



By: *Christy L. Murrin*

**BEAVERHEAD COUNTY RESOLUTION #2013-23**

**A RESOLUTION OF THE BEAVERHEAD COUNTY BOARD OF COMMISSIONERS RATIFYING AND REFORMING THE BEAVERHEAD COUNTY MENTAL HEALTH LOCAL ADVISORY COUNCIL**

**WHEREAS**, the board of county commissioners has the authority to "establish boards, districts, or commissions allowed by law or required by law." pursuant to Section 7-1-201, Mont. Code Ann; and

**WHEREAS**, the Mental Health Local Advisory Council (MHLAC) was established pursuant to 53-21-702, MCA, to report to the Mental Health Oversight Advisory Council (MHOAC) as part of the statewide mental health care system; and

**WHEREAS**, the MHLAC also collaborates with the Service Area Authorities (SAA) in planning, implementation and evaluation of regional public mental health care pursuant to 53-21-1013, MCA; and

**WHEREAS**, the MHLAC has requested the active support and participation of Beaverhead County to improve public mental health services; and

**WHEREAS**, the Montana State Legislature in 2009 made revisions to the Montana Code Annotated regarding administrative boards, districts, commissions and special districts, and the County Commissioners seek to maintain conformity with the law; and

**WHEREAS**, Section 7-1-201, Mont. Cod Ann., makes particular requirements of the resolution creating an administrative board, district, or commission; and,

**WHEREAS**, it is the desire of the Beaverhead County Commission to ensure that all Boards are created per applicable statutes and in uniform fashion.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Beaverhead County Commission hereby ratifies and reforms the MHLAC; and
2. Determines that the MHLAC shall be comprised of not more than eleven (11) voting members to be appointed by and serve at the will of the Beaverhead County Commission.
3. The MHLAC shall consist of not less than fifty one (51) percent consumers and/or family members of consumers. And one member from each of the following entities:
  - a) One (1) County Commissioner or Dillon elected official, or their designee
  - b) One (1) provider of adult or child mental health services
  - c) One (1) representative from Barrett Hospital and Health Care
  - d) One (1) representative from the University of Montana Western
  - e) One (1) representative from the Community Health Center

Consumers of mental health services may include persons with serious mental illness who are receiving public mental health 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 Beaverhead County.

4. Members shall serve staggered four (4) year terms, except for elected officials whose terms shall be for one year and shall be reviewed for appointment annually by each Commission. Terms shall commence January 1.
5. Members shall adopt the bylaws with the consent and approval of the County Commissioners.



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- 6. Members shall have no power to sue or be sued independently of Beaverhead County unless authorized by law.
- 7. Members, personnel, and employees shall abide by all federal, state, and local laws and rules and as applicable the policies and procedures of Beaverhead County.
- 8. Members shall serve at the pleasure of the County Commissioners and may be removed for cause by a majority vote of County Commissioners.
- 9. The principal mission of the MHLAC is to assist in the improvement of public mental health services in the local community and to provide input and recommendations to the MHOAC, the SAA serving the community, and the Beaverhead County Commission.
- 10. If any part or provision of this Resolution is held to be unenforceable, then the remainder shall be upheld. In the event of any conflict with any part of the provision of this Resolution and the Montana Code Annotated the statute shall be controlling.

DATED this 25<sup>th</sup> day of November 2013.

BEAVERHEAD COUNTY COMMISSIONERS

C. Thomas Rice  
Chairman

Garth L. Haugland  
Commissioner

Michael J. McGinley  
Commissioner



Attest:

Debra L. Scott  
Beaverhead County Clerk and Recorder