

**BY-LAWS OF THE LEWIS AND CLARK  
CITY-COUNTY BOARD OF HEALTH**

SECTION 1. General Powers and Duties

- (a) The Board has the powers and exercises the duties and functions conferred upon it by the legislature of the State of Montana. Title 69 of the Revised Codes of Montana, 1947, including revisions and amendments, is made a part of these by-laws.
- (b) The Board has the power to appoint and fix the salary of the Health Officer of the Lewis and Clark City-County Health Department.
- (c) The Chairman may appoint, subject to a confirmation by the Board, an Executive Committee which may make decisions between regular meetings. Such decisions shall be deemed to be the majority of the Executive Committee shall be the act of the Executive Committee and of the Board. The Executive Committee shall report at the next Board meeting of any decisions taken. Any such decisions shall be deemed ratified and approved unless the Board at the next meeting held, modifies or reverses any decision of the Executive Committee.

SECTION 2. Membership

- (a) The Board shall be composed of nine members appointed by the governing bodies of Lewis and Clark County and the Cities of Helena and East Helena in accordance with the agreement signed December 24, 1975.

SECTION 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 fiscal year and shall serve for a period of one year, commencing immediately upon election.
- (d) The election of officers shall be in accordance with Section 8 of these by-laws.

SECTION 4. Regular Meetings

- (a) A regular meeting of the Board will be held on the fourth (4<sup>th</sup>) Thursday of each month at 1:30 p.m., at the offices of the City-County Department of the Health.

- (b) All regular meetings of the Board shall be open to the public in accordance with Section 82-3402, R.C.M., 1947. Meetings regarding the employment, appointment, promotion, dismissal, demotion or resignation of any employee may be closed unless the employee requests an open meeting.

#### SECTION 5. Special Meetings

- (a) Special meetings may be called as necessary by or at the request of the chairmen, or any two 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 Section 6 of these by-laws. No special meeting shall be held unless all members of the Board have been given notice of it.

#### SECTION 6. Notice of Meetings

The Health Office shall notify all members of all special meetings. A written agenda for the meeting shall accompany notification if time permits. The Health Officer shall also remind all members of the Board of each regular meeting and shall send a written agenda for the regular meeting to all members of the Board. The failure to remind or to send a written agenda shall not affect the legality of any regular meeting.

#### SECTION 7. Quorum

A majority of the members appointed to the Board shall constitute a quorum for the transaction of business at any meeting.

#### SECTION 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 two-thirds of all members shall be required to amend or add to these by-laws.
- (b) There shall be no voting by proxy.
- (c) Any alteration of rules or regulations promulgated and/or administered by the Board required a majority of Board members to vote in the affirmative.

#### SECTION 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 Health Officer, or his representative, and shall be signed. Minutes shall be available for inspection by the public.
- (b) The minutes of all meetings shall be placed in a “Minutes Book” and the pages of that book consecutively numbered. The “Minutes Book” shall be indexed as the close of each fiscal year.
- (c) Rules, regulations and policies adopted by the Board shall be kept in a “Rules and Regulations” manual in the same manner as the “Minute Book” and indexed.

#### SECTION 10. Rules and Regulations

The Board may, from time to time, adopt policy statements on certain subjects. Such statements once adopted pursuant to Section 8(c) shall be binding upon the Department.

#### SECTION 11. Fiscal Year and Budget

- (a) The fiscal year of the Board begins on the first day of July.
- (b) The Board and the Department is financed as provided by law.
- (c) The Board shall approve, adopt and present a preliminary budget for each fiscal year on or before the first day of May of each such year or at such time as specified by the County of Lewis and Clark or other funding agency.

#### SECTION 12. Health Officer

- (a) The Board shall appoint a health officer and fix his salary.
- (b) The health officer shall:
  - 1. act, personally or through his representative, as secretary at all meetings of the Board;
  - 2. keep the “Minute Book” and the “Rules and Regulations” manual and index these books;
  - 3. be responsible for the employment, or termination of employment of all employees of the Lewis and Clark City-County Health Department, subject to such resolutions or orders made by the Board in this regard from time to time, and subject to all applicable laws of the State of Montana and all applicable regulations promulgated by the State of Montana, its departments or sub-divisions;

4. manage and supervise the Lewis and Clark City-County Health Department;
5. sign contracts, accept, account for, and disburse funds and purchase equipment and supplies for the Lewis and Clark City-County Health Department.

SECTION 13. Amendment to the By-Laws

These by-laws, except those sections or parts of section based upon statutory authority, may be altered, or repealed and new by-laws adopted by the Board in accordance with Section 8 of these by-laws.

SECTION 14. Parliamentary Procedure

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

LEWIS AND CLARK CITY-COUNTY  
HEALTH DEPARTMENT

By \_\_\_\_\_  
Chairman

By \_\_\_\_\_  
Vice-Chairman