

## **BY-LAWS OF THE GRANITE COUNTY BOARD OF HEALTH**

These by-laws for the Granite County Board of Health are adopted, pursuant to MCA § 50-2-104, and are laid out as follows:

**I. Meetings.** The Granite County Board of Health ("Board") shall meet, at least quarterly, at the Granite County Commissioners' Office located in the Granite County Courthouse, 220 North Sansome Street, Philipsburg, Granite County, Montana 59858.

**II. Board Members.** The Board shall be comprised of the three (3) Granite County Commissioners and two other Granite County residents, preferably professional in a health care field with at least a master's degree. The non-commissioner members shall serve staggered 3-year terms commencing with their first year. Members shall be appointed by the Granite County Commissioners during a Board of Commissioners meeting in December, or as soon thereafter as practical, unless an earlier vacancy occurs. The senior-most physician at the Granite County Medical Center shall always be a Board member. Also, the County Attorney, Sanitarian and Public Health Nurse shall be non-voting ad hoc members of the Board.

**III. Board Officers.** Until a Chair is voted upon by the Board, the Chair of the Granite County Commission shall preside as the chair of the Board, and shall regulate meetings using the Robert's Rules of Order. The Chair shall be elected for one (1) year commencing at the election which shall be at the first Board of Health meeting each year. The Board shall also elect a Vice-Chair to service for one (1) year commencing at the first meeting each year. The Commissioners' Administrative Assistant shall be secretary/treasurer of the Board of Health.

**IV. Public Meetings.** Board meetings shall be public meetings, except as provided under Montana law.

**V. Public Notice.** All Board meetings shall be noticed in a manner as specified in Granite County's Resolution regarding public participation, as amended from time to time. Emergency meetings may be called without public notice per MCA § 2-3-112.

### **VI. Duties of the Board.**

1. The Board, pursuant to MCA § 50-2-116 shall: (a) appoint a Local Health Officer who is a physician or a person with a master's degree in public health or the equivalent and with appropriate experience, as determined by the department; (b) elect a presiding officer and other necessary officers; (c) employ necessary qualified staff; (d) adopt bylaws to govern meetings; (e) hold regular meetings quarterly and hold special meetings as necessary; (f) supervise destruction and removal of all sources of filth that cause disease; (g) guard against the introduction of communicable disease; (h) supervise inspections of public establishments for sanitary conditions; (i) subject to the provisions of 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 that is not regulated by 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 board of environmental review and must provide for appeal of variance decisions to the department as required by MCA § 75-5305.

2. The Board, pursuant to MCA § 50-2-116 may: (a) adopt and enforce isolation and quarantine measures to prevent the spread of communicable diseases; (b) furnish treatment for persons who have communicable diseases; (c) prohibit the use of places that are infected with communicable diseases; (d) require and provide means for disinfecting places that are infected with communicable diseases; (e) accept and spend funds received from a federal agency, the state, a school district, or other persons; (f) contract with another local board for all or a part of local health services; (g) reimburse local health officers for necessary expenses incurred in official duties; (h) abate nuisances affecting public health and safety or bring action necessary to restrain the violation of public health laws or rules; (i) adopt necessary fees to administer regulations for the control and disposal of sewage from private and public buildings. The fees must be deposited with the county treasurer; (j) adopt rules 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, on sanitation in public buildings that affects public health; (iv) for heating, ventilation, water supply, and waste disposal in public accommodations that might endanger human lives; and (v) subject to the provisions of MCA § 50-2-130, for the maintenance of sewage treatment systems that do not discharge an effluent directly into state waters and that are not required to have an operating permit as required by rules adopted under MCA § 75-5-401; (k) subject to the provisions of MCA § 50-2-130 and Title 50, Chapter 48, adopt necessary regulations that are not less stringent than state standards for tattooing and body-piercing establishments; and (l) adopt regulations for the establishment of institutional controls that have been selected or approved by the: (i) 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 (ii) 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.

**VII. Local Health Officer.** The Local Health Officer shall meet the qualifications set out in Title 50, Chapter 2, MCA, and the Local Health Officer is granted the powers and duties set out in MCA § 50-2-118. The Local Health Officer shall make a good faith effort to attend all Board meetings.

**VIII. Attorney.** The Board shall be advised by the Granite County Attorney, attorney for the Board. See MCA § 50-2-115.

**IX. Meeting Agenda:** Meetings shall commence with approval of minutes from previous meetings; correspondence; old business; new business and reports; miscellaneous assignments; and adjournment.

**X. Financing.** The Board's finances are drawn from the county's general fund after proceeding through the budgeting process. School and (official and non-official) agencies (as defined by Montana law) may make monetary donations to the Board's financing.

**XI. Amendment.** These bylaws may be amended from time to time by a majority vote of the Board at a regular meeting; however, all amendments must comply with all applicable laws.

**XII. Execution.** These Bylaws are unanimously adopted by the Board of Granite County Commissioners on the 18th day of December, 2007.

**BOARD OF COUNTY COMMISSIONERS  
OF GRANITE COUNTY**



*Cliff Nelson*  
Clifford Nelson, Chairman

*Suzanne Browning*  
Suzanne Browning, Commissioner

*Maureen Connor*  
Maureen Connor, Commissioner

Attest: *Jaimi Barcroft, Deputy*  
Blanche McLure, Clerk & Recorder