

RESOLUTION NO. 3817

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF MILES CITY AND THE COUNTY OF CUSTER TO COOPERATE IN THE PROVISION OF HEALTH SERVICES.

WHEREAS, the City of Miles City and the County of Custer desire to form a city-county board of health to implement a cooperative health program;

AND WHEREAS the County Attorney has prepared an interlocal agreement setting forth the obligations of both the City and County, and the City desires to approve the same;

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

1. The document titled "An Interlocal Agreement Between the City of Miles City and the County of Custer to Cooperate in the Provision of Health Services," attached hereto as Exhibit "A" and made a part hereof, is hereby approved and adopted by the City Council of the City of Miles City.

2. The Mayor of the City of Miles City is hereby authorized and empowered to execute the same, and to bind the City thereto.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 27th DAY OF July, 2015.


C.A. Grenz, Mayor

ATTEST:



Lorrie Pearce, City Clerk

Exhibit A

AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF MILES CITY
AND THE COUNTY OF CUSTER TO COOPERATE IN THE
PROVISION OF HEALTH SERVICES

WHEREAS, the City of Miles City (hereinafter referred to as the City) and the County of Custer (hereinafter referred to as the County) believe that the delivery of public health services to the citizens of Custer County can best be served through a cooperative effort; and

WHEREAS, a cooperative effort will promote the administrative effectiveness and efficiency of health service delivery throughout Custer County; and

WHEREAS, the City and County are authorized by 50-2-106 MCA to form a city-county board of health to implement a cooperative health program; and

WHEREAS, there is a need to define and clarify the roles and responsibilities of the City and County in such a cooperative program.

NOW, THEREFORE, it is understood and agreed between the City and County as follows:

I. TERM OF THE AGREEMENT

- A. The terms and conditions of this Agreement shall become effective upon the ratification by both parties. This Agreement shall remain in effect through June 30, 2016. After the first term the contract will be continually renewed in one (1) year increments, to run from July 1st to June 30th annually, unless terminated by either party.
- B. This Agreement shall remain in full force and effect unless modified or terminated as provided herein.
- C. Either party may request an amendment of the Agreement by serving a written copy of the proposed amendment on the other party. An amendment shall become effective when ratified by both parties.
- D. Either party may terminate this Agreement by resolution of its governing body and upon the giving of ninety (90) days notice in writing to the other party. The termination shall be effective at the beginning of the next fiscal year, except in the event of a failure to meet any of the financial responsibilities set forth in this agreement, in which case termination may be effective at the end of the ninety (90) day notice period.

II. PURPOSE

- A. It is the purpose of this Agreement to create a City-County Health Board and to delineate the membership and responsibilities of that Board.

III. MEMBERSHIP OF CITY/COUNTY HEALTH BOARD

- A. The City-County Health Board shall be composed of five (5) members in accordance with the provision of Section 50-2-106 M.C.A. and appointed as follows:
 - a. Two (2) members shall be appointed by the County Commissioners. One (1) of these appointees and only one (1) may be an elected County official. None of these appointments shall be subject to review or confirmation by the City Council.
 - b. Two (2) members shall be appointed by the City Council. One (1) of these appointees and only one (1) may be an elected city official. None of these appointments shall be subject to review or confirmation by the County Commissioners.
 - c. One (1) at-large member, who must be a medical doctor, shall be appointed by the City-County Board of Health, subject to the approval of the City Council and the County Commissioners.
- B. The terms of appointed members shall be as follows:
 - a. The two (2) persons appointed by the County Commissioners shall serve three (3) year terms at the pleasure of the commissioners.
 - b. The two (2) persons appointed by the City shall serve three (3) year terms at the pleasure of the City.
 - c. The at-large member of the board shall be appointed for a three-year term, and shall serve at the pleasure of the City and the County, and may be dismissed or reappointed by the joint action of the City and the County.
 - d. Each governing body shall be responsible for adopting their own policy regarding the number of terms a member may serve and the procedure for reappointment.
- C. As the proper functioning of the Board is seriously impaired by the absence of its members, the following rules regarding absenteeism shall apply:

- a. Absenteeism is the responsibility of the governing body who appointed that particular member.
- b. Two consecutive absences from regularly scheduled meetings during the year shall cause the appropriate governing body to review the appointments of that member and replace that member when considered appropriate.

IV. DUTIES AND RESPONSIBILITIES OF CITY/COUNTY HEALTH BOARD

- A. The Health Board shall be the policy making body for determining goals, objectives and programs for the delivery of health services to residents of Custer County.
- B. ~ In determining the goals, objectives and programs of the Health Department, it shall be presumed that programs performed by the Department will be of equal benefit to all members of the community.
- C. The Health board shall be responsible for the selection of a Health Director. The Health Director shall serve at the pleasure of the Health Board.
- D. The Health Board shall hold at least one public meeting per quarter and such other meetings as may be provided for under the by-laws of the Health Board.
- E. The Health Board shall adopt by-laws for the conduct of meetings and procedures for administrative appeals and variances which must be approved by the City Council and the Board of County Commissioners.

V. IMPLEMENTATION

- A. This Agreement shall become effective on the ratification by both parties.
- B. This Agreement shall supersede all other agreements and understandings between the City and county relating to the organization and operation of the Health Board effective the ratification by both parties.
- C. Both Governing Bodies shall make their respective Board appointments as ~~soon~~^{soon} as the effective date of this Agreement as possible.
- D. The terms of office for Health Board appointees must be staggered in accordance with State Law. Therefore, Initial appointments shall be for terms of one (1) year, and three (3) years for two (2) of the county appointees and the same for two (2) of the City appointees.

E. The first order of business for the newly constituted Health Board at the initial meeting will be the selection of an at-large member, whose name will then be submitted to the Governing Bodies for confirmation in accordance with Section III, (A), of this Agreement. The at-large member will be appointed for an initial three-year term.

DATED this 28th day of July, 2015.

C. A. Guy
MAYOR OF MILES CITY

[Signature]
CITY COUNCIL PRESIDENT

CUSTER COUNTY BOARD
OF COUNTY COMMISSIONERS

[Signature] 7-21-15
Chairman

[Signature]
Commissioner

ATTEST:

[Signature]
Commissioner

ATTEST:

[Signature]
City Clerk

[Signature]
Clerk & Recorder