



Mental Health Local Advisory Council (LAC) By-Laws

Adopted by Broadwater County Mental Health Local Advisory

Council on January 14, 2024

Broadwater County Mental Health Local Advisory Council Bylaws

Article I. Creation

A board of county commissioners may by resolution establish the administrative boards, districts, or commissions allowed by law to be established pursuant to §§ 7-1-201, 7-1-202, and 7-1-204 of the Montana Annotated Code (MCA).

1. Statutory Authority

The Mental Health Local Advisory Council (BCMHLAC) is established under the mental health care system developed by the Department of Health and Human Services (DPHHS) pursuant to MCA Section 53-21-702, provide for local advisory council that reports to and meets on a regular basis with BCMHLAC developed by DPHHS.

2. Resolution Creating the BCMHLAC

The BCMHLAC (formerly known as MHOAC) was created and adopted June 9, 2014.

Article II. Purpose

1. Purpose

The purpose of the BCMHLAC is to assist, in a manner it determines to be most productive, in strengthening public behavioral health services in Broadwater County and to provide input and recommendations to the BCMHLAC, DPHHS and the community.

2. Objectives

Specific objectives include some or all of the following related to public behavioral health services:

- a) Examine gaps in child and adult services.
- b) Identify potential additions to services within the community.
- c) Analyze and discuss local problems with the local service providers, advisory, advocacy groups, public officials and the general public.
- d) Facilitate accurate and timely communications between the local community, BCMHLAC, DPHHS, the regional SSC, and Broadwater County commissioner.
- e) Assess the effectiveness of the local mental health services and suggest ways of making services more affective.
- f) Serve as a catalyst and facilitator in solving local mental health service problems.
- g) Organize and coordinate needed services in the community.
- h) Educate the local community on mental health issues.

Article III. Membership

1. Members

The BCMHLAC is composed of at least eleven (11) voting members, pursuant to § 7-1-201 MCA. BCMHLAC members will include consumers of mental health services and will comprise at least 51% of membership, and may include one member from each of the following entities:

- a) One Broadwater County Commissioner or their designee (voting member)
- b) One provider of adult or child mental health services (voting member)
- c) One representative from Broadwater County Health Services/Hospital (voting member)

- d) One representative from the Clergy/Ministerial Association (voting member)
- e) One representative from the Sheriff's Office (voting member)
- f) Several people from the public (at least one voting member)
- g) One representative of Criminal Justice Staff (voting member)
- h) Consumers or family members (at least one voting member)
- i) Member of the Townsend School Staff (voting member)
- j) One member of the Public Health Department (voting member)

Consumers of mental health services may include persons with serious mental illness who are receiving public mental services, other recipients of mental health services, former recipients of mental health services and immediate family members of recipients of mental health services. All members must be residents of Broadwater County, provide, or receive treatment services in Broadwater County.

2. Members at Large

Members at large (non-voting members) may be included as determined by the BCMHLAC.

3. Terms

Representatives of the commission shall serve one (1) year terms, which shall be reviewed for appointment annually by the Broadwater County Commission. Terms of other members shall serve a staggered three (3) year term, unless otherwise provided by resolution. Members shall serve terms beginning on January 1st and end December 31st.

4. Absenteeism

The proper functioning of the BCMHLAC is seriously impaired by the absence of its members. If a voting member has three (3) unexcused absences from regular meeting during a twelve (12) month period, the Broadwater County Commission shall be informed for removal pursuant to § 7-1-201(13), MCA, and a replacement requested.

5. Vacancies

Vacancies shall be filled by the voting members of the BCMHLAC.

6. Compensation

Members are not entitled to salary or per diem, mileage and expenses, or for other items such as education. Reimbursements related to BCMHLAC official business may be issued with approval of the voting members.

7. Conflict of Interest

A transaction in which any member has a conflict of interest must be disclosed on the record. A conflict of interest may include but is not limited to, a financial gain in the outcome of decisions. That member may not participate in discussion of the matter, or a motion being considered and shall not attempt to exert personal influence with respect to the matter, either at or outside the meeting.

Article IV. Officers

1. Elections

Officers shall be elected by members of the board at the first regular meeting in each calendar year and shall serve one (1) year. Officers may be re-elected to serve multiple years, there shall be no term limits.

2. Chair

The board shall elect a Chair who shall conduct all meetings and business of the Board according to Open Meeting Laws and to encourage Public Participation of all citizens. The Chair shall take public comment at all meetings and prior to all votes and shall maintain civility. The Chair shall be responsible for posting meeting notices at least 48 hours prior to the meeting and email a copy of the agenda and relevant information to board members prior to the meeting. The Chair is the parliamentary chair of the BCMHLAC.

3. Vice Chair

The board shall elect a Vice Chair who shall conduct all meetings and business of the Board in the Chair's absence.

4. Secretary

The board shall elect a Secretary or a county employee who shall take minutes at meetings and be responsible for correspondence.

Article V. Meetings

1. Regular Meetings

The BCMHLAC shall meet in the Flynn Building on the second Wednesday of each month at 2:00 p.m. depending on meeting space and availability of the members. Meetings may be cancelled or rescheduled as necessary.

2. Quorum

Action may be taken by the majority of the voting members present and voting. Robert's Rules of Order in Parliamentary Authority governs all BCMHLAC meetings. The BCMHLAC may, by vote of 2/3rds of the quorum, suspend the rules at any time.

3. Voting

Each voting member has one vote.

4. Public Involvement

All meetings of the BCMHLAC are open to the public in accordance with the Public Participation and Open Meetings Law of the State of Montana, Title 2, Section 3, Parts 1 and 2, MCA. Adequate notice and opportunity for public comment on any matter not on the agenda shall be provided at each meeting.

5. Notice

A designated member shall notify all members of all regularly scheduled meetings and a notice posted for all regular meetings and special meetings at least forty-eight (48) hours in advance. Meetings may be scheduled on a specific day and week of each month.

6. Agenda

Agenda items shall be submitted to the Chair ten (10) days before the meeting. An agenda item shall be included to allow public comment.

7. Minutes

Minutes shall be disseminated to the members prior to the next meeting and be available for inspection by the public. Minutes of all BCMHLAC meetings shall be kept by the chair or vice chair and will be signed by the chair after approval of the next meeting. Meeting minutes will be filed at the Broadwater County Courthouse in a timely manner consistent with Broadwater County Policies.

Article VI. Committee Structure

To expedite business, the Chair may appoint committees or subcommittees with the majority or consensus of the members. Subcommittee members do not need to be voting members.

Article VII. Amendments to the Bylaws

BCMHLAC will review the Bylaws each year in and submit proposed amendments for action. The BCMHLAC may, by a vote of two-thirds of the quorum, suspend, adopt, or change any provision of the bylaws. Any action will become effective immediately following confirmation by the Broadwater County Commission. Any section will become effective immediately following consent and approval by the Broadwater County Commission.

Article VIII. Approval and Adoption of Bylaws

These bylaws were approved and adopted by BCMHLAC on the _____ day of _____, 2024, effective upon adoption.

Board Members' Names and Signatures:

Board of County Commissioners:

BCMHLAC, Chair Date

Darrel Folkvord, Chair Date

BCMHLAC, Vice Chair Date

Debi Randolph, Vice Chair Date

BCMHLAC, Secretary Date

Lindsey Richtmyer, Commissioner Date

Attest:

Angie Paulsen
Broadwater County Clerk and Recorder

Copies: Broadwater County Commissioners, BCMHLAC, County Attorney