

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

WHEREAS, the City of Missoula and the County of Missoula believe that the delivery of public health services to the citizens of Missoula 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 Missoula County; and

WHEREAS, the City and County are authorized by Section 50-2-106 M.C.A. (1979) 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 of Missoula and Missoula County as follows:

1. TERM OF AGREEMENT

- (1) The terms and conditions of this Agreement shall become effective upon March 1, 1981, and the ratification by both parties.
- (2) This Agreement shall remain in full force and effect unless modified or terminated as provided herein.
- (3) 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.
- (4) 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. In the event that the City/County Health Board is dissolved the furniture and equipment shall be distributed on an equal basis to each unit of government.

II. PURPOSE

- (1) 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

- (1) The City/County Health Board shall be composed of seven (7) members in accordance with the provisions of Section 50-2-106 M.C.A. (1979) and appointed as follows:

- a. Three (3) 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. Three (3) 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.

- (2) The terms of appointed members shall be as follows:

- a. One (1) person appointed by the County Commissioners shall serve at their pleasure. The other two (2) persons appointed by the County Commissioners shall serve staggered three (3) year terms.
- b. One (1) person appointed by the City Council shall serve at their pleasure. The other two (2) persons appointed by the City Council shall serve staggered three-year terms.
- c. The at-large member of the board shall be appointed for a three-year term.
- 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.

(3) 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

- (1) The Health Board shall be the policy making body for determining goals, objectives and programs for the delivery of health services to Missoula residents, both City and County.
- (2) 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. The cost of programs which solely and clearly benefit the residents of either the City or County (outside the City limits) shall be funded by the benefitting governing body.
- (3) 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.
- (4) The Health Board shall hold at least one public meeting per month and such other meetings as may be provided for under the by-laws of the Health Board.
- (5) 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. HEALTH DEPARTMENT PERSONNEL

- (1) The Health Director shall, subject to applicable collective bargaining agreements and personnel policies, have full responsibility for the hiring, firing, and supervision of

his employees except those governed by specified Interlocal Agreements.

- (2) Health Department employees shall be considered County employees for administrative purposes.
- (3) Employee grievances shall be processed in accordance with the provisions of applicable labor-management agreements. Grievances by non-union employees shall be processed in accordance with the County Personnel Plan with the single exception that the Health Board shall be the final appellate body in the grievance process.

VI. BUDGET AND FINANCE

- (1) The City and County shall each assume responsibility for its proportionate share of the Health program in accordance with the principle set forth in Section IV (2) above.
- (2) The City and the County shall agree upon the portion of expenditures to be borne by each unit based on the budget proposed by the Health Board.
- (3) The County may levy a special mill levy outside the City limits, and the City may levy a special mill levy inside the City limits to fund their share of the program in accordance with State Law.
- (4) All funds received pursuant to the provisions set forth above, along with such other funds as might be received from grants, gifts, donations, or fees for service shall be deposited in the Health Fund account with the County. All transactions, involving these funds, must be approved by the Health Board and shall follow regular County accounting and budget procedures.
- (5) The Health Board shall be responsible for monitoring the expenditure of funds and the receipt of anticipated revenues by the Health Department.

VII. IMPLEMENTATION

- (1) This Agreement shall become effective on March 1, 1981.
- (2) 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 March 1, 1981.

- (3) Both Governing Bodies shall make their respective Board appointments as soon after the effective date of this Agreement as possible. The term of office for all appointees shall have a commencement date of January 1, 1981.
- (4) 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.
- (5) The first order of business for the newly constituted Health Board at the March 1981 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, (1), of this Agreement. The at-large member will be appointed for an initial three-year term.

DATED this 28th day of January, 1981.

MAYOR OF MISSOULA

Bill Hegg

CITY COUNCIL PRESIDENT

Bill m. Potts

ATTEST:

Marjean Smith  
City Clerk

MISSOULA COUNTY  
BOARD OF COUNTY COMMISSIONERS

Herb Conrad  
Chairman

Bob Palmer  
Commissioner

Commissioner

ATTEST:

Fern Hart  
Clerk & Recorder

483220

I received and filed this instrument for record on the 11<sup>th</sup> day of Feb 1981 at 9:00 o'clock A. M. and it is recorded in Vol. 161 of Micro Records of the County of Missoula, State of Montana, on page 159 Fee no fee  
Paid Return to C/A File Witness my hand, Fern Hart, County Recorder  
Address BY M. M. Conroy Deputy