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Agenda Cover Memo

AGENDA DATE: November 25, 2003

TO: Lane County Board of Commissioners

DEPARTMENT: Health and Human Services

PRESENTED BY: Steve Manela

AGENDA TITLE: IN THE MATTER OF AMENDING CHAPTER 3 OF THE LANE MANUAL TO ADD PROVISIONS PERTAINING TO ESTABLISH AND MAINTAIN THE COMMUNITY HEALTH CENTERS ADVISORY COUNCIL



I. MOTION:

TO AMEND CHAPTER 3 OF THE LANE MANUAL TO ADD PROVISIONS PERTAINING TO ESTABLISH AND MAINTAIN THE COMMUNITY HEALTH CENTERS ADVISORY COUNCIL

II. ISSUE OR PROBLEM

To establish a Community Health Centers Advisory Council for the County Health Centers of Lane County in the Lane Manual in compliance with federal statutes. (Section 330 of the Public Health Service Act)

III. DISCUSSION

A. Background

On August 26, 2003 the U.S. Department of Health and Human Services announced that Lane County, under the auspices of the Human Services Commission (HSC), had been awarded grant funding and designated as a federally qualified health center. In order to implement the federal Community Health Centers of Lane County (CHCLC) grant, an Advisory Council must be formed that includes consumers, healthcare and community representatives.

B. Analysis

The Advisory Council structure proposed for the CHCLC is in the preferred model for a single public entity, in full compliance with the federal program

expectations and published policies and has bylaws (Attachment A) reflecting required functions and responsibilities. The Advisory Council must have a majority of members that are consumer representatives served by CHC. The members will participate in strategic planning for the CHC during the next year, and will improve their leadership skills through leadership training and through an annual self-evaluation process. Ongoing Council support will include activities such as team building, Council skills training and participation in cultural competency events.

The Advisory Council will have authority to review and recommend program policies for CHC. The County retains the responsibility of establishing fiscal and personnel policies for the CHC.

The responsibilities of the Advisory Council will include:

1. Participation in the selection and evaluation of the CHC Program Manager.
2. Participation in planning and review of the CHC's budget throughout the year, as well as in approval of the annual budget and primary care grant applications.
3. Participation in planning, measurement and evaluation of the CHC's progress in meeting its annual and long-term programmatic and financial goals.
4. Participation in selection of the services provided by the CHC and determination of the hours during which services are provided at service sites.
5. Participation in the adoption of health care policies regarding scope and availability of services, and hours of services.

The Advisory Council will have 15 members, eight (8) of which will be consumer members who are served by CHC. Please refer to the bylaws in Attachment A.

The Council should be comprised of members with a broad range of skills and expertise. Finance, legal affairs, business, health and managed care, social services, labor relations and government are some examples of the areas of expertise needed by the Council to fulfill its responsibilities. No more than half of the non-consumer representatives may derive their annual income from the health care industry.

No Council member shall be an employee of the health center or an immediate family member of an employee.

The intent of the Council is to provide a platform for consumer members to give input on CHC's strategic direction and policy. Accordingly, consumer members will utilize CHC as a principal source of primary health care. CHC

recognizes that primary care services may include a broad range of preventive and clinical services. A consumer member must have used CHC services within the last two years. A legal guardian of a consumer who is a dependent child or adult, or a legal sponsor of an immigrant may also be considered a consumer for purposes of Council representation

All terms of office shall be for three (3) years. Council members shall be limited to two (2) consecutive terms of membership. The effective date of membership corresponds to the date that the nomination is approved by the Council.

C. Alternatives / Options

1. Adopt the order amending the Lane Manual to add provisions pertaining to the Community Health Centers Advisory Council
2. Amend the order to conform to the desire of the Board of County Commissioners
3. Reject the order and take no action at this time

D. Recommendation

Approval of the order amending the Lane Manual to add provisions pertaining to the Community Health Centers Advisory Council.

IV. IMPLEMENTATION / FOLLOW-UP

Immediately begin recruitment for the Community Health Centers Advisory Council. Approve the appointment of a majority of positions by January 2004.

V. ATTACHMENTS

Board Order with Proposed Lane Manual Page
Attachment A – Community Health Centers Advisory Council By-laws

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IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF AMENDING CHAPTER 3 OF
THE LANE MANUAL TO ESTABLISH THE COMMU-
NITY HEALTH CENTERS ADVISORY COUNCIL
(LM 3.534)

The Board of County Commissioners of Lane County orders as follows:

Lane Manual Chapter 3 is hereby amended by removing, substituting and adding the following section:

REMOVE THIS SECTION

NONE

INSERT THIS SECTION

3.534

as located on pages 3-38 and 3-39
(a total of 2 pages)

Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to add provisions to establish the Community Health Centers Advisory Council (LM 3.534).

Adopted this _____ day of _____ 2003.

Peter Sorenson, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 11/18/03 Lane County

J. Laidlaw

OFFICE OF LEGAL COUNSEL

MEETS: Monthly
 MANDATED: Lane County Goal 5, Policy 1 and Statewide Planning Goal 5
 MEMBERSHIP: (7) Reflects the geographic diversity of the County and other requirements of the Goals.
 TERM: 4 years, ending November 30 *(Revised by Order No. 00-8-16-1; Effective 8.17.00)*

3.530 Community Action Advisory Committee.

Provides advice to the Board of County Commissioners on the emergency basic needs and community action service systems, to address the needs of low income citizens of Lane County. Its tasks shall include: Reviewing and approving program policy related to the expenditure of federal and state anti-poverty funds; being involved in and consulted on the hiring and firing of the designated Community Action Program Coordinator/Administrator; monitoring and evaluating program effectiveness; insuring the effectiveness of community involvement in the planning process; assuming all duties delegated it by the Board of County Commissioners.

STAFFING: Department of Health and Human Services
 MEETS: Monthly
 MANDATED: ORS 458.505
 MEMBERSHIP: (15) The Committee shall consist of fifteen members. Representation shall be as follows: Five of the members shall be public officials currently serving or their designees; five of the members shall be representatives of low income persons in Lane County; five of the members shall represent business, industry, labor, religious, welfare, education or other major groups of interest in the community.

Public officials shall consist of three members currently serving on the Human Services Commission: one Lane County member, one City of Eugene member and one City of Springfield member; two members shall be designees representing the Community Development Advisory Committees of Eugene and Springfield.

The remaining members are appointed by Board of Commissioners. Subcontractors of emergency basic needs or community action services, their employees and their board members are barred from membership on this committee.

TERM: 4 years, ending June 30 *(Revised by Order No. 00-8-16-1; Effective 8.17.00)*

3.534 Community Health Centers Advisory Council.

Provides assistance and advice to the Board of Commissioners and the Human Services Commission's Community Health Centers of Lane County (CHCLC) in promoting its mission to provide comprehensive health care that is quality-driven, affordable and culturally competent to the people of Lane County. The Council will provide input and feedback to generally advise the development, implementation and evaluation of CHCLC programs, including but not limited to all programs funded through the Federal Bureau of Primary Health Care Grant. This may also include providing feedback and advice regarding the health care needs of Lane County residents. One goal of the Council is to review marketplace trends and to provide assistance and advice which reflects economic realities in the marketplace. Its tasks shall include: participate in the selection, evaluation of the Program Manager in accordance with County personnel policies and procedures; participate in ensuring that the CHCLC is operating in accordance with applicable federal, state and local laws and regulations; participate in planning and reviewing the CHCLC's budget throughout the year, as well as in approving the annual budget and primary care grant application; participate in planning, measuring and evaluating the

CHCLC's progress in meeting its annual and long-term programmatic and financial goals; participate in selecting the services provided by the CHCLC and determining the hours during which services are provided at service sites; participate in adopting health care policies regarding scope and availability of services, and hours of services; participate in approving or disapproving any subsequent grant applications for the CHCLC's Programs. The Council shall work with the CHCLC's management and community leaders to actively engage in long-term strategic planning to position the CHCLC for the future.

STAFFING: Department of Health and Human Services

MEETS: Monthly

MANDATED: Section 330 of the Public Health Service Act

MEMBERSHIP: (15) The Council shall have 15 members. Representation shall be from consumers, health care providers, and community representatives as follows: eight members of the Council must be people who are served by the CHCLC, consumer members, and who as a group represent the individuals being served including demographic factors. Seven members will be health care and community representatives with a broad range of skills and expertise. Finance, legal affairs, business, health and managed care, social services, and government are some examples of the areas of expertise to be considered. No more than half of the non-consumer representatives may derive their annual income from the health care industry. No Council member shall be an employee of the health center or an immediate family member of an employee.

TERM: 3 years, ending June 30

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MEETS: Monthly
MANDATED: Lane County Goal 5, Policy 1 and Statewide Planning Goal 5
MEMBERSHIP: (7) Reflects the geographic diversity of the County and other requirements of the Goals.
TERM: 4 years, ending November 30 (*Revised by Order No. 00-8-16-1; Effective 8.17.00*)

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MEETS: Monthly

MANDATED: ORS 458.505

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CHCLC's budget throughout the year, as well as in approving the annual budget and primary care grant application; participate in planning, measuring and evaluating the CHCLC's progress in meeting its annual and long-term programmatic and financial goals; participate in selecting the services provided by the CHCLC and determining the hours during which services are provided at service sites; participate in adopting health care policies regarding scope and availability of services, and hours of services; participate in approving or disapproving any subsequent grant applications for the CHCLC's Programs. The Council shall work with the CHCLC's management and community leaders to actively engage in long-term strategic planning to position the CHCLC for the future.

STAFFING: Department of Health and Human Services

MEETS: Monthly

MANDATED: Section 330 of the Public Health Service Act

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Representation shall be from consumers, health care providers, and community representatives as follows: eight members of the Council must be people who are served by the CHCLC, consumer members, and who as a group represent the individuals being served including demographic factors. Seven members will be health care and community representatives with a broad range of skills and expertise. Finance, legal affairs, business, health and managed care, social services, and government are some examples of the areas of expertise to be considered. No more than half of the non-consumer representatives may derive their annual income from the health care industry. No Council member shall be an employee of the health center or an immediate family member of an employee.

TERM: 3 years, ending June 30

Attachment A

COMMUNITY HEALTH CENTERS ADVISORY COUNCIL

By-Laws

Community Health Centers Advisory Council
Lane County Human Services Commission
125 E 8th Avenue
Eugene, Oregon 97401
(541) 682-3798 FAX (541) 682-3760
<http://www.lanecounty.org/hsc>
November 17, 2003

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Article I: Name

This body shall be known as the Community Health Centers Advisory Council, and shall be thereafter referred to as the "Council."

Article II: Purpose

The Council shall assist and advise the Lane County Board of Commissioners and the Human Services Commission's Community Health Centers of Lane County (CHCLC) in promoting its vision of healthy people in healthy communities. It shall support and guide the CHCLC in its mission to provide comprehensive health care that is quality-driven, affordable and culturally competent to the people of Lane County. The Council will provide input and feedback to generally advise the development, implementation and evaluation of CHCLC programs, including but not limited to all programs funded through the Federal Bureau of Primary Health Care Grant.

Article III: Office

The principal office of the Council shall be located at 125 East 8th Avenue, Eugene, Oregon 97401.

Article IV: Responsibilities

The Human Services Commission's Community Health Centers of Lane County (CHCLC) is a public entity, a division of the Lane County Department of Health & Human Services. Therefore, the County retains the responsibility of establishing fiscal and personnel policies. Day-to-day leadership and management rest with staff under the direction of the Human Services Commission Program Manager.

The Council's responsibilities include providing advice, leadership and guidance in support of the CHCLC's mission. This may also include providing feedback and advice to the Board of County Commissioners regarding the health care needs of Lane County residents.

One goal of the Council is to review marketplace trends and to provide assistance and advice which reflects economic realities in the marketplace.

The Council shall:

- Participate in the selection and evaluation of the Human Services Commission Program Manager. The Council's participation in the selection and evaluation will be exercised in accordance with established County criteria, personnel policies and the Federal Bureau of Primary Health Care Grant.
- Participate in ensuring that the CHCLC is operating in accordance with applicable federal, state and local laws and regulations.
- Participate in planning and reviewing the CHCLC's budget throughout the year, as well as in approving the annual budget and primary care grant application.
- Participate in planning, measuring and evaluating the CHCLC's progress in meeting its annual and long-term programmatic and financial goals.
- Participate in selecting the services provided by the CHCLC and determining the hours during which services are provided at service sites.

- Participate in adopting health care policies regarding scope and availability of services, and hours of services.
- Participate in recommendation, approval, or disapproval of any second or subsequent grant applications for the CHCLC's programs.

The Council shall work with the Community Health Centers of Lane County's management and community leaders to actively engage in long-term strategic planning to position the CHCLC for the future.

Article V: Members

Section 1: Size

The Council shall have 15 members.

Section 2: Composition

The Council as a whole is committed to diversity and in that spirit shall have members from the following communities:

- Consumers
- Health care providers
- Community representatives

A majority of members of the Council must be people who are served by the CHCLC, consumer members, and who as a group represent the individuals being served including demographic factors.

The Council should be comprised of members with a broad range of skills and expertise. Finance, legal affairs, business, health and managed care, social services, labor relations and government are some examples of the areas of expertise needed by the Council to fulfill its responsibilities. No more than half of the non-consumer representatives may derive their annual income from the health care industry.

No Council member shall be an employee of the health center or an immediate family member of an employee.

A. Consumer Member Defined

The intent of the Council is to provide a platform for consumer members to give input on the Community Health Centers of Lane County's strategic direction and policy. Accordingly, consumer members should utilize the CHCLC as a principal source of primary health care. The CHCLC recognizes that primary care services may include a broad range of preventative and clinical services. A consumer member should have used the CHCLC's services within the last two years. A legal guardian of a consumer who is a dependent child or adult, or a legal sponsor of an immigrant may also be considered a consumer for purposes of Council representation.

As a group, consumer members of the Council must reasonably represent the diversity of individuals being served by the CHCLC. Considerations should include, but are not limited to, race, ethnicity, sexual orientation, socioeconomic class, physical ability and gender.

When the CHCLC receives both community health center funding and funding designated for a special population, representation should be reasonably proportional to the percentage of consumers the special population group represents. However, there should be at least one representative from the special population group. The intent is not to impose quotas on Council membership but to ensure the Council is sensitive to the needs of all CHCLC consumers.

B. Non-Consumer Member Defined

A Health Care Provider member is an individual whose income and/or support is derived from the health care industry. This may include but is not limited to physicians, individuals associated with a local community family planning agency, administrators of a community hospital or outpatient clinic and dentists in private practice.

A community member is an individual who is representative of a community's concern for health care, is willing to assist in developing community support for the CHCLC and is selected for his/her expertise in community affairs, local government, finance and banking, legal affairs, trade unions, other commercial and industrial concerns, or social service agencies within the community. A community member may be an actual or potential consumer, but not a health care provider.

Article VI: Nominations

The Nominating Committee shall prepare and submit to the Council a list of nominees for each vacant position on the Council. The Council shall recommend approval of new members by a majority vote. Once approved by the Council, the nominees will be submitted to the Board of County Commissioners for approval and appointment.

In making appointments to the Council, the Board of County Commissioners shall not be limited to the persons appearing on the Nominating Committee's lists. However, the composition of the membership appointed by the Board of County Commissioners shall comply with the requirements outlined above.

Article VII: Term of Office

All terms of office shall be for three (3) years. The effective date of membership corresponds to the date that the nomination is approved by the Council. A person shall be limited to two (2) consecutive terms of office.

Article VIII: Vacancies

Vacancies in Council positions shall be filled by appointees selected by the Board of County Commissioners from the same membership category from which the vacating member was selected, in accordance with Article V. Such appointees shall serve as members of the Council until the end of the terms of the outgoing members.

Article IX: Removal

Any member may be removed whenever the best interests of the CHCLC or the Council will be served. The members whose removal is placed in issue shall be given prior notice of his/her proposed removal, and a reasonable opportunity to appear and be heard at a meeting of the Council. A member may be removed pursuant to this section by a vote of two-thirds (2/3) of the total number of members then serving on the Council.

Continuous and frequent absences from the Council meetings, without reasonable excuse, shall be among the causes for removal. In the event that any member is absent without acceptable excuse from three (3) consecutive Council meetings or from four (4) meetings within a period of six (6) months, the Council shall automatically give consideration to the removal of such person from the Council in accordance with the procedures outlined in this Article.

Article X: Conflict of Interest

A conflict of interest transaction is a transaction with the Community Health Centers of Lane County in which a Council member has a direct or indirect economic or financial interest. Conflict of interest or the appearance of conflict of interest by the Council members, employees, consultants and those who furnish goods or services to the CHCLC must be declared.

In situations when conflict of interest exists for a member, the member shall declare and explain the conflict of interest. No member of the Council shall vote in a situation where a personal conflict of interest exists for that member.

Any member may challenge any other member(s) as having conflict of interest. By roll call vote, properly recorded, the status of the challenged member(s) shall be determined prior to further consideration of the proposed project or issue. Prior to debate on any proposed project or issue at committee or Council level, it shall be the responsibility of the President to identify any conflict of interest, either by declaration or challenge. The challenge may be individual or applied to a group.

No Council member shall be an employee of the CHCLC or an immediate family member of an employee.

Article XI: Compensation

No salary shall be paid a member for his/her services as a member of the Council. However, direct expenses, including transportation, and meals, incurred by Council members attending Council meetings may be provided or may be reimbursed by the County.

Article XII: Meetings

Section 1: Open Meetings

Regular and special meetings shall be open to the public.

Section 2: Regular Meetings

The Council shall hold regularly scheduled meetings, at least once a month, for which minutes shall be kept. The time, place and location of the meetings, which may be designated by the Council, shall be made known to the public by advertising or posting such notice, and such notice shall be given to each Council member at least one week in advance of the meeting date. When mailed and properly addressed, notice shall be deemed to have been given twenty-four (24) hours after it has been deposited in the United States Mail, postage paid.

Section 3: Minutes

The elected secretary, or a member appointed when the secretary is absent, will keep minutes of regular meetings. Program staff shall prepare, distribute and store minutes of every meeting. The minutes shall be reviewed and approved at each subsequent Council meeting.

Section 4: Special Meetings

Special meetings may be called at any time by the President of the Council, by a signed petition of a majority of the members then serving, or in response to a request by the County. The President shall convene a meeting within one (1) week of such request. Minutes of special meetings shall be kept.

Section 5: Format of Meetings

The make-up of membership should dictate the format by which meetings are conducted.

Section 6: Voting

The Council may act by the vote of a majority of the members present, at which a quorum is present, unless otherwise provided by statute or by these Bylaws. Each member shall be entitled to one (1) vote. No proxy votes shall be accepted. A quorum shall consist of a majority of current Council members.

Article XIII: Officers

The officers of the Council shall be chosen from among the members of the Council and shall include a President, Vice-President, Treasurer, and Secretary. At least one (1) of the officers shall be a Consumer Member.

Section 1: Nomination & Election

The Nominating Committee Chairperson shall be responsible for conducting the nominations and election of Council officers. Nominees shall be selected from the Council membership. Nominees for officer positions shall be presented at the regular

October meeting, and nominations of officers shall be made at the regular November meeting. A nominee may decline nomination.

Officers shall be elected annually by a majority vote of these members present and voting, as the first order of business at the December meeting of the Council.

Section 2: Term of Office

Officers shall be elected for a term of one (1) year, or any portion of an unexpired term thereof, and shall be eligible for reelection for a maximum of one (1) additional year. A term of office for an officer shall start January 1, and shall terminate December 31 of the same year, or shall serve until a successor is elected.

Section 3: Vacancies

Vacancies created during the term of an officer of the Council shall be filled for the remaining portion of the term by special election by the Council, at a regular meeting in accordance with this Article.

Section 4: Responsibilities

A. President

The President shall preside over meetings of the Council, shall serve as Chairperson of the Executive Committee and ex-officio member of all other committees, and shall perform the other specific duties prescribed by these Bylaws or that may from time to time be prescribed by the Council.

B. Vice-President

The Vice-President shall perform the duties of the President in the latter's absence and shall provide additional duties that may from time to time be prescribed by the Council.

C. Treasurer

The Treasurer shall ensure that adequate financial records are kept and that accurate and timely financial reports are delivered to the Council. The treasurer shall perform additional duties that may from time to time be prescribed by the Council.

D. Secretary

The Secretary shall ensure that minutes of all the meetings and proceedings of the Council are kept and shall perform additional duties that may from time to time be prescribed by the Council.

Article XIV: Committees

The Council may designate one or more committees as the Council sees appropriate to carry out its responsibilities by resolution. The resolution shall be adopted at a meeting of the Council at which a quorum is present.

Each committee shall consist of two (2) or more Council members, at least one (1) of which is an actual or potential consumer. Committees may also consist of additional persons from the community chosen for their knowledge and concern about a specific field or endeavor who are not members of the Council.

The designation of such committees and the delegation thereto of authority shall not operate to relieve the Council of its responsibility. Any actions or recommendations of a committee must be approved by the Council.

The Council shall have the following standing committees:

- Executive Committee
- Nominating Committee
- Budget Committee

Additionally, the Council may appoint other committees as appropriate to fulfill its advisory role across the CHCLC.

Section 1: Appointments

A. Chairperson

The President of the Council or the Council by majority vote shall appoint the Committee chairperson from the members of the committee.

B. Members

Committee members shall be appointed by the President with the approval of the Council.

C. Term of Office

The Chairperson of a committee shall hold office for a maximum of one (1) year or until a successor is appointed and approved. All members of each committee shall hold office for one (1) year and a maximum of three (3) years or until a successor is appointed and approved.

D. Vacancies

The President, with the approval of the Council, shall have the power to fill any vacancies that occur on the committee.

Section 2: Meetings

All meetings of the committees shall meet at such time and place as designated by the Chairperson of the committee and as often as necessary to accomplish their duties.

Section 3: Minutes

All committees shall maintain written minutes of all meetings, which shall be available to the Council. They shall report in writing to the Council as necessary, in the form of reports or recommendations.

Article XV: Executive Committee

Section 1: Membership

The Executive Committee shall consist of the President, Vice-President, Treasurer, Secretary, and two (2) members of the Council elected as members-at-large. Consumer members shall comprise a majority of the Executive Committee.

Section 2: Election

Officers and members-at-large shall be elected annually by a majority vote of these members present and voting, as the first order of business at the December meeting of the Council, in accordance with Article XIII.

Section 3: Powers

The Executive Committee shall prepare and see that an agenda is distributed prior to each regular meeting; shall coordinate the activities of all committees; and shall perform such other duties as prescribed by the Council.

Section 4: Meetings

The Executive Committee shall meet at such time and place as it may designate and shall keep a record of all its proceedings and actions.

Special meetings of the Executive Committee may be called on one (1) day's notice by the President or by three (3) members of the Executive Committee.

Section 5: Voting

The Executive Committee shall act by majority vote of those present at a meeting having a quorum. Three (3) members of the Executive Committee shall constitute a quorum.

Section 6: Vacancies

Vacancies on the Executive Committee shall be filled by special election at a regular meeting of the Council, in accordance with Article XIII

Article XVI: Amendments

The Bylaws may be repealed or amended, or new Bylaws may be adopted at any meeting of the Council at which a quorum is present, by two-thirds (2/3) of those present and voting. At least fourteen (14) days written notice must be given to each member of the intention as to alter, amend, repeal or to adopt new Bylaws at such meetings, as well as the written alteration, amendment or substitution proposed. Bylaws changes which are approved by the Council and which are inconsistent or in opposition to established County policies and procedures are subject to approval of the Board of County Commissioners.