of appointed members shall be staggered and be for three (3) years each.
- (c) The County Commissioners shall establish the staggered order of terms.
- (d) If an appointed member has two consecutive absences from regularly scheduled meetings per annum, that member may be required to relinquish his/her appointment and a replacement member shall be appointed.
- (e) Vacancies for voting members which occur on the Board by reason of death or resignation or for other reasons shall be filled for the unexpired portion of the term of the vacated member.
- (f) Board members are not compensated for their time. Allowable expenses incurred in attending Board of Health meetings or other Board related activities may be submitted, considered and approved by the Board. Transportation and actual expenses may be reimbursed from general funds up to, but not exceeding, current State transportation reimbursements and per diem.
- (g) The Health Officer, County Sanitarian and Public Health Nurse shall act as non-voting advisory members of the Board.
- (h) The Board may appoint additional non-voting advisory members to serve at the pleasure of the Board.

**ARTICLE 3. ELECTION OF OFFICERS:**

- (a) The Board shall elect a chairman who shall conduct both regular and special meetings of the Board.
- (b) In addition, the Board shall elect a vice-chairman who shall conduct all meetings of the Board in the absence of the Chairman.
- (c) Officers of the board shall be elected at the first regular meeting of each calendar year and shall serve for a period of one year, commencing immediately upon election.
- (d) The election of officers shall be in accordance with Article 8 of these Bylaws.
- (e) An appointed position will act as Secretary at all meetings of the Board and shall be responsible for such duties as determined by the Board.

**ARTICLE 4. REGULAR MEETINGS**

- (a) A regular meeting of the Board will be held on the third (3<sup>rd</sup>) Wednesday of January, April, July and October each year at 3:00pm, in the designated meeting area as noted on the posted agenda. If the designated day is a legal holiday or in conflict with other County obligations, the meeting will be held at a designated place and time compatible to all members.
- (b) Regular meetings of the Board will be held at a minimum, once each quarter with notice as provided in Article 6 of the Bylaws
- (c) All meetings of the Board shall be open to the public; provided, however, that any meeting regarding personnel issues, may be closed by the Chairperson during the time the discussion relates to a matter of individual privacy and then only if the demands of the individual privacy clearly exceed the merits of public disclosure. The right of individual privacy may be waived by the individual about whom the discussion pertains and, in that event, the meeting must be open. In addition, any meeting may be closed in situations where such closure is allowed, or is appropriate, under the provisions of Title 2-3-203, MCA.

**ARTICLE 5. SPECIAL MEETINGS**

- (a) Special meetings may be called as necessary by or at the request of, the Chairperson, or by or at the request of any two (2) members of the Board, and may be held at any predesignated place and time for any purpose including the viewing of any places of potential health hazard.
- (b) Notice of special meetings shall be given to all members of the Board as provided in Article 6 of these Bylaws. No special meeting shall be held unless all members of the Board have been given notice of it.

**ARTICLE 6. NOTICE OF MEETINGS:**

- (a) The Secretary shall notify all members of the Board of all meetings.
- (b) The Secretary shall insure that notice of meetings and agenda are posted in public posting locations within the County.

**ARTICLE 7. QUORUM:**

- (a) Three (3) Board of Health members shall constitute a quorum for the transaction of business at any meeting.

**ARTICLE 8. BOARD DECISIONS AND VOTING:**

- (a) The act of affirmative vote of the majority of the members of the Board present at a meeting at which a quorum is present shall be the act of the Board, except that a vote of not less than four-fifths (4/5) of all members shall be required to amend or add to these Bylaws.
- (b) There shall be no voting by proxy.

**ARTICLE 9. MINUTES AND RECORD KEEPING:**

- (a) Minutes of all regular and special meetings of the Board, declared to be open, shall be kept by the secretary or by a person designated by the Chairman, shall be approved by the Board and signed by the Chairman. Minutes shall be made available for inspection by the public.
- (b) The minutes of all meetings shall be placed in a “minute book” and the pages of the that book shall be consecutively numbered.
- (c) Rules, regulations and policies shall be kept in a manual in the same manner as the “Minute Book”.

**ARTICLE 10. RULES AND REGULATIONS:**

- (a) The Board may adopt rules and regulations only for those purposes defined in 50-2-116, MCA and (if applicable)50-2-118, MCA, including future revisions and amendments, and in accordance with Article 8 of these Bylaws.

**ARTICLE 11. FISCAL YEAR AND BUDGET:**

- (a) The fiscal year of the Board begins on July 1 and ends on June 30 of each year.
- (b) The Board is financed in accordance with 50-2-109, MCA (Incorporating by reference Title 7, Chapter 6, Part 23, MCA).
- (c) The Board should prepare, approve, adopt and present a preliminary budget for each fiscal year on or before a date established by the Board of County Commissioners.

**ARTICLE 12. HEALTH OFFICER:**

- (a) The Board shall appoint a Health Officer and fix his/her salary.
- (b) The duties of the Health Officer shall be those as stated on 50-2-118, MCA. In addition, the Board may add to or delete specific duties by the majority vote of the Board members in accordance with Article 8 of these Bylaws.

(c) The Board may call on the Health Officer to provide extra hours in the event of an emergency declared by the Board.

**ARTICLE 13. AMENDMENT TO THE BYLAWS:**

(a) These Bylaws, except those articles or parts of articles based upon the statutory authority, may be altered, amended or repealed, and new bylaws may be adopted by the Board in accordance with the Article 8 of these Bylaws.

**ARTICLE 14. PARLIAMENTARY PROCEDURE:**

(a) The Board shall follow Roberts Rules of Order, in its latest edition, at its meetings.

**ARTICLE 15. ADOPTION:**

(a) These Bylaws are hereby amended, approved and adopted by the Broadwater County Board of Health, Broadwater County, Montana this \_\_\_\_ day of \_\_\_\_\_, 2021.

**BROADWATER COUNTY BOARD OF HEALTH**

\_\_\_\_\_  
Chairman

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Vice-Chairman

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