

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 20-08-18-02

ORDER/ IN THE MATTER OF APPROVING  
BYLAW REVISIONS FOR THE MENTAL  
HEALTH ADVISORY/LOCAL ALCOHOL AND  
DRUG PLANNING COMMITTEE

**WHEREAS**, The proposed bylaw revisions have been made based on Oregon Administrative Rule, county counsel review, and public meeting law. The revisions change the definition of quorum from a majority of all of the designated members of the committee (15) regardless of any vacancies to the majority of the currently appointed members of the committee, and;

**WHEREAS**, the Mental Health Advisory/Local Alcohol and Drug Planning Committee voted unanimously to submit the revised bylaws to the Board of County Commissioners for consideration and approval;

**NOW, THEREFORE**, the Board of County Commissioners of Lane County **ORDERS** as follows:

The Mental Health Advisory/Local Alcohol and Drug Planning Committee bylaws be approved, as attached herewith.

**ADOPTED** this 18th day of August, 2020



---

Heather Buch, Chair  
Lane County Board of Commissioners

## BYLAWS

### MENTAL HEALTH ADVISORY/LOCAL ALCOHOL AND DRUG PLANNING COMMITTEE

#### ARTICLE I

This committee being duly and officially established by Lane County shall be known as the Mental Health Advisory/Local Alcohol and Drug Planning Committee.

#### ARTICLE II

##### Authority, Purpose, and Functions

##### Section 1 – Authority.

This committee shall serve under the authority of Oregon Revised Statutes 430.342 and 430.630(7). It shall be constituted in accordance with LM 3.506 and 3.525.

##### Section 2 – Purpose.

- A. To advise the Board of County Commissioners as the Local Mental Health Authority and the Director of the Department of Health & Human Services on community needs and priorities for developmental disabilities, mental health and addiction prevention and treatment services and will assist in planning and in review of those services.<sup>1</sup>
- B. To serve as a committee of the whole as the Local Alcohol and Drug Planning Committee (LADPC) and perform those functions prescribed in State Statutes, Oregon Administrative Rules and State Guidelines.
- C. To serve as a committee of the whole as the Community Developmental Disabilities Programs (CDDP) Issues Advisory Committee and perform those functions prescribed in State Statutes, Oregon Administrative Rules and State Guidelines.

##### Section 3 – Functions.

- A. Participate in the development of a local plan for mental health services.
- B. Identify needs and establish priorities for alcohol and drug prevention and treatment services.
- C. To assist in evaluation of proposals to provide services.
- D. To participate in the planning for community mental health, developmental disabilities, and addiction services.<sup>1</sup>

1. To partner with the Lane County Developmental Disabilities Services (LCDDS) Issues Advisory Committee:
  - a. Designate up to two members to participate on the LCDDS Advisory Committee
  - b. Receive, review, and follow up as appropriate on meeting notes of the quarterly LCDDS Advisory Committee as an agenda item of the Mental Health Advisory/LADPC monthly meeting.
  
- E. To review and make recommendations on demonstration projects, certification applications and grant applications when appropriate to meet state and federal requirements.

### ARTICLE III

#### Membership, Appointment, and Tenure

##### Section 1 – Membership.

The committee shall consist of fifteen members who are broadly representative of the community, with a balance of age, gender, ethnic, socioeconomic, geographic, professional, and consumer interests.

Membership must include advocates for children, youth and/or adults with mental or emotional disturbances, addictions, and intellectual or other developmental disabilities and one representative from the Consumer Council.<sup>1</sup>

It shall also include a number of minority members that reasonably reflects the proportion of the needs for prevention, treatment and rehabilitation services of minorities in the community.

##### Section 2 – Appointment, Re-appointment, and Filling of Vacancies.

- A. The Board of County Commissioners shall appoint fifteen members to this committee, each of whom shall serve for four years. The terms of approximately one-fourth of this group shall expire each year.
  
- B. The Board of County Commissioners may, at the discretion of the Board, serve as ex-officio members of this committee.
  
- C. The committee, with concurrence of the Board of County Commissioners, may from time to time, appoint an ex-officio member for a special purpose and limited time.

### Section 3 – Tenure.

- A. Each member will be appointed for a four-year term.
- B. Appointments to fill vacancies in unexpired terms will be for the duration of that term. If the unexpired portion of the term is for six months or less, the appointment shall be for both the unexpired portion plus a full term (LM 3.506(2)(g)).
- C. No committee member shall serve more than two-consecutive full-terms, except as provided by Lane Manual 3.506(2)(g).

### Section 4 – Leave of Absence.

- A. Members may request a leave of absence by written request to the Chair. The written request must be received at least two (2) weeks prior to the requested period of absence. A leave of absence shall not be for longer than three (3) months and must be approved by a majority vote of the committee.
- B. Members may not request more than one consecutive leave of absence within a 12-month period.
- C. The committee may grant a leave of absence for military service, medical disability, or for inordinate hardship subject to the discretion of the committee.

### Section 5 – Compensation.

- A. Committee membership receives no direct or indirect compensation for services rendered in the ordinary course of service. The Committee, through Lane County Behavioral Health, will reimburse members for reasonable expenses actually incurred due to their participation in committee activities or their performance of committee duties, (e.g. travel expenses, training/conference fees and incidentals) provided such reimbursements extend solely to the individual committee member's expenses, are within the limits of available funds and are consistent with any other requirements prescribed by the committee.

## ARTICLE IV

### Meetings of the Committee

#### Section 1 – Process.

- A. Committee meetings will be organized to allow member participation, debate and decision as well as manage conflict and problems. The committee will address potential issues through education, research, advocacy and/or intervention while working to be a good community partner. The committee will work with County staff to anticipate and provide the information needed for decisions. The committee will provide an annual written report of its findings and recommendations to the Board of Commissioners and the County Administrator's Office.

## Section 2 – Regular Meeting

The committee shall establish the time and place for holding regular monthly meetings. These will, to the degree possible, be the same time, day, and place each month, with the exception of the month of August which will not have a meeting. The meeting in October is designated as the annual retreat/business meeting.

## Section 3 – Special Meetings.

- A. Special meetings of the committee may be called by the chair, or in the absence of the chair, the vice-chair, or a majority of the committee.
- B. The person or persons calling the meeting shall fix the time and place for the meeting.

## Section 4 – Notice of Meetings.

- A. Notice of all meetings shall be given to all members and ex-officio members at least three days prior to such meetings
- B. Public notice will be given in sufficient time to comply with open meeting laws.

## Section 5 – Conduct of Meeting.

- A. ~~A quorum consists of the majority (8) of the designated members of the committee (15) regardless of any vacancies (LM 3.506(1)(e))~~ A quorum consists of the majority of the currently appointed members of the committee (LM 3.506(1)(c)). Official actions of the committee shall be taken only when a quorum is present.
- B. An act of a majority of the designated members shall be an act of the committee regardless of any vacancies.
- C. All meetings shall be conducted in accordance with Robert's Rules of Order.

## Section 6 – Public Comment.

- A. All meeting agendas will include a time when members of the public are allowed to address the committee. Limits of time and rules for public comment will be specified by the Chair at the beginning of each meeting. Additionally, the Chair will have discretion to limit public testimony as necessary to facilitate the orderly conduct of the committee's business.

## Section 7 – Attendance.

- A. Members are expected to attend the monthly MHAC/LADPC meetings.
- B. At all regular or special meetings every effort will be made to provide

- telecommunication access for those unable to attend.
- C. If not able to attend, members are expected to notify the designated County staff person as soon as possible prior to the meeting. Notification can be by either phone or email.

#### Section 8 – Voting.

- A. Each member of the committee shall be entitled to one vote on all issues presented at regular and special meetings where the member is in attendance, except as provided in Article VIII.
- B. An ex-officio member has no vote.

### ARTICLE V

#### Officers and Duties

##### Section 1.

The officers of the committee shall be a chair and a vice-chair to be elected by the voting membership at the annual meeting. Nominees shall be selected from the Council membership and shall be presented annually. Nominations of officers shall be made at the meeting preceding the annual meeting. A nominee may decline nomination. Officers shall be elected annually by a majority vote of those members present and voting, as an order of business at the annual meeting.

##### Section 2 – Term of Office.

Officers shall hold office for a period of one year beginning November 1 of each year.

##### Section 3 – Duties.

- A. The chair shall preside at all meetings; the chair is entitled to vote on all issues.
- B. The vice-chair shall perform all duties of the chair in that person's absence. The vice-chair is entitled to vote on all issues.

##### Section 4 – Recording Secretary.

The Director of Health & Human Services shall be responsible for staffing the Mental Health Advisory/Local Alcohol and Drug Planning Committee and maintaining minutes of all meetings and be custodian of all committee records.

##### Section 5 – Removal.

An officer may be removed from office, by vote of the committee, for misconduct or neglect of duty in office.

## ARTICLE VI

### Subcommittees

#### Section 1 – Standing Subcommittees.

- A. Steering Committee) – shall consist of five (5) members of the committee, including the Chair, Vice Chair, and one representative each from Mental Health, Developmental/Intellectual Disabilities, and Addictions. The Steering Committee meeting will be open to any member of the MHAC/LADPC who wishes to attend. Non-members will be able to attend by invitation. A County staff member shall provide staff services.

#### Section 2 – Ad Hoc Subcommittees of the Mental Health Advisory /Local Alcohol and Drug Planning Committee.

- A. Ad Hoc subcommittees of the Mental Health Advisory/Local Alcohol and Drug Planning Committee may be appointed, as needed, by the chair. Appointments will include specific charges and time duration.
- B. At least one voting member of the committee will be appointed to each Ad Hoc subcommittee.
- C. Ad Hoc subcommittees may include broader community representation and/or provider representation for the purpose of sharing and gathering information and making recommendations to be utilized in the planning process. These groups are advisory only.
- D. Members may serve until work is completed.
- E. Ad Hoc subcommittees will meet as needed, and will report to the MHAC/LADPC monthly during the tenure.

#### Section 3 – Subcommittee Officers.

The MHAC/LADPC Chair will serve as the Chair of the Steering Committee.

#### Section 4 – Subcommittee Meetings.

Meetings of the Steering Committee will occur monthly and will meet at least two weeks prior to the MHAC/LADPC meeting. Notice of such meeting shall be given to all subcommittee members at least three days prior to such meeting. A majority of the members of the Steering Committee constitute the act of such subcommittee. The Steering Committee will conduct business in compliance with public meeting laws. A county staff member shall provide staff services.

## ARTICLE VII

### Removal of Members

#### Section 1.

- A. A member who fails to attend three (3) consecutive regular meetings without notice or explanation shall receive notification stating that, if the member fails to attend the next meeting, The Chair may request the Board of County Commissioners declare a vacancy and appoint a replacement.

## ARTICLE VIII

### Conflict of Interest

#### Section 1 – Conflict of Interest.

In accordance with ORS Chapter 244, no advisory committee member shall participate in a decision in which he or she has a private pecuniary interest. Affected members shall disqualify themselves from participation by written notification to the Board of County Commissioners as mandated by ORS 244.120. Subcontractors of mental health services, addiction prevention and treatment services, developmental disabilities services, their employees and their board members are barred from participation in activities related to funding allocation or contract procurement processes.<sup>1</sup>

## ARTICLE IX

### Public Records

It is the policy of Lane County that the public has a right to inspect any public records maintained by the County, consistent with state law (ORS Chapter 192). All records not exempt from public inspection related to this section will be made available to the public pursuant to state law. Within a reasonable amount of time, documents related to this section including, but not limited to, the annual written report of the committee and the formal written reports to the Board of Commissioners and the County Administrator's Office will be posted in an online format for the convenience of all interested parties.



## ARTICLE X

### Amendments and Bylaws

#### Section 1.

These bylaws may be amended or repealed or new bylaws adopted by a majority vote of the designated members of the committee regardless of any vacancies at any regular or special meeting called for that purpose at which a quorum is present. Written notice of such proposed amendment and the nature thereof, shall have been given to the membership at least 21 days prior to the date of the meeting at which the amendments are to be considered.

#### Section 2.

All such amendments, after adoption by the committee, become effective upon approval by the Board of County Commissioners.

Revised 8/21/2018

#### Note

1. 'Addiction', within the context of the Mental Health Advisory/Local Alcohol and Drug Planning Committee Bylaws, is inclusive of substance and behavioral addiction disorders.