

**BYLAWS
OF THE
ALBANY COUNTY COMMUNITY MENTAL HEALTH BOARD**

Adopted: March 21, 2022

ARTICLE I - DEFINITIONS

As used in these bylaws “Mental Health Board” means the Albany County Community Mental Health Board and any subcommittees that the Mental Health Board may appoint, established by Resolution No. 2017-10 by the Board of County Commissioners for Albany County, Wyoming (County Commissioners) pursuant to Wyo. Stat. § 35-1-614.

ARTICLE II - NAME

The name of this organization shall be the Albany County Community Mental Health Board (hereinafter referred to as “Mental Health Board”).

ARTICLE III - PURPOSE

The purpose of the Mental Health Board is to review existing mental health services, develop and maintain a comprehensive plan for the establishment, development and promotion of mental health programs, ensure that the system of mental health services employs certain specific practices and to identify, develop, implement and enhance mental health services in Albany County.

ARTICLE IV - AUTHORITY

The Mental Health Board shall have such powers as are contained within Wyoming Statutes § 35-1-618 and §35-1-619 and shall act in accordance with Wyo. Stat. § 35-1-611 et. Seq. and such amendments as may be made from time to time.

ARTICLE V - OFFICES

The principal office of Mental Health Board shall be located with the County, the address of which is the Albany County Courthouse, 525 Grand Avenue, Suite 202, Laramie, Wyoming 82070 and may have such other offices, within the State of Wyoming, as the Mental Health Board may determine from time to time.

ARTICLE VI - REGULATIONS

The regulations of the business and conduct of the affairs of the Mental Health Board shall be determined by Resolution No. 2017-10, as set forth in Wyoming Statutes § 35-1-618 and § 35-1-619 and shall act in accordance with Wyo. Stat. § 35-1-611 et seq, these bylaws, and by rules and regulations which the Mental Health Board may adopt from time to time.

ARTICLE VII - MEMBERS

7.01. Composition, Qualifications and Term of Office. The Mental Health Board shall consist of nine (9) essential members who shall be appointed by the County Commissioners. The Board may also consider At Large members from the community who have an interest in mental health issues in the community. At Large members shall be appointed by the County Commissioners.

7.01.01. Membership. The County Commissioners shall appoint one (1) member from the following community partners to serve on the Mental Health Board: Albany County & Prosecuting Attorney's Office; Iverson Memorial Hospital; Albany County Department of Family Services; Albany County Chapter of National Alliance on Mental Illness (NAMI); Laramie Police Department; Volunteers of America; a member from the defense bar representing the mentally ill in Title 25 proceedings; University of Wyoming; and Albany County Sheriff's Office. The Mental Health Board shall also request that the Board of County Commissioners and City Council appoint a liaison to the Board.

7.01.02. Quorum. A quorum shall be a majority of the essential members (5) of the Mental Health Board.

7.01.03. Term. The term of At Large members of the Mental Health Board shall be four (4) years from the date of their appointment in January of each year. No At Large member shall serve more than two (2) consecutive terms.

7.01.04. Removal. The Albany County Board of Commissioners may remove a member of the Mental Health Board for cause as outlined in Section 7.03 herein.

7.01.05. Vacancy. All vacancy appointments on the Mental Health Board shall be made by the Albany County Board of Commissioners. In the event a vacancy should occur prior to the expiration of a member's term, the successor shall be appointed within thirty (30) days of notification to the Albany County Board of Commissioners.—The successor shall serve the unexpired portion of the retiring member's term on the Mental Health Board and the unfinished term shall not count toward the two-term maximum contained in Article 7.01.01(c) herein.

7.02. Compensation. Members shall not receive any salary or compensation for their services on the Mental Health Board. No member nor any person from whom the Mental Health Board may receive property or funds, shall receive pecuniary profit from the operations of the Mental Health Board, provided, however, that (a) reasonable compensation may be paid to agents and employees hired by the Mental Health Board for services rendered in effecting one or more purposes of the Mental Health Board, and (b) member engaged in the performance of their duties shall be entitled to per diem and mileage allowance authorized for state employees, or otherwise authorized pursuant to W.S. § 16-1-106(b).

7.03. Vacancies and Removal of Members of the Mental Health Board. Members may be removed, with cause as outlined in Sections 7.01.01(d) herein for the following reasons. The Mental Health Board shall meet in executive session in discussing any of the reasons listed in

7.03.01 through 7.03.05 and in determining whether a recommendation for removal. In the case of a disputed removal, the Albany County Board of Commissioners shall be notified.

7.03.01. If an At Large member ceases to be a member of the Board as appointed and listed in Section 7.01.01(a).

7.03.02. If a member is convicted of a felony or found guilty/adjudicated of a crime of dishonesty during said tenure as member of the Mental Health Board;

7.03.03. If a member fails to attend three (3) or more consecutive meetings unless there is a two-thirds (2/3) majority vote by the Mental Health Board that good cause exists to excuse the non-attendance,;

7.03.04. If a member of the Mental Health Board substantially fails to perform the member's duties as determined by a two-thirds (2/3) majority vote by the Mental Health Board, and;

7.03.05. If a member of the Mental Health Board fails to comply with any policy established by the Mental Health Board on disclosure of conflicts of interest and ethics.

7.04. Resignation. Resignation of a member of the Mental Health Board shall be by written notice, conveyed to the Chairperson of the Mental Health Board and the Albany County Board of Commissioners.

7.05. Conflict of Interests. Any Mental Health Board member who has a pecuniary interest in a matter pending before the Board, or who is likely to derive direct and tangible personal or professional benefit from particular resolution of the matter, shall declare a conflict of interest and shall not vote on any issue connected with the matter, and his/her presence at the meeting shall be disregarded for the purposes of obtaining a quorum for voting on that issue. The Mental Health Board member that declares a conflict shall remove him/herself from the meeting room for that issue in which he/she has a conflict in order to not influence the vote with his or her presence.

ARTICLE VIII – POWERS AND DUTIES

8.01. Mental Health Board shall adopt policies, bylaws and regulations not inconsistent with Resolution No. 2017-10 as adopted by the County Commissioners and Wyoming Statutes § 35-1-618 and §35-1-619 and shall act in accordance with Wyo. Stat. § 35-1-611 et seq and amendments as may be made from time to time and as it deems necessary to carry out the business of the Mental Health Board. The duties of the Mental Health Board shall include the following:

8.01.01. To develop and maintain a comprehensive plan for the establishment, development and promotion of human services programs;

8.01.02. To review existing mental health services and ensure that the system of mental health services employs certain specific practices.

8.01.03. To identify, develop, implement and enhance services for at-risk and mentally ill in Albany County aimed at achieving the purpose of a community mental health services board as outlined in Wyoming Statutes § 35-1-618 and §35-1-619 and shall act in accordance with Wyo. Stat. § 35-1-611 et seq and such amendments as may be made from time to time.

8.01.04. To enhance Title 25 involuntary commitment process.

8.01.05. To establish, maintain and promote the development of mental health services that are aimed at early identification and diversion of risk of entry into the Title 25 Court system and acute care.

8.01.06. To obtain and accept grant funding or donations from any source, to employ staff using any available funds and expend funds to provide directly or contract for the provision of mental health services for at risk mentally ill.

8.01.07. To ensure clear and comprehensive procedures that manage the single point of contact established within Albany County and facilitate referrals of mentally ill needing services from the school district, law enforcement, licensed mental health care providers, licensed health care providers, court, the Department of Family Services, community organizations, families and mentally ill needing services and self-referred.

8.01.08. To establish a process to enter in agreement with mental health service providers for mental health services and to establish performance based contract standards for the purchasing of mental health services.

8.01.09. To establish an effective data system to measure and evaluate mental health service system outcomes.

8.01.10. To comply with requirements as set forth in Wyoming Statutes § 35-1-618 and §35-1-619 and shall act in accordance with Wyo. Stat. § 35-1-611 et seq. and regulations as adopted by the Mental Health Board.

8.02. Authority. No individual Member of the Mental Health Board shall have the authority by virtue of anything in these Bylaws to bind the Mental Health Board, or any community agency from which appointed by the County Commissioners, unless explicitly authorized to do so by the Mental Health Board, or County Commissioners, as applicable.

ARTICLE IX - OFFICERS & EMPLOYEES

9.01. Officers of Mental Health Board. At the organization meeting and at the Mental Health Board regular January meeting thereafter, the Mental Health Board shall elect from its members a Chairperson, Vice-chairperson, and Secretary-Treasurer. Each officer shall serve a two (2) year term. Each officer may be re-elected for one consecutive term to the same office. Any officer of the Mental Health Board may be removed from that office by a motion and a unanimous vote of

the remaining members of the Mental Health Board. A vacancy in any office may be filled by the remaining members of the Mental Health Board for the unexpired portion of that term of office.

9.01.01. Chairperson. The Chairperson shall preside at all meetings of the Mental Health Board and shall decide all points of order and procedure. The Chairperson may call a special meeting of the Mental Health Board. The Chairperson shall perform all duties incident to the office of Chairperson and other duties as may be prescribed by the Mental Health Board from time to time.

9.01.02. Vice-Chairperson. The Vice-Chairperson shall have the powers and shall exercise the duties of the Chairperson, whenever the Chairperson is absent, incapacitated or otherwise unable to serve or act for any other reason. The Vice-Chairperson shall exercise the powers and perform the functions that are from time to time assigned by the Chairperson or the Mental Health Board.

9.01.03. Secretary-Treasurer. The Secretary/Treasurer of the Mental Health Board shall keep the minutes of the meetings of the Mental Health Board, shall be custodian of and shall maintain the records and books of the Mental Health Board, shall be responsible for the financial statements of the Mental Health Board and shall perform other duties as the Mental Health Board may require. The Secretary-Treasurer shall transmit reports and recommendations of the Mental Health Board to the County Commissioners and post on the website of Albany County & Prosecuting Attorney. The Secretary shall be responsible for filing the minutes of the Mental Health Board with the County Clerk.

9.02. Staff. The Mental Health Board is empowered to employ other persons as it deems necessary and shall have the authority to contract for services needed to carry out its duties. The Mental Health Board may employ such technical, legal, administrative and clerical assistance and engage the services within the limits of its authorized and available funds as may be needed to carry out its duties.

ARTICLE X - MEETINGS

10.01. Meetings of Mental Health Board. The Mental Health Board shall meet once every six (6) weeks on Mondays starting May 2nd, 2022 or at the call of the Chairperson, or upon the oral or written request of a majority of the members of the Mental Health Board within five (5) calendar days after the request is given by any member of the Mental Health Board. The meeting of the Mental Health Board shall be held virtually or in the Albany County Commissioners Chambers. General coordination, scheduling duties and setting of agendas of meetings of the Mental Health Board will be handled by the Albany County & Prosecuting Attorney's Attorney or designee. The Chairperson of the Mental Health Board may, upon notification to the members of the Mental Health Board, cancel or reschedule a meeting if a quorum cannot be in attendance.

10.02. Open Meetings. All meetings of the Mental Health Board are public meetings, open to the public at all times, except as otherwise provided herein or allowed by Wyoming law. Notice and conduct of all meetings shall comply with the requirements of W.S. § 16-4-401, et seq.

Additionally, notice of meetings shall be posted on the Albany County & Prosecuting Attorney's or County website and members of the Mental Health Board shall receive electronic notice of meetings.

10.03. Quorum. Five (5) essential members of the Mental Health Board that are physically or telephonically present as outlined in Section 10.08 herein, shall constitute a quorum for the transaction of business at any meeting of the Mental Health Board, and if less than a quorum is present, then a majority of those present may adjourn the meeting to a later date without further notice. No action shall be taken in the absence of a quorum except to adjourn the meeting to a subsequent date and/or site.

10.04. Agendas. Agendas for the Mental Health Board shall ordinarily be electronically transmitted through email to members of the Mental Health Board at least two (2) days prior to the scheduled meeting date. The agenda shall be made public before the meeting. Matters which are not listed on the agenda may be added at the beginning of the meeting unless there is an objection by a majority of the directors present at a quorum.

10.05. Order of Business. The order of business at meetings of the Mental Health Board shall be as follows:

- 10.05.01.** Call to Order
- 10.05.02.** Roll Call - Establishment of Quorum
- 10.05.03.** Agenda - Additions & Deletions
- 10.05.04.** Approval of Minutes
- 10.05.05.** Correspondence & Reports
- 10.05.06.** Old Business
- 10.05.07.** New Business
- 10.06.08.** Adjournment

10.06. Recessed Meeting. The Mental Health Board may recess any regular, special or recessed meetings to a place and time specified in the order of recess. Only matters appearing on the agenda may be acted upon in a meeting recessed to another location or time.

10.07. Voting Members. Each of the members of the Mental Health Board shall be voting members and decisions for the Mental Health Board shall be made by a majority vote of the members of Mental Health Board. All members, including the Chairperson, shall be entitled to one vote. All votes shall be cast in person or telephonic as outlined in Section 10.08. No member shall vote on any matter or issue when that member has a personal or financial interest in the matter or issue.

10.08. Telephone Voting. A member of the Mental Health Board may attend meetings telephonically or by other acceptable means of telecommunication. In advance of the meeting in which a member of the Mental Health Board desires to vote by telephone conference or similar communications equipment, the member of the Mental Health Board shall notify the Secretary-Treasurer so that the Secretary-Treasurer may make arrangements for the member to participate

by telephone conference or similar communications equipment. A member of the Mental Health Board who desires to vote by telephone conference or similar communications equipment must be present by means of the telephone conference or similar communications at the beginning and during the debate leading up to the vote on any particular issue.

10.09. Electronic voting. For purposes of soliciting electronic votes in connection with an item on an agenda of a meeting of the Mental Health Board at which a quorum was present and discussion occurred, the requisite number of votes that would have been required at such meeting to pass an action shall be required to pass an action via this electronic voting provision. Only those members of the Mental Health Board in attendance of their respective meeting shall be permitted to vote with respect to this section. Such procedure shall be initiated by the electronic distribution of all related materials for consideration by the Mental Health Board. The deadline for receipt of electronic votes with respect to any such vote shall be determined by the Chairperson of the Mental Health Board and as announced prior to adjournment of such meeting.

ARTICLE XI - PUBLIC RECORDS

11.01. Requests. All public records requests shall comply with the requirements of W.S. § 16-4-201, et seq.

11.02. Expenses. Costs associated with providing copies of public records under this section shall be the same as periodically determined by the Albany County Board of Commissioners.

ARTICLE XII. CONTRACTS, LOANS, CHECKS, DEPOSITS, AND FACILITIES

12.01. Contracts. The Mental Health Board may authorize the Chairperson and Secretary of the Mental Health Board or any officer or agent to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Mental Health Board, and such authority may be general or confined to specified instances.

12.02. Checks, Drafts, Etc. All checks, drafts, or other orders for the payments of money, notes, or other evidence of indebtedness issued in the name of the Mental Health Board, shall be issued by the County and in such manner as shall from time to time be determined by resolution of the County Commissioners.

12.03. Deposits. All funds of the Mental Health Board not otherwise employed shall be deposited by the County from time to time to the credit of the Mental Health Board in such banks, trust companies, or other depositories as the County may select.

12.04. Facilities. No facilities will be owned, built or established under the Mental Health Board.

ARTICLE XIII. FISCAL YEAR

The fiscal year for the Mental Health Board shall begin on the first day of July of each year and shall end on the thirtieth day of June of the following year

ARTICLE XIV. BUDGET, GRANTS AND GIFTS

14.01. Budget. At the first organizational meeting of the Mental Health Board and at each annual meeting thereafter, the Mental Health Board shall establish a budget for the ensuing year. Deficit spending shall not be permitted. The Mental Health Board will develop an annual budget in compliance with County budget standards and processes. These processes must comply with the applicable provisions of Wyo. Stat. § 16-4-101 et seq. The budget will be submitted to the County for review and approval. All budget reports will be distributed to the County Treasurer. The Mental Health Board does not have the authority to incur debt of any kind, or obligate the County or any of the community partners of whom a member is appointed in any way.

14.02. Grants & Gifts. The Mental Health Board may request funds, if needed from State block grants and available grants. The Mental Health Board may receive gifts, cash or in-kind donations of any kind. All grants and or expenditures will be approved by the County prior to submission or disbursement. Grant compliance shall be through the County Grant Department. No party will be required to contribute any money to a project pursued through this Agreement. All financial reporting will be through the County Treasurer or entity designated by the County. County will administer the grant funds or gifts.

ARTICLE XV. INDEMNIFICATION AND LIABILITY

15.01. Non-liability. Pursuant to the provisions of W.S. § 1-23-107 and 16-1-106(b), the members of the Mental Health Board or the community agency who has members on the Mental Health Board shall not be individually liable for any actions, inactions or omissions of the Mental Health Board, except for any act of member which is found by a Court of competent jurisdiction to constitute an intentional tort or illegal act.

15.02. Contracts. All contracts entered into by the Mental Health Board shall provide for immunity from liability as provided in W.S. § 1-39-104(a).

15.03. Immunity. Nothing herein, nor any action taken by the Mental Health Board, shall modify, limit, or in any way alter the governmental immunity afforded to the appointing member entity, their governing bodies, or any other person acting on behalf of any of them, or the Mental Health Board and/or its members, and any other person acting on its behalf, to the full extent that such agency may otherwise enjoy governmental immunity under the Wyoming Governmental Claims Act or other Wyoming law.

15.04. Liability. The community stakeholder who authorizes individual to member on the Mental Health Board shall not be individually or collectively liable for the acts or omissions of the Mental Health Board and the Mental Health Board shall be solely liable for the consequences of its acts and omissions. The Mental Health Board shall be an agency of Albany County for all applicable purposes under Wyoming law, including but not limited to, application of the Wyoming Governmental Claims Act. The Mental Health Board shall timely perform all of its duties and obligations and discharge all liabilities incurred by it in lieu of any such performance or discharge

that the community agency would otherwise be required to undertake by virtue of such community agency's participation in the Mental Health Board.

ARTICLE XVI – DISSOLUTION

In the event of the termination of the Mental Health Board by the County Commissioners, the assets hereof shall be applied and distributed to the County.

ARTICLE XVII – AMENDMENT

These bylaws may be altered, amended, or repealed by the Mental Health Board at any special or regular meeting by a majority vote, provided that notice of the proposed alteration, amendment or repeal shall have been provided to the members in writing not less than ten (10) days prior to the meeting at which the Bylaws are proposed to be altered, amended or repealed.

ARTICLE XVIII – CONFLICT

In the event that a conflict between these By-Laws and the Resolution establishing the Mental Health Board is found to exist, then the Resolution shall prevail.

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STATE OF WYOMING)
) ss.
COUNTY OF ALBANY)

I, Christin Covello, Chairperson of the Albany County Community Mental Health Board, do hereby certify that a meeting of the members of the Mental Health Board called for that purpose and held on March 21st, 2022, and the attached By-Laws of the Albany County Community Mental Health Services Board were duly adopted by the affirmative vote of a majority of the voting members.

IN WITNESS WHEREOF, I have hereunto subscribed my hand this 21st day of March, 2022 in Albany County, Wyoming.

Christin Covello, Chairperson
Albany County Community Mental Health Board

ATTEST:

Tess Kilwein, Secretary/Treasurer
Albany County Community Mental Health Board