

W. G. - C. 2.

Memorandum Date: March 11, 2009

Order Date: April 1, 2009

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TO: Board of County Commissioners

DEPARTMENT: Department of Health & Human Services

PRESENTED BY: Rob Rockstroh

AGENDA ITEM TITLE: ORDER/IN THE MATTER OF ADOPTING THE MENTAL HEALTH ADVISORY/LOCAL ALCOHOL AND DRUG PLANNING COMMITTEE BYLAWS.

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I. MOTION

In the Matter of Adopting the Mental Health Advisory/Local Alcohol and Drug Planning Committee Bylaws.

II. AGENDA ITEM SUMMARY

The Board is being asked to approve a revision to the Mental Health Advisory/Local Alcohol and Drug Planning Committee bylaws.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

Changes were made to the Lane Manual description of this mandated committee in board order 09-3-18-1. Those changes included the committee name, updated description, new mandates to include Oregon Administrative Rule citations, an addition of one member to include representation of the mental health Consumer Council and a revision to the end date to terms of office.

These changes reflect and require changes in the bylaws for the committee. Revisions to the bylaws for this committee were completed and accepted by a majority vote of the designated members of the committee on February 26, 2009.

B. Policy Issues

Lane County Administrative Procedures Manual Chapter 1, Section 10 Issue 6 requires bylaws to be reviewed and approved by the Board of County Commissioners.

C. Board Goals

The Strategic Plan states "Lane County will actively seek to improve the efficiency, effectiveness, and quality of public service by considering

reorganization of service delivery systems both within county government and across government agencies." MHAC/LADPC is charged with advising the board on community needs and priorities for mental health services, alcohol and drug abuse prevention and treatment services and developmental disabilities services.

D. Financial and/or Resource Considerations

No financial impact. The bylaws have been revised and no additional staff time will be needed on these revisions.

E. Analysis

Bylaw revisions were identified and addressed by the committee in their annual planning meeting. Revisions included needed updates to reflect the full scope of responsibility of the committee. Revisions were also made to the description in the Lane Manual. While developing the order for the Lane Manual revision, staff identified Manual requirements that necessitated a revision to the bylaws. The needed revisions were made and that draft was submitted to the committee and approved on February 26, 2009. A copy of the original bylaws with committee revisions shown is attached as well as a clean, revised copy for review.

F. Alternatives/Options

1. To adopt the MHAC/LADPC bylaw revisions as proposed.
2. To adopt the MHAC/LADPC bylaw revisions with changes.
3. Not to adopt the MHAC/LADPC bylaw revisions and direct staff to make further revisions.

IV. RECOMMENDATION

To approve #1 above.

V. TIMING/IMPLEMENTATION

Upon approval by the Board, the revised bylaws will be in place to govern the MHAC/LADPC.

VI. FOLLOW-UP

No further action at this time.

VII. ATTACHMENTS

Board Order

Proposed Bylaws

Proposed Bylaws with changes shown

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF ADOPTING THE MENTAL
HEALTH ADVISORY/LOCAL ALCOHOL AND DRUG
PLANNING COMMITTEE BYLAWS.

WHEREAS, the Community Mental Health Advisory Committee has been renamed the Mental Health Advisory/Local Alcohol and Drug Planning Committee; and

WHEREAS, the Lane County Administrative Procedures Manual requires committee bylaws be approved by the Board Of County Commissioners; and

WHEREAS, the bylaws for the former Community Mental Health Advisory Committee have been revised and approved by the Mental Health Advisory/Local Alcohol and Drug Planning Committee;

NOW THEREFORE IT IS HEREBY ORDERED that the Mental Health Advisory/Local Alcohol and Drug Planning Committee bylaws be approved.

Adopted this 1st day of April, 2009

Peter Sorenson, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date: 3/25/09 Lane County

David Law

OFFICE OF LEGAL COUNSEL

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 Oregon Administrative Rule 309-014-0020(3) and 309-016-0020(2) and 415-056-0005(10) and LM 3.506 and 3.524.

Section 2 – Purpose.

- A. To advise the Board of County Commissioners and Local Mental Health Authority (Director, Department of Health & Human Services) on community needs and priorities for mental health, developmental disabilities, alcohol, drug, problem gambling, and offender services and assist in their planning, review, and evaluation.
- 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.

Section 3 – Functions.

- A. To review the biennial Mental Health and the Alcohol and Drug Implementation Plan (s) OAR 309-014-0025 (2)
- B. To assist in evaluation of proposals to provide services.
- C. To participate in the planning and evaluation process for community mental health, developmental disabilities, alcohol, drug services.
- D. 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 thirteen members who are broadly representative of the community, with a balance of age, sex, ethnic, socioeconomic, geographic, professional, and consumer interests. Membership shall include advocates for children or adults with mental or emotional disturbances, with alcohol or drug abuse problems, with mental retardation or other developmental disabilities and one representative from the Consumer Council. It shall also include a number of minority members that reasonably reflects the proportion of the needs for alcoholism treatment and rehabilitation services of minorities in the communities.

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

- A. The Board of County Commissioners shall appoint thirteen 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 advisory committee.
- C. The advisory 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.

ARTICLE IV

Meetings of the Committee

Section 1 – 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. The meeting in November will be the annual meeting for committee organizational business.

Section 2 – 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 3 – 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 4 – Conduct of Meeting.

- A. A quorum consists of the majority (7) of the designated members of the committee (13) regardless of any vacancies (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 5 – 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.

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. Mental Health – shall consist of seven (7) members of the committee. A County staff member representing mental health services shall provide staff services.
- B. Developmental Disabilities – DD Subcommittee – shall consist of three (3) members of the committee. A County staff member representing DD services shall provide staff services.
- C. Alcohol and Drug – Subcommittee shall consist of three (3) members of the committee. A County staff member representing alcohol and drug services shall provide staff services.

Section 2 – Pro tem Subcommittees of the Mental Health Advisory /Local Alcohol and Drug Planning Committee.

- A. Pro tem 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 pro tem subcommittee.
- C. Members may serve until work is completed.
- D. The chair may dissolve pro tem subcommittees or remove members with or without cause.

Section 3 – Subcommittee Officers.

Each subcommittee will have a chair appointed by the chair of the Mental Health Advisory/Local Alcohol and Drug Planning Committee.

Section 4 – Subcommittee Meetings.

Meetings of each subcommittee may be called by the chair of such subcommittee. 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 subcommittee constitute the act of such subcommittee. Subcommittees will conduct business in compliance with public meeting laws.

Section 5 – Subcommittee Planning Groups and Subcommittee Specialty Groups.

Subcommittees may establish subcommittee planning groups and subcommittee specialty groups with broader community representation and/or provider representation for the purpose of sharing and gathering information and making recommendations to be utilized in the planning and evaluation process. These subcommittee groups are advisory only.

ARTICLE VII

Removal of Members

Section 1.

- A. A member who fails to attend three consecutive regular meetings without prior excuse from the chair may be asked by a majority to submit a resignation.
- B. The committee may recommend to the Board of County Commissioners the replacement of a member who fails to submit a resignation under conditions specified in Section 1A above.

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.

ARTICLE IX

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: 2/26/2009

BYLAWS

MENTAL HEALTH ADVISORY LOCAL ALCOHOL AND DRUG PLANNING COMMITTEE

Comment: Deleted "Committee"
Comment: Inserted 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.

Comment: name change
Deleted: Community

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 Oregon Administrative Rule 309-014-0020(3) and 309-016-0020(2) and 415-056-0005(10) and LM 3.506 and 3.524.

Comment: Inserted "7"
Comment: Inserted "0"14-"0"020
Comment: Inserted "3"
Comment: Inserted "0"16-"0"020
Deleted: 1

Section 2 – Purpose.

- A. To advise the Board of County Commissioners and Local Mental Health Authority (Director, Department of Health & Human Services) on community needs and priorities for mental health, developmental disabilities, alcohol, drug, problem gambling, and offender services and assist in their planning, review, and evaluation.
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.

Comment: Deleted "and"
Inserted "&"

Section 3 – Functions.

- A. To review the biennial Mental Health and the Alcohol and Drug Implementation Plan (s) OAR 309-14-020 (2) (4).
B. To assist in evaluation of proposals to provide services.
C. To participate in the planning and evaluation process for community mental health, developmental disabilities, alcohol, drug services.

Deleted: and offender

- D. 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 ~~thirteen~~ members who are broadly representative of the community, with a balance of age, sex, ethnic, socioeconomic, geographic, professional, and consumer interests. Membership shall include advocates for children or adults ~~with mental or emotional disturbances, with alcohol or drug abuse problems, with mental retardation or other developmental disabilities~~ and one representative from the Consumer Council. It shall also include a number of minority members ~~that~~ reasonably reflects the proportion of the needs for alcoholism treatment and rehabilitation services of minorities in the communities.

Comment: Added thirteen

Comment: Deleted "for persons". Added "for children or adults"

Comment: Inserted "alcohol or"

Comment: Inserted "one representative from the Consumer Council,"

Comment: Deleted "and alcoholism and alcohol abuse problems."

Comment: Deleted "which" Inserted "that"

Deleted: twelve

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

- A. The Board of County Commissioners shall appoint ~~thirteen~~ 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 advisory committee.
- C. The advisory 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.

Comment: Changed to reflect LM requirements.

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- 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.

Deleted: one half plus one of the current membership of the committee members present at any meeting

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Comment: Deleted "Mentally & Emotionally Disturbed – MED Subcommittee"

Deleted: six

Deleted: 6

Comment: Deleted "MED"
Inserted "mental health" (lowercase "s")

C. Alcohol and Drug Subcommittee shall consist of three (3) members of the committee. A County staff member representing alcohol and drug services shall provide staff services.

Comment: Deleted "Alcohol, Drug, and Offender – ADO
Inserted "Alcohol and Drug"

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Comment: Discuss deleting "Community"

Deleted: Community

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Deleted: Community M

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Comment: Inserted text

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Revised: 7/27 and 11/16, 1995 and 2/26/2009

/ Admin / Admin Support / MHAC / MHAC Bylaws / MHAC Bylaws Proposed Changes CA. 2008