



**BOARD OF SUPERVISORS
COUNTY OF MADERA**

MADERA COUNTY GOVERNMENT CENTER
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MEMBERS OF THE BOARD

FRANK BIGELOW
DAVID ROGERS
RONN DOMINICI
MAX RODRIGUEZ
TOM WHEELER

TANNA G. BOYD, Chief Clerk of the Board

File No: 11114

Date: March 1, 2011

In the Matter of **CONSOLIDATION OF ADVISORY BOARDS, BEHAVIORAL HEALTH SERVICES DEPARTMENT.**

- a. Discussion and consideration of approval to consolidate the Madera County Mental Health and Alcohol and Drug Advisory Boards into the Behavioral Health Board.
APPROVE
- b. Discussion and consideration of approval of the new Behavioral Health Board Bylaws and the termination of the previous Mental Health Board and Alcohol and Drug Advisory Board Bylaws.
APPROVE

Upon motion of Supervisor Dominici, seconded by Supervisor Rogers, it

is ordered that the attached be and hereby adopted as shown.

I hereby certify that the above order was adopted by the following vote, to wit:

AYES: Supervisors Bigelow, Rogers, Dominici, Rodriguez and Wheeler.
 NOES: None.
 ABSTAIN: None.
 ABSENT: None.

Distribution:

Madera County Behavioral Health Board
 Committee Binder
 Pending (Correct Roster – Judy Comer)
 Pending (Committee Information Sheet)
 Logs
 Granicus

ATTEST: TANNA G. BOYD, CLERK
BOARD OF SUPERVISORS

By *Tanna Smzales*
Deputy Clerk

**MADERA COUNTY
BEHAVIORAL HEALTH BOARD
BY-LAWS**

ARTICLE I

Name

This organization shall be known as the “Madera County Behavioral Health Board” (hereinafter referred to as “Board”).

ARTICLE II

Geographic Area

The entirety of Madera County will be served by this Board.

ARTICLE III

Authorization

This Board combines the existing Mental Health Board and Alcohol and Drug Advisory Board into a single Behavioral Health Board.

1. The authority for the Mental Health Board is provided by the State of California pursuant to Section 5604 of the Welfare and Institutions Code.
 - *5604. (a) (1) Each community mental health service shall have a mental health board consisting of 10 to 15 members, depending on the preference of the county, appointed by the governing body.*
2. The authority for the Alcohol and Drug Advisory Board is provided by the State of California pursuant to Section 11805 of the Health and Safety Code.
 - *11805. Each county may have an advisory board on alcohol and other drug problems appointed by the Board of Supervisors. The advisory board may be independent, be under the jurisdiction of another health-related or human services advisory board established pursuant to any provision of state law, or have the same membership as that other advisory board.*
3. The authority for the combined Behavioral Health Board is set forth by the above provisions and the Madera County Board of Supervisors.

ARTICLE IV

Goals and Objectives

1. The Goal of the Board is to be responsive to the community mental health and alcohol and drug prevention/treatment needs of the county population and to

ensure the most appropriate and economical use of funds in the provision of mental health and alcohol and drug (AOD) services for Madera County. It represents community interest, advises the Board of Supervisors, the local Behavioral Health Director/Alcohol and Drug Program Administrator, and informs the general public of mental health and AOD services and concerns.

2. The objectives of the Board as outlined in Section 5604.2 of the W&I Code and as sanctioned by the Madera County Board of Supervisors are to:
 - a. Review and evaluate the community's mental health and AOD prevention/treatment needs, services, facilities, and special problems.
 - b. Review any County agreements entered into pursuant to Welfare and Institution Code Section 5650.
 - c. Advise the Board of Supervisors and the local Behavioral Health Director as to any policies and goals of the County mental health and AOD programs and other related matters the Behavioral Health Director or Board of Supervisors may refer them to.
 - d. Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process and bring relevant community concerns to the attention of the Behavioral Health Director and the Board of Supervisors.
 - e. Educate the public as to the nature, extent and effect of mental health and AOD issues in Madera County and encourage support throughout the County for the development and implementation of effective mental health and AOD programs.
 - f. Submit an annual report to the Board of Supervisors on the needs and performance of the County's mental health and AOD system.
 - g. Review and make recommendations on applicants for the appointment of a local Behavioral Health Director. The Board shall be included in the selection process prior to the vote of the Board of Supervisors.
 - h. Review and comment on the County's mental health performance outcome data and communicate its findings to the State Mental Health Commission.
 - i. Accept other duties or authority as assigned by the Board of Supervisors.

ARTICLE V

Membership Composition

1. The Behavioral Health Board shall have a membership consisting of fifteen to eighteen members plus one member of the Board of Supervisors. Out of the total membership, a minimum of ten members shall identify mental health issues as their primary concern for serving on this Board. (Pursuant to Section 5604 of the W&I Code, a Mental Health Board shall consist of a minimum of ten members plus one member of the Board of Supervisors). Of those members citing mental health issues

as their primary concern, fifty percent shall be mental health consumers or parents, spouse, sibling, or adult children of consumers who are receiving, or have received, mental health services. At least 20 percent of those ten members shall be consumers, and at least 20 percent shall be family members of consumers.

2. There shall be an equal number of appointees by each member of the Board of Supervisors. Each Supervisor shall appoint two members that cite mental health issues as their primary reason for serving on the Behavioral Health Board, and one member that cites AOD issues as their primary concern. The Board may recommend appointees to the Board of Supervisors.
3. The composition of the Board should reflect the ethnic diversity of the population in the County and shall include representatives from various economic, social, and occupational groups.
4. If under-representation exists, efforts shall be made to recruit members from the under-represented ethnic population groups.

Membership Qualifications

1. Board members shall have a professional interest in or a personal commitment to mental health issues and/or alleviating problems related to alcohol/drug abuse in the community.
2. Board members shall be bona fide residents of Madera County. Current board members residing outside Madera County shall not be eligible for reappointment upon expiration of their current term.
3. The Board shall not include any person, or spouse of any person, who is any of the following:
 - a. As stated in Section 5604(d) of the Welfare and Institutions Code, a full-time or part-time employee of a County mental health service, an employee of the State Department of Mental Health, or an employee or paid member of the governing body of a Bronzan-McCorquodale contract agency.
 - b. A County employee of the health-related agency or department designated by the Board of Supervisors to administer the County Alcohol and Drug Program.
 - c. A member of a board of directors or advisory body or employee of any County-operated or County contract provider of mental health or alcohol/drug services.
 - d. A member of any advisory body or a person who holds any similar position or title on a compensated or non-compensated basis in a program which seeks or possesses a license pursuant to Chapter 9 (commencing with section 11837) of the Health and Safety Code pertaining to the Drinking Driver Program.
 - e. A direct recipient of any state funds allocated under this part pursuant to a contract with the department, which shall include compensation for contracted services or membership on any advisory body or board of directors of the recipient agency.

4. There shall be no more than two representatives of a public or private drug abuse program, and these members shall comply with existing conflict of interest laws when participating in the tasks and functions of the Board.

Term

1. The term of each member of the Board shall be for three years unless (a) a member resigns, or (b) a member is removed from office by the Board of Supervisors. Upon expiration of any appointee's term, the Board of Supervisors may reappoint the former member or may appoint a new member, as appropriate.

Attendance

1. Regular attendance to Board meetings is critical to active and effective participation. Any member of the Board who has three consecutive unexcused absences or misses more than 6 meetings in any 12 month period will be considered to have resigned. An unexcused absence is defined as one where no prior notification is given to the recording secretary of the absence, and no valid reason exists for this occurrence.
 - Upon having unexcused absences from three (3) consecutive meetings or missing six (6) meetings in any 12 month period, the member shall be notified in writing that failure to attend scheduled meetings as outlined in paragraph 1 constitutes resignation unless, upon appeal, the absence(s) is excused by a two-thirds vote of the attending members during the next regular Board meeting.
 - Attendance at bona fide ad hoc, standing, and/or special committee meeting(s) or special Board training program(s) may be used to offset or cancel regular Board meeting absence(s) on a meeting for meeting basis provided that such committee meeting minutes are timely prepared and submitted to the Behavioral Health Services Director.
2. In the event that the member does not appeal the resignation, the Behavioral Health Board shall inform the Board of Supervisors of the resignation of the absent member and shall, as soon as possible, submit the name of a nominee to fill the vacancy.
3. These provisions under Attendance shall not apply to the Board of Supervisors member.
4. Request for Leave of Absence

A request for formal leave of absence shall be submitted in writing to the Board and shall be approved by a majority vote of the Board.
5. Resignations

Any member who voluntarily resigns should submit a written letter of resignation to the Board, who will then notify the Board of Supervisors of the resignation and vacancy on the Board. The Behavioral Health Board should, as soon as possible, recruit and submit the name of a person for appointment to the Board to fill the vacancy.

ARTICLE VI

Officers and Duties

The officers of the Board shall be Chairperson and Vice-Chairperson.

1. Election of officers will occur during the annual June meeting.
2. The term of all elected positions shall be the latter of one year or until the successors have been elected. Newly elected officers shall regularly assume their duties at the July meeting of the Board.
3. Any officer may be removed for cause by a simple majority of the Board.
4. Chair

The Chair shall:

- a. Call regular and special meetings;
 - b. Fix the agenda;
 - c. Sign formal documents;
 - d. Preside over all meetings of the Board and Executive Committee;
 - e. Appoint all non-elected committee chairs and committee members;
 - f. Be in consultation with the Madera County Behavioral Health Services Director;
 - g. Act on behalf of the Board in whatever capacity is deemed necessary and is consistent with the policies of the Board; and
 - h. Expedite business in the name of the Board.
5. Vice Chair
- The Vice Chair shall:
- a. Act in the place of the Chair whenever the Chair is absent;
 - b. Carry out such duties as may be delegated by the Chair from time to time; and
 - c. Assume the duties of the Chair in the event that office is vacated.
6. Vacancies of Office
- a. In the event of a vacancy in the office of the Chair, the Vice Chair shall assume those duties.
 - b. In the event of a vacancy in the office of the Vice Chair, the Nominating Committee shall recommend a nominee(s) for that office at the earliest possible regular Board meeting and a special election shall be called for the next meeting.

ARTICLE VII

Committees

1. From time to time throughout the year, the Chair may appoint standing committees or may make individual appointments to accomplish the ongoing tasks and special projects of the Board.
2. Special committees for specific tasks may be appointed from the Board membership or from the general public as deemed necessary.
3. Standing and Ad Hoc committees may be formed by the Chair with the advice of the Executive Committee. These committees must be approved by the Board consistent with these by-laws.

4. Standing Committees

a. Executive Committee

The Executive Committee shall be composed of the Chair, Vice Chair, and AOD Committee Chair.

Functions:

1. To represent and sign for the Board in unscheduled, emergency session when the full Board cannot assemble. A full report of such proceedings shall be presented at the next scheduled Board meeting.
2. To Assist the Chair in setting the agenda.
3. To review the mental health / AOD budgets for each fiscal year and report back to the Board.

b. Nominating Committee

This committee shall consist of three members appointed by the Chair.

Functions:

1. To act as a nominating committee to solicit names of qualified candidates for election to the office of the Chair and Vice Chair;
2. To develop a qualified slate of such candidates and present such slate to the membership for election at its June meeting.

c. AOD Committee

This committee shall be comprised of two to three Board members appointed by the Chair that cite alcohol and drug issues as their primary concern.

Functions:

1. The AOD Committee Chair shall sit on the Executive Committee.
2. To ensure that County AOD issues and concerns are brought to the attention of the Board.

5. Ad Hoc Committees

The Chair may appoint ad hoc committees as necessary to achieve the purposes and functions of the Board.

Functions:

To perform tasks related to education, budget, legislation/by-laws, planning, public relations, membership, and other necessary activities.

6. Committee Process and Reporting

Each committee shall develop a separate plan of operations and goals to be achieved and shall be prepared to report the results of its activities during regular Advisory Board meetings.

7. Community Involvement

The Chair, from time to time, may seek knowledgeable or concerned individuals from the general public to sit on and/or work with the subcommittees to assist them in carrying out any of their chosen tasks or activities.

8. Consultants

The Chair or committee members may invite non-paid consultants with special or desired knowledge or expertise to appear before committees.

ARTICLE VIII

Meetings

1. The Board shall meet at least once every other month at 11:30 am on the third Wednesday of the month and may meet at such other times as may be deemed necessary by the Chair or Behavioral Health Services Director.
2. All meetings of the Board, except those closed sessions permitted by law, shall be open to the public and shall be subject to the provisions of Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code, relating to meetings of local agencies. All meetings shall conform to the Ralph M. Brown Open Meeting Act, including requirements for notice of meetings, preparation and distribution of agendas and written materials, inspection of public records, closed sessions and emergency meetings, maintenance of records, and disruption of a public meeting.

Protocol

1. Quorum: A simple majority, one person more than one-half of the appointed members Board members shall constitute a quorum.
2. Debate and proceedings before the Board shall be conducted in accordance with Rosenberg's Rules of Order when not in conflict with the by-laws of the Board or other statutory requirements.

ARTICLE IX

By-Laws Review and Amendments

1. These by-laws of the Madera County Behavioral Health Board may be amended by two-thirds of the Board who are present at the meeting at which a vote is called.
2. Written proposed by-law amendments shall be distributed to the Board at least 10 days in advance of the meeting at which a vote is to be called.
3. The by-laws shall be reviewed annually.
4. By-law revisions, amendments, or modifications should be submitted to the Board during the August meeting.
5. All by-law amendments or revisions shall be submitted to and approved by the Madera County Board of Supervisors before becoming effective.