

A G R E E M E N T

THIS AGREEMENT, Made and entered into this 4th day of March

1975, by and between CASCADE COUNTY, a municipal or governmental corporation of the State of Montana, acting by and through its duly elected and qualified Board of County Commissioners, party of the First Part, hereinafter referred to as "County," and the CITY OF GREAT FALLS, a municipal corporation of the State of Montana, situated within the County of Cascade, State of Montana, a first class city, acting by and through its duly elected and qualified Mayor and its duly appointed and qualified City Clerk, who have been authorized by the Commission of said City to execute this Agreement for and on its behalf, party of the Second Part, hereinafter referred to as "City."

W I T N E S S E T H

THAT, WHEREAS, under and by virtue of Chapter 45, Title 69, Revised Codes of Montana, 1947, it is required that County Board of Health be created, and it is further provided in said Chapter that any first class city located within a County in which a Health Department is now being maintained, or may be organized, may by mutual agreement between the municipal government and the county government merge its health service with that of the County in which it is located and participate in the financial maintenance of a full time City-County Health Department, which shall have full supervision and control of all matters pertaining to the prevention of disease and the promotion of public health within such City; and

WHEREAS, under the authority and provisions of said Chapter said County and City have mutually agreed to unite in the organization and maintenance of a City-County Health Department, which shall have full supervision and control of all matters pertaining to the prevention of disease and the promotion of public health within such City; and

WHEREAS, under the authority and provisions of said Chapter said County and City have mutually agreed to unite in the organization and maintenance of a City-County Health Department, to be known as CITY-COUNTY HEALTH DEPARTMENT, and to participate in the financial maintenance of said Health Department.

NOW, THEREFORE, IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN SAID COUNTY AND CITY AS FOLLOWS:

1. That there shall be created a combined City and County Board of Health for the CITY-COUNTY HEALTH DEPARTMENT, which said Board of Health shall have full supervision and control over all matters pertaining to the prevention of disease and promotion of the public health within such County and City.
2. That said Board of Health shall consist of seven (7) members, all of whom shall be qualified electors of the State of Montana and of the County of Cascade. Membership of the City-County Board of Health shall consist of:

- (1) A Cascade County Commissioner, or his representative.
- (2) The Mayor of Great Falls, or his representative.
- (3) At least five additional members to be appointed by mutual consent of the Cascade County Commissioners and the City Commission of Great Falls.

The additional members are to be:

- (a) Superintendent of School District #1, or his/her representative.
- (b) A licensed doctor of medicine residing in Cascade County representing the Cascade County Medical Association.
- (c) A licensed doctor of dentistry residing in Cascade County representing the Cascade County Dental Association.
- (d) Two or more interested citizens, equal representation by number from within the city limits of Great Falls and the area of Cascade County outside the City of Great Falls.

3. That the doctor of medicine appointed to said Board shall be appointed by the Board of County Commissioners and City Commission from a list of not to exceed three (3) names submitted to said Board by the Cascade County Medical Society; that the doctor of dentistry appointed to said Board shall be appointed by the Board of County Commissioners and City Commission from a list of not to exceed three (3) names submitted by the Cascade County Dental Association; that the appointment of said doctor of medicine and said doctor of dentistry by said Board of County Commissioners and City Commission shall be approved by the State Board of Health, and that neither of said members of the Board so appointed shall hold any other County or City Office.

4. That all appointments made to said Board of Health shall be for a term of three (3) years, and shall be staggered in a manner to establish and maintain the Board in accordance with Chapter 45, Title 69, RCM 1947. Vacancies which occur on the Board of Health by reason of death or resignation, or for other reasons, shall be filled for the unexpired term of the vacated member and appointments to fill said vacancies shall be made as hereinbefore specified. The member or members so appointed shall, if required by law, be approved by the State Board of Health.

5. As soon as practicable after their appointment, the said Board of Health shall meet and organize by electing a Chairman, a Vice-Chairman, and such other officers as it may deem best and advisable. The Health Officer hereinafter provided for shall not be a member of the Board of Health, but shall act as its secretary and shall perform his duties as such Secretary as required by said Board.

6. Said Board of Health shall employ a Public Health Officer and such assistants, nurses, sanitarians, clerks, and other employees as said Board may deem necessary, all of whom shall be under the supervision

of said Board of Health, and said Board is hereby authorized and empowered to fix the compensation of said Officer, assistants, nurses, and other employees in accordance with the laws of the State of Montana and the approval of the Board of County Commissioners of said County and Commission of said City.

7. Said Board of Health shall possess and have all the powers given to Boards of Health under the laws of the State of Montana and the rules and regulations of the State Board of Health of the State of Montana, the ordinances of the City of Great Falls, Montana, and such powers as may be conferred upon it by any United States Health Service or other agency of the United States Government pertaining to Boards of Health.

8. That said Board shall have power to enact such rules and regulations pertaining to the prevention of disease and the promotion of public health in said County and City, but in no instance shall such rule or regulations be less effective or in conflict with the rules and regulations promulgated by the State Board of Health.

9. That said Board shall submit at the times and in the manner required by law to said County and to said City a budget of its requirements for each fiscal year, which said budget shall be approved by the Board of County Commissioners of said County and the Commission of said City, and, in case of disagreement between said County and said City as to said budget, the same shall be submitted to a committee composed of the Board of County Commissioners and three members of the Commission of said City, or the Mayor and two members of the Commission of said City, who shall then make such recommendations to their respective governmental organizations or agencies as may be agreed upon.

10. That the division of expenses of said Board of Health shall be mutually agreed upon by said County and said City, but any funds appropriated by

said City shall be paid to the Treasurer of said County, who shall disburse the same as County funds; that the City's share of said expense shall be contributed from time to time as may be required, but all payments shall be made through the County Treasurer or other County officers of said County as may be required by law.

IN WITNESS WHEREOF, the said County has caused these presents to be executed by its duly authorized Chairman of its Board of County Commissioners and attested by its County Clerk, and its Corporate Seal affixed hereto, and said City has caused these presents to be duly executed by its Mayor and attested by its City Clerk, and its Corporate Seal affixed hereto, all on the day and year first above written.

(SEAL OF CASCADE COUNTY)

ATTEST:

J. L. Leonard  
County Clerk and Recorder

CASCADE COUNTY

By [Signature]  
Chairman, Board of County  
Commissioners

(SEAL OF CITY OF GREAT FALLS,  
MONTANA)

ATTEST:

[Signature]  
City Clerk

CITY OF GREAT FALLS

By [Signature]  
Mayor