



Board of Health By-Laws

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Organizational Scope:

Board of Health

Frequency of Review:

Annually Biennially 5 Years As Needed Other:

Location:




G-Drive: G: → Users → Common → Policies & Procedures

Website: www.lucascountyhealth.com/employee-login/

Hardcopy: Office of the Health Commissioner

Archived Version(s): G:→ Users → Common → Policies & Procedures→ Archived Versions

Requisite Signatures

<input checked="" type="checkbox"/>  Board of Health President	<u>6-22-2017</u> Date
<input checked="" type="checkbox"/>  Board of Health Vice-President	<u>7-7-2017</u> Date
<input checked="" type="checkbox"/>  Health Commissioner	<u>06-29-17</u> Date

BY-LAWS
BOARD OF HEALTH
LUCAS COUNTY REGIONAL HEALTH DISTRICT
(D.B.A. TOLEDO-LUCAS COUNTY HEALTH DEPARTMENT)

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BY-LAWS
BOARD OF HEALTH
REGIONAL HEALTH DEPARTMENT OF LUCAS COUNTY

ARTICLE I: NAME: Effective January 1, 2000, the combined health departments of Lucas County and the City of Toledo will hereinafter be referred to as the Lucas County Regional Health District.

ARTICLE II: PURPOSE: These by-laws are the basic rules of governance for the Board of Health of the Lucas County Regional Health District.

ARTICLE III: MISSION: The Toledo-Lucas County Health Department is committed to being the leader in public health by promoting and protecting the health of all people where they live, learn, work, and play.

ARTICLE IV: ROLES AND RESPONSIBILITIES: The Board shall make such orders and regulations as are necessary for the promotion of health, prevention of disease, and the abatement or suppression of nuisances. The Board shall enforce the laws and rules established by the State of Ohio Legislature, the Ohio Department of Health, the Ohio Environmental Protection Agency, and other applicable state agencies and the requirements of the Ohio Public Health Council.

The Board shall make such orders and establish such policies and procedures as needed for the administration of the health department in accordance with the Board of Health mission and laws of the state and federal governments (homeland security).

The role of the Board of Health of the District is to 1) appoint a Health Commissioner according to ORC 3709.11, 2) approve bills for payment, 3) approve the hiring of other staff, 4) receive program reports, and 5) enter into necessary contracts. The Board may hear and act on appeals in accordance with established administrative hearing procedures or other hearing procedures as required by law.

Board Members shall not use his/her position for private gain for self or others. The Lucas County Regional Health District may do business with any Board Member or with any firm whose controlling interest is in the hands of a Board Member, provided there is prior disclosure of the conflict of interest and exclusion of that Board Member's participation in discussion and/or voting on the matter in which there is a conflict.

The Board must name at least one official newspaper in which ordinances and other official notices shall be published.

Power and authority to perform such quasi-legislative, executive and administrative functions are as specified or implied in appropriate sections of the Ohio Revised Code, Ohio Administrative Code, and regulations of the Board of Health adopted under the authority of ORC 3709.21.

ARTICLE V: APPOINTMENT OF BOARD MEMBERS: Board of Health members shall be appointed to the Board of Health as specified in Ohio Revised Code Sections 3709.02, and 3709.07 and pursuant to contracts to form combined general health districts authorized under Ohio Revised Code Sections 3709.07 and 3709.071. The Lucas County Regional Health District shall consist of thirteen members.

ARTICLE VI: RULES OF ORDER: Robert's Rules of Order shall govern all meetings of the Board of Health. (Implicit in Robert's Rules is that the Board has authority to adopt Rules which supersede Robert's Rules.)

ARTICLE VII: QUORUM: A majority of the members of the Board shall constitute a quorum. Board positions that are vacant due to death, resignation, or failure to appoint will not count for the purpose of determining a quorum.

ARTICLE VIII: BOARD MEMBER RIGHTS-RESTRICTIONS: All members are equal and their individual rights are equal. Those basic rights are:

1. To attend meetings;
2. To make motions and speak in a debate;
3. To nominate;
4. To vote; and
5. To hold office.

The majority rule is the principle upon which the democratic process is based. The minority has the right to be heard, but once a decision has been reached by a majority of the members present and voting, the minority must then respect and abide by the decision. Should a conflict arise between the rights of a member and the rights of the Board to do business, the Board shall prevail.

Board authority comes by a majority vote of the Board at a meeting of the Board. Individual members of the Board of Health have no authority to act in the name of the Board without prior approval of the Board.

ARTICLE IX: COMPENSATION: Under the authority of Ohio Revised Code Section 3709.02(B), the Board of Health shall compensate members for attendance at no more than 18 regular or special meetings per calendar year at a rate not higher than specified by the ORC. The rate of compensation shall be set forth by Board action.

In accordance with Ohio Revised Code 3709.02 paragraph (C), Board of Health members shall receive reimbursement for registration fees to attend seminars or conferences held within Lucas County as a part of their training, duties, or involvement with the Board. To receive said compensation, Board members must have prior approval at a regularly scheduled public meeting of the Board of Health attended by a quorum and passed by a motion.

Board of Health Members shall receive travel expenses to cover the actual and necessary travel expenses incurred for travel to and from meetings that take place outside the county (Ohio Revised Code 3709.02 paragraph (C)). Such meetings must be related to their Board of Health/Health Department training, duties, or involvement with the Board of Health and must have prior approval at a regularly scheduled public meeting of the Board of Health attended by a quorum and passed by a motion. Reimbursement for travel expenses must be in accordance with the Ohio Department of Health and The Lucas County Regional Health District policies for reimbursement of other employees.

ARTICLE X: ORGANIZATION:

Section 1. Secretary of the Board of Health. The Health Commissioner acts as the official Secretary for the Board of Health (Ohio Revised Code 3709.11). The Secretary shall prepare and permanently maintain full and accurate minutes of all Regular and Special Board of Health Meetings. Minutes shall be recorded promptly following each and every public meeting. The Secretary shall provide a copy of the minutes to all Board members prior to the meeting at which time such minutes shall be reviewed and accepted. If an

executive session has been held, the Public Meeting minutes shall include the full motion made to adjourn to and return from such sessions, the roll call vote, and the stated purpose for the executive session.

The Secretary of the Board of Health shall notify the public of all public meetings as required by ORC 121.22 by notifying the media outlet that the Board stipulates as their official newspaper. The notification shall be forwarded at least 72 hours prior to the meeting in paper format and shall include an agenda for said meeting. All public notifications of meetings shall include place, purpose, time and date of such meeting. Emergency Meetings may be called by the Secretary of The Board of Health by giving a twenty-four (24) hour notice and a listing of issues to be discussed. Emergency meeting issues shall be set in writing prior to the meeting and shall be disseminated to the members at the earliest possible time.

The Secretary of the Board of Health shall provide Board members with minutes of the last prior meeting and an agenda and appropriate background information for the upcoming meeting in a written format at least 72 hours prior to each public meeting, except in cases in which the notification must be provided a minimum of twenty-four (24) hours prior to the meeting, and may be in verbal form.

Section 2. Board of Health Officers: the Board of Health shall elect a President and a Vice President at the first public meeting of the calendar year.

The duties of the president shall be to conduct all meetings of the Board, sign records thereof, and perform generally all the duties performed by presidents of like bodies or commissions. The president shall have the right to vote on all issues and shall be an ex-officio member of all committees with the right to vote.

The duties of the Vice President shall be to assist the President as requested and perform presidential duties in the absence of the President.

In the absence of both the President and Vice President at a Board meeting, the Board members present and constituting a quorum, shall by majority vote appoint an Acting President for that meeting.

Section 3. Public Meetings-Notifications: All Regular Board of Health Meetings and any Special Meeting at which a majority of Board of Health members are in attendance are public meetings. Public meetings are open to the public.

The official newspaper of the Board of Health must be notified at least 72 hours in advance of each public meeting except that Emergency Meetings called must provide verbal notifications at least 24 hours in advance of the Emergency Meeting.

Section 4. Regular Board of Health Meetings: The Board of Health of the Lucas County Regional Health District shall meet monthly (ORC 3709.12) at a regularly scheduled time, date, and place, unless otherwise specified upon passage of a motion by affirmative vote of a quorum at a regular meeting. If the regularly scheduled meeting date falls on a legal or religious holiday, or if a quorum is unlikely, said meeting date may be altered at the discretion of the President of the Board of Health.

The Board of Health may take action at any regular Board of Health meetings at which a quorum is present.

Section 5. Special Meetings: Meetings of standing committees and ad hoc committees appointed by the President are considered special meetings. Official action may not be taken at special meetings. (Refer to Article IX: Compensation)

Section 6. Emergency Meetings: In an emergency meeting, the meeting(s) of the Board of Health may be called by the President of the Board. The Board of Health may take action at any emergency meeting of the Board of Health at which a quorum is present and when the public has been notified as required by law.

Section 7. Executive Sessions: The Board of Health may enter into an Executive Session at any regular monthly or emergency meeting. Executive Sessions must begin and end within a public meeting in which a quorum of Board members are present and for which proper public notices have been made. Executive Sessions must be called by a motion, seconded, passed on roll call vote, and recorded in full in the minutes of said meeting. The motion shall fully state the purpose or purposes for entering into an Executive Session. Matters discussed during an Executive Session must be limited to the purpose or purposes stated in open meeting as reasons for entering into an Executive Session, and no official action may be taken during an Executive Session. (Ohio Revised Code Section 121.22, commonly referred to as Sunshine Law). Executive Sessions are not open to the public; however, specific individuals may be asked to attend only at the Board's request.

Discussions in Executive Sessions must be limited to the following categories:

Personnel: consideration of the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or to consider the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the regulated public employee, official, licensee, or regulated individual requests a public hearing.

Property: consideration of purchase of property.

Court Action: may meet in Executive Session with the Board of Health's legal representative from the Lucas County Prosecutor's Office to discuss pending or imminent court action.

Collective Bargaining: to prepare for, conduct, or review collective bargaining strategy.

Confidential Matters: A public body may adjourn into an Executive Session to discuss matters required to be kept confidential by federal rules or state statutes.

Security Arrangements: to discuss specialized details of security arrangements.

Section 8. Committees: The President of the Board may establish, modify, or eliminate ad hoc and/or advisory committees to assist the President and the Board of Health in their official functions. The President may determine the scope of committee assignments, appoint membership, and specify the chairperson. Committees may make recommendations but may not take action without the approval of the Board at a regular Board of Health meeting. Committees shall consult with appropriate Department of Health supervisory staff when matters before the committee involve work-related issues in that area.

Standing Committees: The Board of Health has determined a need for the following standing committees: Audit/Finance, Environmental Health Issues, Facility, Legislative, Personnel, Pharmacy and Strategic Planning. Committee appointments, number of members per committee, and designation of chairperson shall be assigned by the President.

1. Audit/Finance Committee

The Chairperson of the Audit/Finance Committee is appointed by the President of the Board of Health. The Audit/Finance Committee shall perform the following functions:

- 1) Review all budgets, grants, and contracts in accordance with Board of Health policy;
- 2) Be responsible to the Board concerning Health Department finances, including financial evaluations of programs;
- 3) Review Department fiscal procedures and proposed changes therein;
- 4) Consider Departmental goals and objectives as related to budgetary matters; and
- 5) Conduct an annual audit of the Department's budget as to the functions outlined above.

2. Environmental Health Issues Committee

The Chairperson of the Environmental Health Issues Committee is appointed by the President of the Board of Health. The Environmental Health Issues Committee shall perform the following functions:

- 1) Review all requests for variances to applicable Environmental Health rules and regulations and recommend appropriate action to the full Board;
- 2) Review Departmental Environmental procedures and proposed changes therein;
- 3) Consider Divisional goals and objectives as related to the full department; and
- 4) Review and consider items of environmental health concerns and provides recommendations to the staff and full Board on the same.

3. Facility Committee

The Chairperson of the Facility Committee is appointed by the President of the Board of Health. The Facility Committee shall perform the following functions:

- 1) Review lists of all maintenance requests and repairs;
- 2) Consider long-term needs of building repair and capital improvements;
- 3) Appraise need for building or vehicles purchases;
- 4) Approve new building or vehicle purchases; and
- 5) Communicate with Audit/Finance Committee on budgetary needs for capital purchases.

4. Legislative Committee

The Chairperson of the Legislative Committee is appointed by the President of the Board of Health. The Legislative Committee shall perform the following functions:

- 1) Serves as liaison/resource to the Board on all legislative matters;
- 2) Identify and prioritize Lucas County Board of Health legislative concerns;
- 3) Monitor legislative action, update the Board and assists as appropriate;
- 4) Recommend legislative direction/action (as necessary and when practical) to the Board; and
- 5) Obtain and act on legislative input from the Board membership as appropriate.

5. Personnel Committee

The Chairperson of the Personnel Committee is appointed by the President of the Board of Health. The Personnel Committee shall have the following duties:

- 1) Act in an advisory capacity to the Health Commissioner concerning personnel matters. Develop a rating mechanism to evaluate the Health Commissioner;

- 2) Facilitate interpersonal communications among Board members and the Health Commissioner;
- 3) Conduct personnel grievance appeal hearings and recommend appropriate actions to the Board;
- 4) Conduct disciplinary hearings and recommend appropriate actions to the Board; and
- 5) In conjunction with the Audit/Finance Committee, recommend salary increases based on performance evaluations.

6. Pharmacy Committee

The Chairperson of the Pharmacy Committee is appointed by the President of the Board of Health. The Pharmacy Committee shall perform the following functions:

- 1) Maintenance and review of the Lucas County Regional Health Department Formulary; and
- 2) Monitor pharmaceutical expenses and serve as a liaison/resource to the Board with respect to Pharmacy Department finances, including financial implications of the formulary.

7. Strategic Planning Committee

The Chairperson of the Strategic Planning Committee is appointed by the President of the Board of Health. The Strategic Planning Committee shall perform the following functions:

- 1) Implement a strategic planning process;
- 2) Recommend to the Board a Plan with measurable Goals and Objectives;
- 3) Conduct an annual review of accomplishments of the Plan; and
- 4) Recommend to the Board operational benchmarks for administration achievement.

The Board may establish other standing Committees by a majority vote.

ARTICLE XI: BY-LAWS AMENDMENTS: The By-Laws for the Health Board of the Lucas County Regional Health District can be repealed, replaced, or amended at any regular meeting of the Board provided there is a 2/3 affirmative vote of the members present. Amendments/modifications to the By-Laws shall be submitted to the Board 30 days prior to Board action.

Record of Change

Date of Change	Changes Made By	Changes Made/Notes	Approved By
6/22/17	BP	Updated the agency Mission Statement; removed statement indicating 7 Board members comprised Quorum. Statements now read "majority" or members present.	TLCHD BOH
8/4/17	BP	Corrected number of BOH members in Article V to read "thirteen"	BOH President