



## BY-LAWS - CASCADE CITY-COUNTY BOARD OF HEALTH

### ARTICLE I: NAME

The name of this organization shall be the Cascade City-County Board of Health hereinafter “Board of Health” or “Board.”

### ARTICLE II: OBJECT

The Board of Health shall exercise general supervision over the City-County Health Department. Specific functions, powers, and duties are set forth in Montana Code Annotated [MCA] Section 50-2-116, as follows:

- (1) The Board shall:
  - (a) appoint and fix the salary of a local health officer, who shall be a physician or a person with a master’s degree in public health, or equivalent education and experience as determined by the Montana Department of Public Health and Human Services;
  - (b) elect a presiding officer and other necessary officers;
  - (c) employ qualified staff;
  - (d) adopt by-laws to govern meetings;
  - (e) hold regular meetings at least quarterly during the calendar year and hold special meetings as necessary;
  - (f) identify, assess, prevent, and ameliorate conditions of public health importance through:
    - (i) epidemiological tracking and investigation;
    - (ii) screening and testing;
    - (iii) isolation and quarantine measures;
    - (iv) diagnosis, treatment, and case management;
    - (v) abatement of public health nuisances;
    - (vi) inspections;
    - (vii) collecting and maintaining health information;
    - (viii) education and training of health professionals; or
    - (ix) other public health measures as allowed by law;
  - (g) protect the public from the introduction and spread of communicable disease or other conditions of public health importance, including through actions to ensure the removal of filth or other contaminants that might cause disease or adversely affect public health;

- (h) supervise or make inspections for conditions of public health importance and issue written orders for compliance or for correction, destruction, or removal of the conditions;
  - (i) bring and pursue actions and issue orders necessary to abate, restrain, or prosecute the violation of public health laws, rules, and local regulations;
  - (j) identify to the Department of Public Health and Human Services an administrative liaison for public health, which in this instance shall be the local health officer;
  - (k) subject to the provisions of MCA 50-2-130, adopt necessary regulations that are not less stringent than state standards for the control and disposal of sewage from private and public buildings and facilities that are not regulated by MCA Title 75, chapter 6, or Title 76, chapter 4. The regulations must describe standards for granting variances from the minimum requirements that are identical to standards promulgated by the state Board of Environmental Review and must provide for appeal of variance decisions to the department as required by MCA 75-5-305.
- (2) The Board may:
- (a) accept and spend funds received from a federal agency, the state, a school district, or other persons or entities;
  - (b) adopt necessary fees to administer regulations for the control and disposal of sewage from private and public buildings and facilities;
  - (c) adopt regulations that do not conflict with rules adopted by the department:
    - (i) for the control of communicable diseases;
    - (ii) for the removal of filth that might cause disease or adversely affect public health;
    - (iii) subject to the provisions of MCA 50-2-130, for sanitation in public and private buildings and facilities that affects public health and for the maintenance of sewage treatment systems that do not discharge effluent directly into state water and that are not required to have an operating permit as required by rules adopted under MCA 75-5-401;
    - (iv) subject to the provisions of MCA 50-2-130, and Title 50, chapter 48, for tattooing and body-piercing establishments and that are not less stringent than state standards for tattooing and body-piercing establishments;
    - (v) for the establishment of institutional controls that have been selected or approved by the United States Environmental Protection Agency as part of a remedy for a facility under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9601, et seq.; or Montana Department of Environmental Quality as part of a remedy for a facility under the Montana Comprehensive Environmental Cleanup and Responsibility Act, Title 75, chapter 10, part 7; and
    - (vi) to implement the public health laws; and
  - (d) promote cooperation and formal collaborative agreements between the Board and Indian tribes, tribal organizations, and the Indian Health Service regarding public health planning, priority setting, information and data sharing, reporting, resource allocation, service delivery, jurisdiction, and other matters addressed in this title.
  - (e) provide, implement, facilitate, or encourage other public health services and functions as considered reasonable and necessary.

### **ARTICLE III: MEMBERSHIP**

1. Membership of the Board of Health shall consist of the following:
  - (a) One (1) person appointed by the County Commissioners of Cascade County, who shall serve at their pleasure
  - (b) One (1) person appointed by the City Commission of the City of Great Falls, who shall serve at their pleasure
  - (c) At least five additional members to be appointed by mutual consent of the Cascade County Commissioners and the Great Falls City Commission. These additional members are to be:
    - (i) Superintendent of School District #1 of Great Falls or his/her representative.
    - (ii) A licensed doctor of medicine residing in Cascade County who will have been selected from a list of (not to exceed three names) submitted by the Cascade County Medical Association.
    - (iii) A licensed doctor of dentistry residing in Cascade County who will have been selected from a list of (not to exceed three names) submitted by the Fourth District Dental Society.
    - (iv) Two or more interested citizens, equal representation by number from within the city limits of Great Falls and the area of Cascade County outside of Great Falls.
2. The Cascade County Commission and the Great Falls City Commission shall, by mutual agreement, establish the staggered order of terms and all regulations necessary to establish and maintain the Board.
3. Vacancies which occur on the Board of Health by reason of death or resignation or for other reasons shall be filled for the un-expired term of the vacated member and appointments to fill said vacancies shall be made as hereinbefore specified

### **ARTICLE IV: OFFICERS**

1. At the first regular meeting of the Board of Health following the first day of January each year, it shall organize by electing a Chairman, who shall serve as the presiding officer as set forth in Article II(1)(b) of these By-Laws; a Vice-Chairman; and such other officers as it may deem best and advisable.
2. The Health Officer employed by the Board of Health shall not be a member of said Board, but shall act as its Secretary and shall perform his/her duties as such Secretary as required by the Board of Health.
3. In the event of vacancy of the Board Member elected Chairman due to death or resignation or for other reasons, the Vice-Chairman shall act as Chairman until the next regular election of officers.
4. In the event of vacancy of both the Chairman and Vice-Chairman due to death or resignation or for other reasons, the remaining Board members shall elect an Acting Chairman 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 Chairman and Vice-Chairman.

### **ARTICLE V: MEETINGS AND QUORUM**

1. Regular meetings of the Board of Health shall be held no less frequently than quarterly.
2. Special meetings of the Board of Health may be held upon call of the Chairman or any two Board members.

3. A quorum for both regular and special meetings shall consist of a minimum of four (4) members of the Board.
4. Any or all members of the Board of Health may participate in a meeting of the Board, or a committee of the Board, by means of telephone or videoconference or by any means of communication by which all persons participating in the meeting are able to communicate with one another in Real-Time, and such participation shall constitute presence at the meeting.

**ARTICLE VI: FINANCING**

In accordance with MCA 50-2-108, local boards of health are financed by general fund appropriations, special levy appropriations, state and federal funds available, and contributions from school boards and other official and non-official agencies. The manner of financing of this Board shall be in accordance with the Agreement between the Cascade County Commission and the City of Great Falls, as authorized by MCA Section 50-2-111. School boards and other official and non-official agencies may contribute funds to the Board, as allowed by MCA Section 50-2-113.

**ARTICLE VII: PARLIMENTARY AUTHORITY**

The rules contained in the most current version of "Roberts Rules of Order" shall govern proceedings of the Board of Health for all matters not covered by these By-Laws.

**ARTICLE VIII: LEGAL ADVISOR TO LOCAL BOARDS**

The County Attorney shall serve as legal advisor to the Board of Health, and shall represent the Board in those matters relating to its functions, powers, and duties.

**ARTICLE IX: AMENDMENTS**

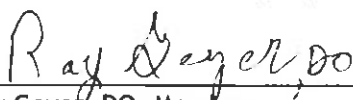
These By-Laws may be amended at any regular meeting of the Board of Health by a two-thirds (2/3) vote, notice having been given at the previous regular meeting.

  
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 Peter Gray, Board Chairman  
 City Representative

  
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 Tammy Lacey, Board Vice Chairman  
 Superintendent of Schools, School District No. 1

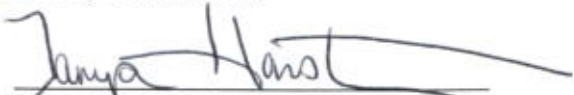
  
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 Matt Martin, DDS, Member  
 4<sup>th</sup> District Dental Society Representative

  
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 Terry Barber, Member  
 County Representative

  
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 Ray Geyer, DO, Member  
 County Medical Society Representative

  
 \_\_\_\_\_  
 Jane Weber, Member  
 County Commissioner

  
 \_\_\_\_\_  
 Owen Robinson, Member  
 City Commission Representative

  
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 Tanya Houston, Health Officer  
 Secretary