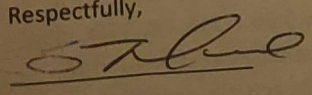


does not make any sense for a County employee to be managed by a board comprised of officials from three different local governments. It is impractical that the County will employ the Health Officer but the Governing Body solely has management and disciplinary authority, including any termination. We therefore do not accept these proposed edits.

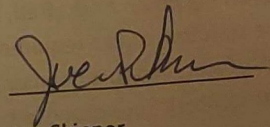
- **Section 6 – Responsibilities of the City-County Board of Health:** This section deletes the interlocal's references to the statutory duties of the Board of Health, some of which were subject to oversight by the County. One of the consequences is that the County will not have any contract or enforcement oversight, as currently drafted. As all Gallatin County citizens fund the Board of Health, the County should have oversight over the contracts entered and services funded by the Board. This is consistent with HB 121 and HB 257.
Your edits also expand the authorities of the Board of Health, beyond statute, by stating that the Board shall "supervise" the Local Health Officer and make management recommendations to the Governing Body. Again, we maintain that this makes no practical sense. We respectfully ask you to consider: how can the governing body "manage" the health officer, but the Board of Health "supervise" the health officer, all while that person is still legally a County employee? We maintain that this language will inevitably lead to uncertainty and disputes, and does not represent a clear and professional management structure. It also is contrary to HB121 & HB257, which clearly struck the Board of Health's prior authority to employ staff. Along with employment, comes supervision and control over the method and manner of work. We therefore do not accept these proposed edits.
- **Section 7 – County Responsibilities:** The edits to this section strike the County's authority to supervise and manage the Health Officer, although the County is still expected to employ them. The edits also expressly state the County shall be responsible for 100% of the expenses of the Board. With funding obligations come financial management responsibilities on behalf of the taxpayers, and the City's proposed edits eliminate any County contract control or authority related to the Board of Health's spending. We therefore do not accept these proposed edits.

As you are aware, the County have consistently held firm with the boundaries described above as to fiduciary and personnel management authorities. These boundaries address our understanding of the plain letter of the law as it reads after the 2021 Legislature passed HB 121 & HB 257, and also reflect, in our view, very basic professional management principles.

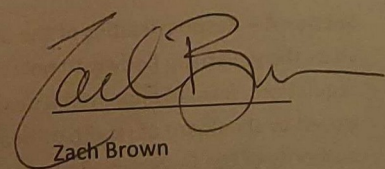
Respectfully,



Scott MacFarlane
Commissioner



Joe Skinner
Chairman



Zach Brown
Commissioner

CC: Marty Lambert, Gallatin County Atty
Greg Sullivan, Bozeman City Atty
Jim Doar, Gallatin County
Neill Cardwell, Bozeman
Russ Neilsen