

**BY-LAWS FOR THE PARK CITY-COUNTY
HEALTH DEPARTMENT**

Amended January 29, 2018

ARTICLE I – NAME

The official name of the organization is “The Park City-County Health Board (Board)”.

ARTICLE II – OFFICIAL SEAT

The official seat of the Board is in the City-County Complex of Livingston, Montana, and meetings will be held there except for occasions when the Board, by a majority vote of those present at any regular or special meeting otherwise directs.

ARTICLE III – STATUTORY POWERS AND DUTIES

The Board shall operate pursuant to Section 50-2-106, Montana Code Annotated (MCA) and the Interlocal Agreement between the City of Livingston and Park County. The Board has those duties set forth at Section 50-2-116, MCA.

ARTICLE III – BOARD MEMBERS

Section 1. Members

Board members shall be residents of Park County, Montana. The Board consists of seven (7) members total:

One Commissioner shall be appointed by the Park County Commission;

One Commissioner shall be appointed by the Livingston City Commission;

Three additional members shall be appointed by the Park County Commission; and

Two additional members shall be appointed by the City of Livingston Commission.

Section 2. Terms

Terms of appointed members must be staggered and must be for 3 years each, except that the terms of the governing body representatives shall be concurrent with their terms as elected officials.

Section 3. Absenteeism

Members with two consecutive absences from regularly scheduled meetings may be replaced by the governing body that appointed the member. With good cause, participation by telephone or Voice Over Internet Protocol (VOIP) is not considered absent.

Section 4. Vacancies

Vacancies for voting members shall be filled by the governing body that appointed the former member. The newly appointed member shall serve for the unexpired portion of the term.

ARTICLE IV – OFFICERS

Section 1. Officers

The elective officers of the Board include a Chair and a Vice-Chair. The Director of Environmental Health, or appointed staff, will serve as Secretary of the Board.

Section 2. Nomination and Election of Officers

Nomination of elective officers will be made from the floor at the annual election meeting which will be held on the first regular meeting of each calendar year. The election will follow immediately thereafter. A nominee receiving a majority vote of those present, either physically, by telephone or VOIP at the election will be deemed elected.

Section 3. Terms of Officers

The elective officers take office at the first regular meeting of the calendar year, usually January, and serve for a term of one year.

Section 4. Vacancies in Offices

Vacancies in elective offices will be filled immediately at a regular meeting by regular election procedure for the unexpired portion of the term.

Section 5. Salary and Compensation

Board members shall serve without salary or compensation, but may be entitled to documented expenses for mileage, per diem and expenses.

Section 6. Duties of Officers

(a) Chair

The Chair will preside over all meetings and public hearings of the Board and will call special meetings when they deem necessary or required. The Chair shall sign minutes and all official papers and plans involving the authority of the Board which are transmitted to the City of Livingston Commission and the Park County Commission. The Chair may discuss all matters before the Board and make motions on all voting thereon. The Chair may perform all the duties normally conferred by parliamentary usage on such officers and will perform such other duties as may be ordered by the Board except as otherwise provided in these by-laws, in Board resolutions, in city or county ordinances, or state law.

(b) Vice Chair

The Vice Chair will assume the duties and powers of the Chair in their absence. If the Chair and Vice Chair are both absent, the remaining Board members may elect a temporary chair by a majority vote of those present at a regular or special meeting. The temporary chair will assume the duties and powers of the Chair and Vice Chair for that meeting.

(c) Secretary

The Secretary will keep the minutes of all regular, special, and committee meetings of the Board, and such minutes will be approved by the Board. All meetings will be recorded with audio equipment. The Secretary will give notice of all regular, special, and committee meetings to Board members, prepare the agenda of regular, special, and committee meetings, serve proper and legal notice of all public hearings, and draft and sign the routine correspondence of the Board. The Secretary will maintain a file of all official records of the Board and perform other duties that are normally carried out by a Secretary and as the Board may direct.

ARTICLE V – MEETINGS

Section 1. Regular Meetings: Time and Place

A regular quarterly meeting for administrative, routine, and hearing-type matters will be held on the 2nd Tuesday of January, April, July, and October at 5:30 p.m. in the City-County Complex, except as otherwise directed by the Board. Committees of the Board, made up of members totaling less than a quorum of the Board, may meet outside regular Board meetings. The Board may designate a different location or time for a public hearing by majority vote of the Board members physically present at the meeting or participating via telephone or VOIP.

Section 2. Recessed Meetings

Any meeting may be recessed to a definite time and place by a majority vote of the Board members physically present at the meeting or participating via telephone or VOIP.

Section 3. Special Meetings

Special meetings may be called by the Chair or by a majority of the Board members at any duly constituted meeting.

Section 4. Notice of Meetings

The Secretary will give written notice of all regular, special, and committee meetings to the members of the Board at least one week prior to the time of the scheduled meeting. A notice and agenda of all regular, special, and committee meetings will be posted at least forty-eight hours prior to the meeting. The notice and meeting agenda will be posted on the Environmental Health Department page of the Park County website and posted by attachment to the Park County Commission's legislative agenda.

Petitions and communications from the attending audience and matters brought to the meeting by the department and Board members, which are not on the agenda for the meeting, may be received, but not discussed at the meeting. No discussion or official action may be taken on any matter at a Board meeting which is not included on the agenda for such meeting.

Section 5. Public Nature of Meetings and Records

All regular and special meetings, hearings, records, and accounts shall be open to the public and will meet notification requirements.

Section 6. Emails

Emails are subject to public information rights. Board members shall limit email dialog to questions regarding notice and attendance of meetings, dialog to health department staff and education information.

Section 7. Order of Business

- (a) Call to Order by Chair
- (b) Approval of Minutes of Preceding Meeting
- (c) Conflict of Interest
- (d) Chair reads public comment guidelines:
A reasonable time will be allowed each speaker based on the number of speakers wishing to speak about an issue and the Chair may appoint a time keeper.

The Chair may require all speakers to sign a sign-in sheet in order to comment.

Each speaker must state their name, address and nature of interest in matters.

Information presented should be factual, relevant and not merely duplicative of previous speakers.

No personal attacks of any kind will be allowed.

A person cannot assign their time to speak to another speaker and all persons wishing to speak shall speak before a person is allowed to make comments a second time.

If a speaker does not comply with the stated guidelines, the Chair may remind the speaker of the guidelines or terminate the speaker's comments.

- (e) Public Comment Including Comment on Agenda Items not Scheduled for a Public Hearing
- (f) Old Business
- (g) New Business
- (h) Board Committee Reports
- (i) Staff Reports
- (j) Board discussion of next meeting's agenda items
- (k) Adjourn

Section 8. Public Hearing Procedures

- (a) Chair summarizes the application orally.
- (b) Department Director or staff presents a staff report.
- (c) The stakeholder, applicant, applicant's representative, or interested stakeholder, if applicable, may make a presentation. The Chair may limit the time of the presentation.
- (d) Board members are permitted to ask questions to the Chair, staff, applicants and their representatives, or other interested stakeholders.

- (e) Public hearing opened – Chair reads public comment guidelines:
A reasonable time will be allowed each speaker based on the number of speakers wishing to speak about an issue and the Chair may appoint a time keeper.

The Chair may require all speakers to sign a sign-in sheet in order to comment.

Each speaker must state their name, address and nature of interest in matters.

Information presented should be factual, relevant and not merely duplicative of previous speakers.

No personal attacks of any kind will be allowed.

A person cannot assign their time to speak to another speaker and all persons wishing to speak shall speak before a person is allowed to make comments a second time.

If a speaker does not comply with the stated guidelines, the Chair may remind the speaker of the guidelines or terminate the speaker's comments.

- (f) Public comment is taken.
- (g) The applicant, representative, or interested stakeholder may make a brief response to public comment at the end of the public comment period. The Chair may request a response from the applicant or their representatives at any time during the public comment. The Chair may set a timeline for the applicant's or interested stakeholder's response comments.
- (h) Public hearing is closed.
- (i) Board Deliberation. Board members may voice other significant considerations; pose any relevant questions through the Chair. The Chair questions proper parties for answers.
- (j) Motion for disposition, continuance, closure, or other.

Section 9. Quorum

Four members of the Board will constitute a quorum for the transaction of business and the taking of official action. A quorum will constitute a majority of the total membership of the Board physically present at the Board meeting, or participating via the telephone or VOIP.

Section 10. Motions

Motions should be short and concise and may be submitted in writing to the Chair. Motions will be restated by the Chair before a vote is taken. The name of the members making and seconding a motion will be recorded in the minutes of the meeting.

Section 11. Voting

Any action taken by a quorum of the Board members at any regular or special meeting of the Board will be deemed and taken as the action of the Board. All matters requiring a public hearing before the Board and all matters referred to the Board by the Livingston City Commission or Park County Commission may be by roll call vote and the vote of each member shall be recorded in the minutes of the meeting.

Section 12. Parliamentary Procedure

Parliamentary procedure in Board meetings may be governed by Roberts Rules of Order, as revised.

ARTICLE VI – COMMITTEES

Section 1. Establishment of Committees

The Board may establish such standing or special committees it deems advisable and assigns to each committee specific duties or functions. Each committee will consist of up to three members of the Board and may include up to two members of the public, at the discretion of the Board. No committee may commit the Board to the endorsement of any plan or program. A committee may make recommendations to the Board as the Board can take official action.

Section 2. Appointment and Terms of Committee Members

The Chair shall appoint the members of each standing or special committee, name the Chair of each committee and state the objectives, time of duration and reporting responsibility.

Section 3. Meeting of Committees

All committees will meet at the call of the committee Chair, provided that the Chair of the City-County Health Board may, with adequate notice, call a special meeting of any committee at any time.

Section 4. Quorum and Voting

A majority of the members appointed constitutes a quorum of all committees. The affirmative vote of a majority of the committee membership is required for the adoption of a matter before the committee or to make a recommendation to the Board.

ARTICLE VII – AMENDMENTS

These by-laws may be amended at any regular meeting by the affirmative vote of four members of the Board, provided that proposed amendments must have been submitted in writing at a previous meeting.

These by-laws were revised and approved by the Park City-County Health Board on January 29, 2018.

Signed:

Peggy O’neill, Chair
Park City-County Board of Health