

NORTH COUNTRY COMMUNITY MENTAL HEALTH ADMINISTRATIVE MANUAL

CHAPTER: Chapter One - Administration
POLICY NAME: RULES, REGULATIONS AND BY-LAWS
EFFECTIVE DATE: ~~November 1, 2023~~ January 1, 2026

APPLICATION

All North Country Community Mental Health Programs

POLICY

Recognizing the responsibility of the Antrim, Charlevoix, Cheboygan, Emmet, Kalkaska and Otsego County Boards of Commissioners to provide suitable mental health services to the citizens of the above named counties, the Boards of Commissioners have duly appointed a Community Mental Health Board according to Public Act 258 of 1974, as revised.

Recognizing further the responsibility of this Board in upholding the best interests of the citizens through concerted effort in providing and maintaining mental health services in accordance with the above set out Public Act 258, the North Country Community Mental Health Board hereby organizes itself in conformity with by-laws and regulations hereinafter stated.

For the purpose of these bylaws and regulations, whenever the term "Board" shall appear, it shall be interpreted to mean the North Country Community Mental Health Board, who shall have authority in the government of the county mental health services for the above mentioned six counties, being Antrim, Charlevoix, Cheboygan, Emmet, Kalkaska and Otsego Counties. Whenever the term "Department" is used it shall be interpreted to mean the Michigan Department of Health and Human Services.

ARTICLE ONE - NAME

The name of this organization shall be the North Country Community Mental Health Board.

ARTICLE TWO - PURPOSE

The purpose of this organization as set forth by section 226 of PA 258 shall be:

- To examine and evaluate the mental health needs of the counties it represents and the public and nonpublic services necessary to meet these needs.
- To review and approve an annual plan for the six-county program and submit it to the Department. The format and documentation of the annual plan is specified by the Department, and a copy will be provided to the County Boards of Commissioners.
- To review and approve an annual budget and all budget amendments.
- To provide and advertise a public hearing on the annual plan and budget prior to submitting it to the County Boards of Commissioners.
- To submit to the Boards of Commissioners an annual request for county funds to support the program. Such request shall be in the form and at the time determined by the Boards of Commissioners.

- To annually approve the community mental health services program's operating budget for the year.
- To take such actions as it deems necessary and appropriate to secure private, federal, and other public funds to help support the total program.
- To approve and authorize all contracts for the provision of services.
- To review and evaluate the quality, effectiveness, and efficiency of services being provided by the County program.
- To appoint a Chief Executive Officer of the Community Mental Health Program who shall meet standards of training and/or experience established by the Department.
- To establish general policy guidelines within which the county Chief Executive Officer shall execute the counties' program.
- To require the Chief Executive Officer to select a physician, a registered professional nurse with a specialty certification issued under section 17210 of the public health code, 1978 PA 368, MCL 333.17210, or a licensed psychologist to advise the Chief Executive Officer on treatment issues.

ARTICLE THREE - MEMBERSHIP AND MEETINGS

Section 1. Appointment. Members of the North Country Community Mental Health Board shall be appointed by the Board of Commissioners of Antrim, Charlevoix, Cheboygan, Emmet, Kalkaska and Otsego counties according to P.A. 258, Section 212, 222, 224. Under the jurisdiction of this Act, the above named Boards of Commissioners shall appoint up to a fourteen (14) member Board, according to the enabling authority resolution.

As per the enabling resolution, each County Board of Commissioners appoints two members, one of which is a county commissioner from that county. The remaining two seats will be at-large primary consumer members. These two seats will rotate among the counties when vacant, preferably in alphabetical order by county.

If a county is unwilling or unable to appoint a commissioner to a seat on the board of the mental health authority, then that county shall relinquish that seat on the board and the board membership will be reduced by one, in accordance with the provisions of the Mental Health Code, specifically Section 222 (2).

Section 2. Composition. The composition of the North Country Community Mental Health Board shall be representative of the providers of mental health services, recipients or consumers of mental health services, agencies and occupations having a working involvement with mental health services and the general public. At least 1/3 of the membership shall be primary consumers or family members, and of that 1/3 at least 1/2 shall be primary consumers. All board members shall be 18 years of age or older.

Section 3. Public Officials. Not more than six (6) members of the Board may be county commissioners. No more than half of the total Board members may be state, county, or local public officials. Public officials are defined as persons serving in an elected or appointed public office or employed more than 20 hours per week by an agency of federal, state, city, or local government.

Section 4. Residence and Employment. A Board member shall have his/her primary place of residence in the county he/she represents. An employee of the Department, an employee of the county program, or an employee or representative of an agency having a contractual relationship with the county program may not be appointed to serve on a Board.

Section 5. Term of Office and Removal. The term of office of a Board member shall be three (3) years from April 1 of the year of appointment. Vacancies shall be filled for unexpired terms in the same manner as original appointments. A Board member may be removed from office by the appointing Board of commissioners for either neglect of official duty or misconduct in office, after being given a written statement of reasons and an opportunity to be heard thereon.

Section 6. Voting. Each member of the Board shall be qualified to vote on any issue that may properly come before any meeting of the members of the Board and to hold any office to which he/she may be elected or appointed.

Section 7. Meetings and Quorum. The North Country Community Mental Health Board shall hold meetings at least once a month at its administrative offices in Petoskey except that meetings may be held at alternate locations agreed upon by majority vote. A complete record shall be kept at all times and one-half plus one of members appointed to the Board shall constitute a quorum for the transaction of business.

Section 8. Special Meetings. Special meetings may be held at the call of the Chairperson as necessary or upon written request of four (4) members of the Board. Notice of special meetings may be made personally or by mail and shall state the purpose of said meeting at least twenty-four (24) hours in advance of the date for which the meeting is called. A quorum shall be present for the transaction of business at such a special meeting and no business may be transacted except such as set forth in the call for the meeting.

Section 9. Agenda. The agenda for the monthly meetings shall be as follows:

Call to Order
Roll Call
Introduction of Guests
Public Comment
Consent Agenda
Committee Recommendations - Board Action
Presentations
Chief Executive Officer's Report/Communications
Quality Improvement Update
Northern Michigan Regional Entity
Old Business
New Business
[Public Comment](#)
Adjournment

The agenda for any Special Meeting shall be as follows:

Call to Order
Roll Call
Statement of Purpose of the Meeting
Transaction of Business According to the Stated Purpose
Adjournment

Section 10. Minutes. Minutes of monthly meetings will be sent to the County Boards of Commissioners of Antrim, Charlevoix, Cheboygan, Emmet, Kalkaska and Otsego Counties.

ARTICLE FOUR - BOARD

Section 1. Election of Officers. The Board shall elect a Chairperson, a Vice-Chairperson, a Secretary, and other officers that it deems necessary each year. All officers are to be elected by the Board for one year or until their successors are elected. All officers shall be elected by the Board from its own membership at the April meeting of each calendar year.

The Chairperson will appoint a Nominating Committee at the March meeting. This committee shall consist of one member from each county. The task of the Nominating Committee will be to appoint a slate of officers to be presented to the Board at the April meeting. At this time, nominations will be accepted from the floor. The Nominating Committee shall be deemed a special committee; once the officers are elected, the committee will be disbanded. Officers and duties of office are as follows:

- **Chairperson.** The Chairperson shall preside at all meetings and shall be an ex-officio member of all committees. The responsibility of the Chairperson shall be to appoint the necessary committees and, when necessary, to authorize by signature legal agreements, contracts, and policies upon prior Board approval. The Chairperson must authorize by signature the decisions of the Board in regard to policies and by-laws.
- **Vice-Chairperson.** The Vice-Chairperson shall act as Chairperson in the absence of the Chairperson and, when so acting, shall have the power and authority of the Chairperson.
- **Secretary.** The Secretary will promptly report to the County Board of Commissioners those members absent for three (3) consecutive regular Board meetings.

ARTICLE FIVE - COMMITTEES OF THE BOARD

Section 1. Committees. Committees of the Board shall be standing or special. Standing committees shall be the Executive Committee, the Finance Committee, the Personnel Committee, the Program Committee, and such other standing committees as the Board may authorize. Each committee shall have an appointed Chairperson. At a committee meeting a quorum shall be one half of the number of members on the committee. Each committee shall have a meeting agenda and shall submit the minutes of the meeting in writing at or before the next regularly scheduled meeting of the Board. Committee appointments will be made by the Chairperson of the Board at the April meeting and be effective immediately thereafter. Standing committee appointments for unfulfilled terms shall be made by the Chairperson of the Board for the remaining term.

Section 2. Executive Committee. The Executive Committee shall consist of the Chairperson, Vice-Chairperson, Secretary and Chairpersons of all standing committees. The Executive Committee shall have the authority to act on behalf of the Board during the period between the meetings of the Board, subject to any prior limitation imposed by Board and with the understanding that all matters of major importance be referred to the Board.

Section 3. Finance Committee. The Finance Committee shall consist of six regular members of the Board, one member from each county that the Board represents together with the Chief Executive Officer who shall be a nonvoting member. The Finance Committee has general responsibility for approval of expenses, setting the budget and receiving reports of expenditures, according to its committee charge.

Section 4. Personnel Committee. The Personnel Committee shall consist of six (6) regular members of the Board, one member from each county that the Board represents. This Committee has general responsibility for establishing personnel policies and procedures, setting the salary schedule, and other personnel matters according to its committee charge. The Committee also hears grievances from staff according to procedures established for

such grievances.

Section 5. Program Committee. The Program Committee shall consist of six (6) regular- members of the Board, one from each county that the Board represents. This Committee has general responsibility for policies regarding program operations, according to its committee charge.

Section 6. Recipient Rights Advisory Committee. As per the Mental Health code, P.A. 258, Section 757, the Recipient Rights Advisory Committee shall consist of at least 6 members. At least 1/3 of the membership shall be primary consumers or family members, and of that 1/3, at least 1/2 shall be primary consumers. The Recipient Rights Advisory Committee has the responsibilities of protecting the Office of Recipient Rights from pressures that could interfere with the impartial, even-handed, and thorough performance of its functions, recommending candidates for Director of the Office of Recipient Rights to the Chief Executive Officer, and consulting with the Chief Executive Officer regarding any proposed dismissal of the Director of the Office of Recipient Rights. The Recipient Rights Advisory Committee will also serve in an advisory capacity to the Chief Executive Officer and the Director of the Office of Recipient Rights, review and provide comments on the report submitted by the Chief Executive Officer to the community mental health services program board under Section 755 of the Code, and, if designated by the mental health board, serve as the appeals committee for a recipient's appeal under Section 784 of the Code.

Section 7. Special Committees. Special Committees may be appointed by the Chairperson with the concurrence of the Board for such tasks as circumstances shall warrant. In general, such appointments shall have equal representation from each of the counties that the Board represents, shall be duly incorporated in the minutes of the authorizing meeting and shall include the names of the committee members, and limitation as to length of time for completion. The Special Committee will handle minutes of the meeting in the same manner as Standing Committees. A Special Committee shall limit its activities to the accomplishment of the task for which it is appointed and shall have no power to act except as specifically conferred by action of the Board. Upon completion of the special task for which it was organized, such Special Committee shall stand discharged.

ARTICLE SIX - MENTAL HEALTH CHIEF EXECUTIVE OFFICER

Section I. As per Section 230 of the Mental Health Code (Public Act 258 of 1974, as revised), the Chief Executive Officer of North Country Community Mental Health shall function as the chief executive and administrative officer of the program and shall execute and administer the program in accordance with the approved annual plan and operating budget, the general policy guidelines established by the board, the applicable governmental procedures and policies, and the provisions of the Code. The Chief Executive Officer has the authority and responsibility for supervising all employees. The terms and conditions of a Chief Executive Officer's employment, including tenure of service, shall be as mutually agreed to by the board and the Chief Executive Officer and shall be specified in a written contract.

ARTICLE SEVEN - PER DIEM AND EXPENSE REIMBURSEMENT

Board members will be paid a per diem payment, at set rates, for daily approved meeting attendance, including conferences. Mileage, transportation and meal expenses also are reimbursed at approved rates.

ARTICLE EIGHT - AMENDMENTS AND ADOPTION

These By-Laws of the Board may be amended by affirmative vote of two-thirds majority of the members, provided that a full presentation of such proposed amendments accompanies the notice calling the meeting. This can be done in either a regular meeting or a special meeting called for the purpose of amending the by-laws.

REFERENCE: Public Act 258 of 1974, as revised

REVIEWED: 03/03/08; 02/09/09; 06/27/13; 02/14/17; 05/17/18; 12/12/19; ~~October 1, 2023~~ 10/01/2023

REVISED: 04/01/03; 10/04/07; 08/25/15; 01/19/23; 10/01/23; November 21, 2025

APPROVED BY SIGNATURE:

Chief Executive Officer

Date

NCCMH Board Chair

Date