

Chapter 420

COMMUNITY MENTAL HEALTH BOARD

420-1 DEFINITIONS

For the purposes of this Ordinance the terms defined in this chapter have the meanings given them:

"Direct recipient services" means only those services required to carry out a completed individualized treatment plan that is signed by a service recipient or legal guardian. Crisis assessment and stabilization services are excluded, although these services may be anticipated in a treatment plan.

"Person with a developmental disability" means any person or persons so diagnosed and as defined in the Illinois Mental Health and Developmental Disabilities Ordinance. The Carroll County Community Mental Health Board (Mental Health Board) may in their jurisdiction, by a majority vote, add to the definition of "person with a developmental disability".

"Mental illness" has the meaning ascribed to that term in the Illinois Mental Health and Developmental Disabilities Ordinance. The Mental Health Board may in their jurisdiction, by a majority vote, add to the definition of "mental illness".

"Substance use disorder" encompasses substance abuse, dependence, and addiction, not inconsistent with federal or State definitions.

420-2 AUTHORITY

The Carroll County Board (County Board), in consultation with and being advised by the Department of Human Services, shall have the power to construct, repair, operate, maintain and regulate community mental health facilities to provide mental health services as defined by the Carroll County Community Mental Health Board (Mental Health Board), including services for, persons with a developmental disability or substance use disorder, for residents thereof and/or to contract therefor with any private or public entity which provides such facilities and services, either in or out of Carroll County. If this Ordinance is found in contradiction to the Illinois Compiled Statutes 405 ILCS 20/ 'Community Mental Health Act', the Act supersedes any possible contradictions of this Ordinance.

420-3 DONATIONS

The County Board or Mental Health Board may accept donations of property and funds for the purposes specified in this Ordinance.

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420-3a BOARD ESTABLISHMENT

The County Board authorized to levy an annual tax shall, before it may levy such tax, establish a seven (7) member Mental Health Board who shall administer this Ordinance. The Mental Health Board shall be appointed by the County Board Chair (Chair), with the advice and consent of the County Board. Members of the Mental Health Board shall be residents of the Carroll County and, as nearly as possible, be representative of interested groups of the community such as local health departments, medical societies, local comprehensive health planning agencies, hospital boards, lay associations concerned with mental health, developmental disabilities, and substance abuse, as well as the general public. Only one member shall be a member from the County Board. The Chair may, upon the request of the Mental Health Board, appoint 2 additional members to the Mental Health Board. No member of the Mental Health Board may be a full-time or part-time employee of the Department of Human Services or a board member, employee or any other individual receiving compensation from any facility or service operating under contract to the Mental Health Board. The tax rate set forth in Section 420-4 may be levied by the County Board only pursuant to the approval by the voters at a referendum.

420-3b TERMS

The term of office of each member of the Mental Health Board shall be for 4 years, provided that no more than two Mental Health Board members' terms shall expire the same year. Vacancies shall be filled for the unexpired term in the same manner as original appointments.

420-3c REMOVAL

Any member of the Mental Health Board may be removed by the Chair for absenteeism, neglect of duty, misconduct, or malfeasance in office, after being given a written statement of the charges and an opportunity to be heard thereon.

420-3d EXPENSES

The expenses incurred by the Mental Health Board in the performance of duties imposed upon it or its members shall be a charge on the Mental Health Board and shall be paid out of the "Community Mental Health Fund" (Fund) hereinafter established. No member shall receive payment from this Fund, except expenses, for service on the board.

420-3e POWERS and DUTIES

The Mental Health Board shall, immediately after appointment, meet and organize, by the election of one of its number as president and one as secretary and such other officers as it may

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deem necessary. It shall make rules and regulations concerning the rendition or operation of services and facilities which it directs, supervises or funds, not inconsistent with the provisions of this Ordinance. Its powers and duties include, but not limited to:

- a. Hold a meeting prior to July 1 of each year at which officers shall be elected for the ensuing year beginning July 1;
- b. Hold meetings at least quarterly;
- c. Hold special meetings upon a written request signed by at least 2 members and filed with the secretary;
- d. Review and evaluate community mental health services and facilities, including services and facilities for the treatment of alcoholism, drug addiction, developmental disabilities, and intellectual disabilities;
- e. Authorize the disbursement of money from the Fund for payment for the ordinary and contingent expenses of the Mental Health Board;
- f. Perform such other acts as may be necessary or proper to carry out the purposes of this Ordinance.

In addition, the Mental Health Board has the powers identified in Section 2 of Illinois Compiled Statutes 405 ILCS 20/3e which include, but not limited to, entering into multiple-year contracts for the rendition or operation of services, facilities, and educational programs, inter/intra-governmental agreements with County Board approval, etc.

420-3f ANNUAL RESPONSIBILITIES

The Mental Health Board shall annually prepare and submit, for informational purposes in the appropriations process, to the Chair and County Board members:

1. An annual budget showing the estimated receipts and intended disbursements pursuant to this Ordinance for the fiscal year immediately following the date the budget is submitted, which date must be at least 30 days prior to the start of the fiscal year, and
2. An annual report detailing the income received and disbursements made pursuant to this Ordinance during the fiscal year just preceding the date the annual report is submitted, which date must be within 90 days of the close of that fiscal year. Such report shall also include those matters set forth in this Ordinance.

420-4 LEVY

In order to provide the necessary funds or to supplement existing funds for the Mental Health Board, including facilities and services for the person with a developmental disability or a substance use disorder, the County Board may levy an annual tax of not to exceed .15% upon all

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the taxable property in the Carroll County at the value thereof, as equalized or assessed by the Department of Revenue. Such tax shall be levied and collected in the same manner as other governmental unit taxes, but shall not be included in any limitation otherwise prescribed as to the rate or amount of governmental unit taxes, but shall be in addition thereto and in excess thereof.

When collected, such tax shall be paid into a special fund to be designated as the "Community Mental Health Fund" (Fund) which shall, upon authorization by the County Board, be administered by the Mental Health Board and used only for the purposes specified in this Ordinance. Nothing contained herein shall in any way preclude the use of other funds available for such purposes under any existing Federal, State or local statute. Interest earned from moneys deposited in this Fund shall only be used for purposes which are authorized by this Ordinance.

Amended: 09/21/23

Approved



Joseph Payette, Chairman
Carroll County Board

Attest



Amy R. Buss
Carroll County Clerk