

MONTGOMERY COUNTY COMMUNITY MENTAL HEALTH BOARD

BY-LAWS

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ARTICLE I



ORIGINAL

NAME

Section 1. *NAME*; The name of the organization shall be Montgomery County Community Mental Health Board, hereinafter referred to as "708 Board".

ARTICLE II

PURPOSE

Section 1. *PURPOSE*. The 708 Board was created under the authority of the Community Mental Health Act (405 Illinois Compiled Statutes, Act 20) by the Montgomery County Board pursuant to a public referendum. It is the purpose of the 708 Board to provide residents of Montgomery County, Illinois, directly or by contract with private and public entities community mental health facilities and services including services and facilities for the treatment of mental illness, intellectual and developmental disabilities and substance abuse pursuant to the authority granted in the Community Mental Health Act.

ARTICLE III

GOVERNING AUTHORITY

Section 1. *MEMBERS/TERM OF OFFICE*. There shall be seven (7) members of the 708 Board who shall be appointed by the Chairman of the Montgomery County Board with the advice and consent of the Montgomery County Board pursuant to the requirements of the Community Mental Health Act for four (4) year terms. All terms shall be measured from the first day of the year of appointment. Only one (1) member of the 708 Board shall be a member of the Montgomery County Board.

Section 2. *APPOINTMENT*. Members of the 708 Board shall be appointed with the following considerations:

- a. That they are residents of Montgomery County, Illinois
- b. That they have demonstrated their interest in the field of Mental Health and that they are representative of the interest groups of the County such as local health departments, medical societies, comprehensive health planning agencies, hospital boards, lay associations concerned with mental health, developmental disabilities and substance abuse, as well as the general public.
- c. No member of the 708 Board shall be a board member, director, employee, agent, under contract with, a representative of, or an individual receiving compensation from any agency, facility or services operating under contract to the 708 Board or the Department Of Human Services.

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Section 3. *COMPLAINTS*. Any complaint that a member of the 708 Board is guilty of absenteeism, neglect of duty, misconduct or malfeasance in office shall be referred to the President of the 708 Board for investigation, and, on the advice and consent of the 708 Board, after being given a written statement of the allegations and an opportunity to be heard thereon, referred to the Chairman of the Montgomery County Board for removal pursuant to the provisions of Section 20/3c of the Community Mental Health Act. The term absenteeism shall include absence from two consecutive regular board meetings (review) or absence from three meetings in a period of six months.

ARTICLE IV

BUDGET

Section 1. *ANNUAL PUBLIC ACCOUNT*. The 708 Board will account for all monies collected and disbursed through its efforts, and shall make an annual public accounting of such monies in accordance with Section 20/3e of the Community Mental Health Act.

Section 2. *YEARLY BUDGET*. The 708 Board shall prepare a proposed yearly budget, which will be presented to the Montgomery County Board at their annual budget hearing.

Section 3. *PERSONNEL*. The 708 Board is authorized to hire such personnel as may be necessary to carry out the purposes of the Community Mental Health Act and to prescribe the duties of and establish salaries and provide other compensation for such personnel.

Section 4. *COMPENSATION*. Members of the 708 Board shall serve without compensation, but expenses incurred by any member in the performance of his or her duties may be directly reimbursed from mental health funds.

ARTICLE V

OFFICERS OF THE BOARD

Section 1. *OFFICERS*. The Officers of the 708 Board shall be a President, one or more Vice- President (the number thereof to be determined by the 708 Board), a Treasurer, a Secretary, and or other officers as may be elected by the 708 Board. Officers whose authority and duties are not prescribed in these By-Laws shall have the authority and perform the duties prescribed, from time to time, by the 708 Board. Any two or more offices may be held by the same person, except the offices of President and Secretary.

Section 2. *ELECTION AND TERM OF OFFICE*. The officers of the 708 Board shall be elected annually by nominations from the floor by the 708 Board at the regular annual meeting of the 708 Board in November for a term of one year from December 1st to November 30th. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be. Vacancies may be filled or new offices created and filled at any meeting of the 708 Board. Each officer must be a 708 Board member and shall hold office until his or her successor shall have been duly elected and shall have qualified or until his or her death or until he or she shall resign or shall have been removed in the manner hereinafter provided.

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Section 3. *REMOVAL*. Any officer elected or appointed by the 708 Board may be removed by the 708 Board whenever in its judgment the best interests of the 708 Board would be served thereby.

Section 4. *PRESIDENT*: The President shall be the principal executive officer of the 708 Board. Subject to the direction and control of the 708 Board, he or she shall be in charge of the affairs of the 708 Board; he or she shall see that the resolutions and directives of the 708 Board are carried into effect except in those instances in which that responsibility is assigned to some other person by the 708 Board; and, in general, he or she shall discharge all duties incident to the office of President and such other duties as may be prescribed by the 708 Board. He or she shall preside at all meetings of the 708 Board. Except in those instances in which the authority to execute is expressly delegated to another officer or agent of the 708 Board or a different mode of execution is expressly prescribed by the 708 Board or these By-Laws, he or she may execute for the 708 Board any contracts or other instruments which the 708 Board has authorized to be executed and he or she may accomplish such execution either individually or with the Secretary, or any other officer thereunto authorized by the 708 Board, according to the requirements of the form of the instrument. The President shall have the power to: (1) appoint members of the 708 Board to serve on various committees set forth in Article VII, Section 1, of these By-Laws and to appoint one of the so appointed board members as the chairman of the applicable committee; and (2) appoint residents of Montgomery County to any ad hoc committee created pursuant to Article VII, Section 1(f) of these By-Laws.

Section 5. *VICE-PRESIDENT*: The Vice-President shall assist the President in the discharge of his or her duties as the President may direct and shall perform such other duties as from time to time may be assigned to him or her by the President or by the 708 Board. In the absence of the President or in the event of his or her inability or refusal to act, the Vice-President shall perform the duties of the President and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. Except in those instances in which the authority to execute is expressly delegated to another officer or agent of the 708 Board or a different mode of execution is expressly prescribed by the 708 Board or these By-Laws, the Vice-President may execute for the 708 Board any contracts or other instruments which the 708 Board has authorized to be executed, and he or she may accomplish such execution either individually or with the Secretary, or any other officer thereunto authorized by the 708 Board, according to the requirements of the form of the instrument.

Section 6. *SECRETARY*. The Secretary shall record the minutes of the meetings of the 708 Board in one or more books provided for that purpose; see that all notices are duly given in accordance with the provisions of these By-Laws or as required by law; be custodian of board records; keep a register of the post office address of each member which shall be furnished to the Secretary by such member; and perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him or her by the President or by the 708 Board.

Section 7. *TREASURER*. The Treasurer shall be the principal accounting and financial officer of the 708 Board. He or she shall: (a) have charge of and be responsible for the maintenance of adequate books of account for the 708 Board; (b) perform all the duties incident to the office of Treasurer and such other duties as from time to time may be

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assigned to him or her by the President or by the 708 Board. If required by the 708 Board, the Treasurer shall give a bond for the faithful discharge of his or her duties in such sum and with such surety or sureties, as the 708 Board shall determine.

Section 8. *ASSISTANT TREASURERS AND ASSISTANT SECRETARIES.* (If So used by the 708 Board) The Assistant Treasurers and Assistant Secretaries shall perform such duties as shall be assigned to them by the Treasurer or the Secretary, respectively, or by the President or the 708 Board. If required by the 708 Board, the Assistant Treasurers shall give bond for the faithful discharge of their duties in such sums and with such sureties as the 708 Board shall determine.

Section 9. *ABSENCES.* The 708 Board may appoint a President, Vice-President, Treasurer or Secretary pro-tempore in the event that the President, Vice-President, Treasurer or Secretary is unable to perform his or her duties or is absent from the county or fails to attend a meeting. The duties and terms of the officer pro-tempore shall be designated by resolution of the 708 Board.

ARTICLE VI

MEETINGS

Section 1. *REGULAR MEETINGS.* Regular meetings of the 708 Board shall be held throughout the year at such time and place as may be provided by resolution of the 708 Board. Any 708 Board meeting may be canceled by a majority vote of the members present at the previous meeting if deemed unnecessary. A meeting schedule for the year shall be established at the annual meeting.

Section 2. *SPECIAL MEETINGS.* Special meetings of the 708 Board may be held at the call of the President or upon the written request of two members of the 708 Board, filed with the Secretary.

Section 3. *OPEN MEETINGS ACT.* All regular, special and closed meetings of the 708 Board or any of its committees shall comply with the Illinois Open Meetings Act.

Section 4. *QUORUM.* A quorum for a 708 Board Meeting shall consist of a majority of appointed members who are serving on the 708 Board or in the case of a committee meeting, shall consist of a majority of the appointed members who are serving on the committee.

Section 5. *TELECONFERENCE.* The 708 Board or any of its committees may meet by teleconference provided that the 708 Board has adopted either special rules of order or standing rules, as appropriate, to specify how recognition is to be sought and the floor obtained during teleconferences.

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ARTICLE VII

COMMITTEES

Section 1. The 708 Board may have the following committees:

- a. Executive/Personnel Committee.
- b. Finance and Audit Committee.
- c. Building and Grounds Committee.
- d. By-Laws Committee.
- e. Such other standing or ad hoc committees as from time to time established by the President with the advice and consent of the members of the 708 Board.

Section 2. The general duties of the committees shall be as follows:

- a. Executive/Personnel Committee. On an as needed basis, as requested by the President, to study, advise and make recommendations relative to the management of business and affairs of the 708 Board.
- b. Finance and Audit Committee. On an as needed basis, as requested by the President to study and recommend procurement of funds from all sources, public and private; to advise in planning and development of budget; to account for all income and expenditures; to participate in evaluation of financial aspects of the operations of the 708 Board; when deemed appropriate, recommend the selection of an independent external auditor, determine the scope and approach of the audit, review and report to the Board any serious difficulties or disputes encountered during the audit, and review and report to the Board the results of the audit, making any recommendations deemed necessary in response to the audit.
- c. Ethics Committee. On an as needed basis, as requested by the President, to investigate and advise the 708 Board relative to any ethical issues which come before the 708 Board.
- d. By-Laws Committee. On an as needed basis, as requested by the President, to study and make recommendations relative to any revisions of the 708 Board By-Laws.
- e. Other Standing or Ad Hoc Committees: On an as needed basis, as requested by the President, to execute the specific committee assignment.
- f. The duties of any committee provided for in this Section 2 shall be as specified in the subsection or as otherwise set forth in a resolution of the 708 Board.

Section 3. *APPOINTMENT*. The President in any 708 Board meeting may: (1) appoint members of the 708 Board to serve on various committees set forth in Article VII, Section 1, of these By-Laws and to appoint one of the so appointed board members as the chairman of the applicable committee; and (2) appoint residents of Montgomery County to any ad hoc committee created pursuant to Article VII, Section 1(f) of these By-Laws.

Section 4. *TERM OF OFFICE*. Each member of a committee shall hold office until the Annual Meeting of the 708 Board, after the Annual Meeting next following the member's appointment or until the member shall cease to be a member of the board or until the member's death, resignation or removal or until the President shall dissolve the committee.

Section 5. *REMOVAL OF MEMBERS, DISSOLUTION*. Any member of a committee may at any time be removed, with or without cause, and a committee itself may, at any time, be dissolved by the President.

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Section 6. *VACANCIES*. If any vacancy shall occur in a committee by reason of death, resignation, removal or otherwise, such vacancy may be filled by the President at any meeting of the 708 Board.

Section 7. *MINUTES*. Each committee shall keep minutes of its proceedings and shall report the same to a meeting of the 708 Board as soon as practicable.

ARTICLE VIII

AMENDMENTS

Section 1. *AMENDMENTS*. Amendments to the By-Laws shall be adopted or amended by 2/3 vote at any duly constituted meeting of the 708 Board, provided that each 708 Board member shall have received a notice of the meeting and a copy of the Amendment at least seven (7) days prior to the meeting.

ARTICLE IX

PARLIAMENTARY AUTHORITY

Section 1. *PARLIAMENTARY AUTHORITY*. The rules contained in the 11th edition of Robert's Rules of Order Newly Revised shall govern the 708 Board or any of its committees in all cases to which they are applicable and in which they are not inconsistent with either these By-Laws or the laws of the State of Illinois and any special rules of order the 708 Board or any of its committees may adopt.

Board approved on: 11-12-18

Passed 7 YES _____ NO

SIGNED:

Euler _____
Daniel R. _____
Suzanne J. Billster _____

President

Vice President

Secretary

Treasure