JCCMHFB
Quarterly Board Meeting
December 9, 2019
Festus 2nd Floor
Conference Room
JCCMHFB Quartely Meeting
AGENDA

Meeting Date: December 9, 2019  Time: 9:00 am  Location: Festus Office

1. Approval of Agenda

2. Approval of Meeting Minutes
   a. November 11, 2019

3. Financial Report

4. Approval of COMTREA Board Actions

5. 2019 End of Year Funding Updates

6. Work Group / Future Work Date Options
   a. Option 1: Wednesday, January 8th, 7-10am
   b. Option 2: Wednesday, January 8th, 4-7pm
   c. Option 3: Thursday, January 16th, 7-10am
   d. Option 4: Thursday, January 16th, 4-7pm
   
   (The Bylaws that previous mark ups were started in are provided for you to review,
   the revisions will be discussed at the January worksession)

7. Motions for guests to attend the work group sessions

8. Adjournment
JCCMHFB Special Board Meeting Minutes

Meeting Date: November 11, 2019  Time: 9:00 am  Location: Arnold office – Cafe

Board Attendees: Jerry Rogers; Mark Mertens; Audrey Mitchell; Dr. Steven Crawford; Dr. Josh Isaacson and Kelly Steffens

Staff in Attendance: Sue Curfman, CEO and Amy Rhodes, CFO

Not in Attendance: Dennis Gannon

The JCCMHFB Meeting was called to order by Josh Isaacson, Interim Chair at 9:01 am with a quorum of members present.

1. Approval of Agenda
The November 11, 2019 special board meeting agenda was reviewed with no changes requested.

Recommendations: “I, Mark Mertens, move that the November 11, 2019 agenda be approved as presented.” Kelly Steffens seconded the motion. The motion carried.

2. Approval of Minutes
The September 9, 2019 meeting minutes were reviewed with no changes requested.

Recommendations: “I, Mark Mertens, move that the September 9, 2019 meeting minutes be approved as presented.” Dr. Crawford seconded the motion. The motion carried.

3. Financial Report
Amy Rhodes went over the financial report through September showing the programs that utilize the funds and what is budgeted and what has been utilized. The lower portion shows what has been collected thus far.
Recommendations: “I, Jerry Rogers, move that the JCCMHFB approve the financial report as presented.” Dr. Crawford seconded the motion. The motion carried.

4. Approval of COMTREA Board Actions
Recommendations: “I, Mark Mertens, move that the JCCMHFB approve the COMTREA Board Actions through November 11, 2019 as presented.” Kelly Steffens seconded the motion. The motion carried.

5. RFP Updates
The award letters and contracts were sent to those that are receiving awards for calendar year 2020. All signed contracts were returned to Lisa Wigger.
- Desoto School District – this is the first time they have requested. $77,719
- Foster & Adoptive Care Coalition – first time request. $74,131.
- Lutheran Family and Children’s Services – third time applying. $78,000
- NCADA – they had requested the first year and did not request last year. $20,150

6. JCCMHFB/COMTREA Board Separation Document Review
Josh Isaacson wanted to give a brief overview.
   a. History & Perspective of JCCMHFB from Dr. Stephen Huss
      i. October 16, 2019 meeting notes with Dr. Huss
         Josh Isaacson sat down with Dr. Huss to get an overview of the development of the board. Dr. Huss felt that there should be no changes to the bylaws and it should be run as it is.
   b. Establishment of the JCCMHF tax – (April 29, 1986 Court Order and Ordinance signed regarding placing the Comtrea tax levy issue on the August 5th ballot)
      i. Community Mental Health (COMTREA) Proposition 1
      ii. Establishment by County of Community Mental Health Fund Board
         Josh Isaacson stated that there should have been the establishment of the board with the tax, instead the tax was established first and then the board. Since COMTREA is not run by Jefferson County the fund board is needed to review the contracts.
   c. Statues of Missouri-Community Mental Health Services
      Provided and there are notes to assist. Mark Mertens asked if it states that the county has to appoint the board for the funds. It was agreed that it is under 205.984.
   d. JCCMHFB Bylaws
The issues may of arised due to the Bylaws because they make COMTREA exclusive. The historical aspect of these is important because COMTREA was the mental health service at the time when this passed. Dr. Huss stated that COMTREA went out and got this funding and taxing. This was to have a safe based for funding to ensure the success of COMTREA. Amy Rhodes stated that prior to passing this they had laid off due to funding. There was conversation regarding how the board worked until a few years ago and how there wasn’t a separation. Mark Mertens stated that at the time COMTREA pushed and had a good reputation and that is why it passed.

   e. Board Resolution June 27, 2006
   f. Supporting documentation from 2004 ½ cent sales tax
   g. Current Agreement Between JCCMHFB and COMTREA
   h. Conversation Initiating Action-S.C. & Senator P.W.

The reason for the discussions was the conversations with Senator Paul Wieland those are included in the packet for the review. There was concerned regarding the MH board being a COMTREA board members automatically. Josh Isaacson stated that it is working different than how it originally did as the county does recommend the individuals for the board and COMTREA no longer recommends those individuals to the county. There are currently two open positions on the board.

   i. Review of past meeting minutes

Josh Issacson wanted more clarification on how things would work if the boards separate. Amy Rhodes explained that it will be different depending. Jerry Rogers asked for clarification on how the board work and recommending to the county and they send the funds. Amy Rhodes stated that would need to be discussed with the county.

7. February 27, 2019-Initial Discussion Started

   a. Letter sent to Paul Wieland

   b. March 11, 2019-Approval of work group (discussed but not voted on) (Consisting of
      2 COMTREA Board, 2 JCCMHFB, 2 Council, 1 County)

There was a motion made in March to create a committee (work group), the next steps will be to create the work group and establish the members. This group would work to make the recommendations and the board would take action.

   c. June 17, 2019-RFP/Contract
8. **Next Steps-Establish Work Group or Other**

a. **Establish Work Group**

**Recommendations:** “I, Mark Mertens move that the JCCMHFB become the workgroup on this matter.” Kelly Steffens seconded the motion. The motion carried.

b. Fulfill motion made during March 2019 to create work group to review JCCMHFB bylaws and make recommendations of possible changes to the JCCMHFB.

c. Work group chair will reach out to those nominated and approved by JCCMHFB and establish date(s) for work group committee to meet, review relevant documents, and develop a list of JCCMHFB Bylaw suggestions.

d. Chair of work group will present work group recommendations to the JCCMHFB on Monday, January 13, 2020 for consideration.

e. Entertain Nominations for work group chair

**Recommendations:** “I, Mark Mertens move to nominate Josh Isaacson as the work group chair.” Dr. Crawford seconded the motion. The motion carried.

f. Entertain Nominations for those who should serve on the work group

It was decided that the JCCMHFB members will be part of the work group and call in advisors to help with any information during their work session.

g. **Other Discussion Items**

Josh Isaacson stated that there could be option not to do anything and Dr. Huss recommended this. Josh Isaacson cautioned that COMTREA would have a hard time existing without these funds. The concern is if these board separate and the bylaws change and that things could change. Jerry Rogers stated that his concern is the separation that people will sit on the board to fund certain projects. Josh Isaacson stated that he understands the frustration but that the historic is not being looked at. There are some things on the bylaws that could be changed. Dr. Crawford stated that is correct. Mark Mertens
stated that not all the funds come through COMTREA with the RFP. Josh Isaacson stated that he doesn’t think what the Senator wants can be done. Jerry Rogers stated that if nothing is done then it needs to be prepared for what will happen. Mark Mertens stated that he believes Catholic Charities and Lutheran might sue if this is not separated. There was discussion on how the statues read. The contract for the 5 year agreement is with COMTREA, the bylaws are set up with COMTREA as the sole provider and they may not be set up correctly. Mark Mertens stated that this was done so that COMTREA was not underfunded because county run health organizations are always underfunded.

Josh Isaacson stated that the next steps is the work group be established or stating not interested in separating. Jerry Rogers asked who would serve on the work group that would be established. (Consisting of 2 COMTREA Board, 2 JCCMHFB, 2 Council, 1 County). There was discussion on Dennis King, Jr. attorney that worked for the county that might be good for the committee. Jerry Rogers stated that the committee could meet and then recommend. Josh Isaacson stated that restructuring the bylaws would assist with the issues.

Mark Mertens believes that a work group be developed, Amy Rhodes stated that the COMTREA representation would be staff from COMTREA. Sue Curfman stated that the workgroup also have Rachael Bersdale she would know what the dollars are used for and the services. Dr. Crawford stated that she should be an advisor. Mark Mertens stated that he has concerns on having county council on the workgroup and it should be done without a county council member. Jerry Rogers asked if we agreed with this and not include the council and Jerry Rogers stated that the workgroup could be the committee and have advisors to the group. Josh Isaacson stated the workgroup needs to be separate from this regular meeting, there needs to be three hours allocated to the session and a good agenda and pull in those who can provide information as needed.
9. Adjust current course of action based upon JCCMHFB/COMTREA Board Separation Document Review

10. Adjournment

With no other business to discuss.

Recommendations: "I, Mark Mertens move to adjourn." Jerry Rogers seconded the motion.
The motion carried.

☐ Minutes approved ___________________________________________  ____________

(Signature of JCCMHFB President)  (Date)
| ADULT SERVICES PROGRAM | 2020 BUDGET | MIL TAX REQUEST | SALES TAX REQUEST | FY 2020
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<td>Court Services</td>
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| CHILDREN'S SERVICES PROGRAM | 2020 BUDGET | MIL TAX REQUEST | SALES TAX REQUEST | FY 2020
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Community Treatment Inc
MIL Tax and Sales Tax Request to JCCMFB
FISCAL YEAR 2020 - October

Includes:
- Counseling
- Day Treatment

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<th>SALES TAX REQUEST</th>
<th>Actual Expense</th>
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| TOTAL COSTS / REQUESTS | 21,655,885 | 2,900,000 | 2,800,000 | 5,546,883 | 674,334 | 948,962 |

Approximately 5,500 clients at $2,658/per patient

Received to date

703,577 1,005,265
RFP Updates

Awards for 2019 Calendar Year

- Lutheran Family and Children’s Services - $78,000
  Support additional mental health counseling services for children, youth and families in Jefferson County
  
  - The full $78,000 in funding awarded was utilized for the 2019 Award Year.
BY-LAWS
Jefferson County Community Mental Health Fund Board

ARTICLE I.

SECTION 1. The legal name of the organization is Jefferson County Community Mental Health Fund Board (JCCMHFB).

SECTION 2. The purpose of this Organization as authorized by the County Council and the Statutes of the State of Missouri is to administer the funds received by Jefferson County from the property tax and children’s sales tax and to do through solely contracting with a designated provider to act as its exclusive active agent in order to assure a system of care which addresses the following for Jefferson County:

A. The provision of a comprehensive policy concerning the planning and delivery of community mental health services and children’s services.
B. The provision of professional individual and family counseling at reasonable cost to residents of Jefferson County.
C. Efforts are made to assist in community education concerning health, mental health, substance abuse and spouse abuse.
D. The provision of a 24 hour hot line.
E. The provision of psychiatric day treatment.
F. The assurance that a residential shelter for victims of domestic violence is available in the county.
G. The assurance that at least two offices providing mental health/substance abuse/and behavioral health services are located within Jefferson County.
H. A web site regarding services available and other activities of the designated provider is available for the county.
I. Liaisons are provided to public school districts within the county.
J. A child psychiatrist is available in Jefferson County.
K. Services are provided in a professional and quality manner.
L. A community mental health service network exists in the county.
M. Additional funds (grants/contracts/etc.) to accomplish the goals of the JCCMHFB and the designated provider are sought by the designated provider.
N. The supervision of the designated provider who acts as the sole treatment provider and administrator for the JCCMHFB is performed by the JCCMHFB.

SECTION 3.
1. The Board shall consist of 9 members, one of which must be a physician.
2. The Board shall be so constructed as to represent the seven Jefferson County Districts as practicable.
3. The Chief Executive of the County shall automatically be a member of the JCCMHFB.
4. The JCCMHFB members will automatically be Comtrea board members. (what do we want to change this to?)

ARTICLE II.

Offices
The JCCMHFB shall co-locate with the designated provider. Notice of change of office or registered agent shall be transmitted to the County Council. The President/CEO of the designated provider will be the JCCMHFB Administrator.
ARTICLE III.

SECTION 1. GENERAL POWERS. The JCCMHFB shall be responsible for the development of policies and for the general supervision of their implementation and will supervise the designated provider as it acts for the JCCMHFB. Members may not act or speak on behalf of the entire Board without express Board approval/consent.

The Board has the following ultimate responsibilities:
1. Approving all of the designated provider activities which utilize JCCMHFB funds.
2. Assuring that the designated provider activities are conducted in compliance with applicable federal, state, and local laws.
3. Evaluating the designated provider achievements at least annually and using the knowledge gained to revise its mission, goals, objectives, plans, and budgets as may be appropriate and necessary.
4. Reviewing and accepting the independent auditor report that reviews the actions of the designated provider each year.
5. Evaluating itself periodically for efficiency, effectiveness, and compliance with all requirements.

SECTION 2. COMPOSITION. The composition of the JCCMHFB may not conflict with any Federal law or guideline as to representation of minorities. The members will be selected for their expertise in community affairs, local government, finance and banking, legal affairs, trade unions, and other commercial and industrial concerns, or social service agencies within the community.
1. The nine members of the board will be appointed by the Jefferson County Council to administer the community mental health fund.
2. These members will serve as members of the COMTREA Board for their respective terms of office.
3. The appointments are for three years.
4. Appointees may serve consecutive terms at the pleasure of the Jefferson County Council.

SECTION 3. REGULAR MEETINGS. Meetings of the board of directors shall be designated from time to time by resolution of the board of directors.
1. Written notice of such meetings shall be given no less than ten (10) days prior to the meeting.
2. This Board shall regularly convene no less frequently than once every quarter.
3. The JCCMHFB shall meet in conjunction with the designated provider Board and ratify all actions.
4. The June meeting each year shall be a designated “Annual Meeting”.
5. If necessary in case of an emergency, upon proper notice, meetings may be called by the chairman or the Administrator. Said notice shall be written and state briefly the time, place and subject matter of the meeting.
6. Board meeting minutes will be kept at the designated provider main office in a secure manner and may not be disposed of. Closed meeting minutes are retained in a secure manner; open meeting minutes will be placed on the public section of the designated provider Web site.

SECTION 4. QUORUM. One-third of the board of directors shall be a quorum of the board. The act of the majority of the directors present at a meeting at which a quorum is present shall be the act of the board.
1. Board Members may meet or participate in meetings by telephone or other electronic means as long as all Board Members are continuously able to communicate with one another and the public is able to participate in accordance with the Missouri Sunshine Law.

SECTION 5. COMPENSATION. Directors shall receive no compensation for their services.
SECTION 6. ATTENDANCE.
1. Any member of the board who shall be absent from 3 consecutive meetings without cause or 50 percent of special or regular meetings within a 12 month period, may be removed from the board by the County Council
2. Members may appoint a “designee” to act for them.

SECTION 8. CONFLICT OF INTEREST. No member of the council, a committee, or any advisory groups as may be established, shall vote on any matter which would involve a conflict of interest, monetary, professional or in any other fashion.

SECTION 9. RULES OF ORDER. All members of the council and of committees or advisory groups which shall be established in accordance with the latest edition of Robert's Rules of Order.

Section 10. DISTRIBUTION OF FUNDS. JCCMHFB will administer the disbursement of funds collected pursuant to the Jefferson County Mental Health Mil Tax and the Jefferson County Children's Sales Tax. The funds collected by the Jefferson County Collector will be deposited in a separate account maintained by the Jefferson County Treasurer, and all interest earned on such funds shall be retained in said account for the use exclusively in connection with mental health programs and allied services, subject to the following conditions:
1. Payment from the mil tax shall be made from such account by the County Treasurer promptly upon receipt of an invoice properly approved by the designated provider, acting on behalf of the JCCMHFB, contingent only upon the availability of funds in said account.
2. This relates only to funds collected by Jefferson County pursuant to the Mental Health Mil Tax and the Children’s Services Sales Tax, and that there shall be no obligation on the part of Jefferson County to provide any funding other than that so collected.
3. JCCMHFB requires that the designated provider agree that its financial operations shall be conducted in accordance which would generally accept the accounting principles and specifically in a manner acceptable to the Missouri Department of Mental Health Certification Committee.
4. The designated provider must assure that all expenditures shall be in accordance with the designated provider’s annual budget, and that expenditures of more than $5,000 for a single item shall be made only after the solicitation of three written bids or documented oral price quotes.
5. The funds collected by the State of Missouri, County of Jefferson, will be disbursed directly to the designated provider and overseen by the JCCMHFB.

ARTICLE IV

SECTION 1. OFFICERS. The officers of the corporation shall be a chairperson, vice-chairperson, a treasurer, a secretary and such other officers as may be elected in accordance with the provisions of this article. The board of directors may elect or appoint such other officers as it shall deem desirable, such officers to have the authority and perform their duties prescribed from time to time, by the board of directors.

SECTION 2. ELECTION AND TERM OF OFFICE. The officers of the corporation shall be elected at the first regular meeting of the board of directors each fiscal year. Vacancies may be filled or new offices created and filled at any meeting of the board of directors.
1. Each officer shall hold office for a term of three years unless he is unable or unwilling to act, or removed from office.
2. Officers may serve as long as reappointed by the County Council.

SECTION 3. REMOVAL. Any officer or agent elected or appointed by the board of directors may be removed by the County Council whenever in its judgment the best interests of the county would be served thereby.
1. Notification to the board member being removed shall be accompanied by a letter from the County Chief Executive to the person with a copy to the Administrator.
2. Removal from the board automatically includes removal as an officer.

SECTION 4. VACANCIES. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the County Council.
1. Resignations should be sent to the County Chief Executive with a copy to the Administrator.
2. See SECTION 3. REMOVAL

SECTION 5. CHAIRPERSON. The chairperson shall supervise all of the business and affairs of the corporation. S/He shall preside at all meetings of the board.

SECTION 6. VICE-CHAIRPERSON. In the absence of the chairperson or in the event of his/her inability or refusal to act, the vice-chairperson shall perform the duties of the chairperson, and when so acting, shall have all the powers of and be subject to all the restrictions upon the chairperson. The Vice-chairperson shall perform such other duties as from time to time may be assigned to him/her by the chairperson or by the board of directors.

SECTION 7. TREASURER. The treasurer shall serve on the Financial Committee of the designated provider and review all audits on behalf of the JCCMHFB.

SECTION 8. SECRETARY. The secretary shall see to it that minutes of the meetings of the members and of the board of directors are kept. The secretary shall implement the retention of the records of the meetings of the Board of Directors pursuant to Sunshine Laws.

SECTION 9. Administrator. The directors shall appoint the President/CEO of the designated provider to serve as Administrator of the JCCMHFB and a non-voting ex officio Board member. The Board shall require the Administrator to:
1. Carry out the policies of the JCCMHFB
2. Oversee the day to day operations of the designated provider
3. Evaluate the designated provider activities on behalf of the JCCMHFB including
   a. Service utilization patterns
   b. Productivity
   c. Patient satisfaction
   d. Achievement of project objectives
   e. Developing and overseeing the process for hearing and resolving patient grievances
4. Develop, adopt, and periodically updating policies for financial management practices, including:
   a. a system to assure accountability for corporate resources
   b. long-range strategic and financial planning
   c. approval of the annual budget submitted budget priorities
5. Serve as ex-officio participant of the Board and all Board committees.

ARTICLE V.
Contracts, Checks, Deposits and Funds

SECTION 1. CONTRACTS. The board of directors may authorize the chairperson to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation as authorized or imposed by the Board.

SECTION 2. DEPOSITS. All funds of the JCCMHFB shall be deposited to the credit of the designated provider in such banks, trust companies or other depositories as the designated provider board of directors may select.
ARTICLE VI.
Books and Records

The JCCMHFB shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, board of directors and committees having any of the authority of the board of directors, and shall keep at the registered or principal office a record giving the names and addresses of the members entitled to vote. All books and records of the corporation may be inspected by any member, or his/her agent or attorney for any proper purpose at any reasonable time.

ARTICLE VII.
Fiscal Year: The fiscal year of the corporation shall begin on the first day of July and end on the last day of June in each year.

ARTICLE VIII.
Amendments to By-Laws: These by-laws may be altered, amended or repealed and new by-laws may be adopted by a majority of the directors present at least two days' written notice is given of intention to alter, amend or repeal or to adopt new by-laws at such meeting.

Approved by the JCCMHFB

Date: ____________________  JCCMHFB Chairperson Signature: ____________________________

Approved copy provided to the Jefferson County Council

Date: ____________________