

BY-LAWS OF THE PREBLE COUNTY COMBINED HEALTH DISTRICT BOARD OF HEALTH

Adopted November 21, 1996

ARTICLE 1 - MISSION

The mission of the Board shall be to assure that the people within the Preble County Health District are healthy and the living and working conditions are conducive to good health.

ARTICLE II - BOARD DUTIES

The role of the Board of Health of the District is to adopt policies and to make such orders and regulations as are necessary for the promotion of health and prevention of disease and the abatement or suppression of nuisances. In addition, the Board shall make such orders and establish such policies as are needed for the administration of the health department in meeting the stated mission goals, standards of the Ohio Department of Health and requirements of the Ohio Public Health Council. Power and authority to perform such quasi-legislative, executive and administrative functions is specified or implied in appropriate section of the Ohio Revised Code. The Board may also hear appeals from public health orders issued by the district staff for extenuating circumstances with a view to either affirm, grant extension of time, provide waivers where allowable, or refer to the local legal authority for appropriate legal action.

ARTICLE III - MEETINGS

Section 1: The regular meeting of the Board of the Preble County Health District shall be held on the third Thursday of each month at 8:30 a.m. at the offices of the Board of Health. If the meeting day is a holiday or there is not a quorum, said meeting shall be held at the discretion of the President and Board, but in no event shall the Board meet less than once in each calendar month.

Notice of the monthly meeting shall be mailed out to all Board members to provide receipt at least three days in advance of the meeting, and shall include an agenda and minutes of the previous meeting.

Section 2: Special meetings may be called either by the President, or in the case of his/her absence the President Pro-tempore, or by any three members of the Board of Health. All special meetings shall be held at the offices of the Board of Health or at a location determined by the President or Board.

At least 72 hours prior notice shall be provided for each special meeting unless an emergency condition warrants meeting with shorter notification.

Section 3: A majority of the members of the Board shall constitute a quorum. Members, whose position is vacant due to death, resignation or failure to appoint will not count for the purpose of determining a quorum for that meeting.

Section 4: All meetings of the Board and committee meetings are open meetings. Executive Sessions may be held which meet the requirements of Section 121.22 of the ORC (See Appendix) provided the requisite motion with statement of purpose is passed by a roll call vote in open session.

ARTICLE IV - OFFICERS

Section 1: Election

A. The elective offices of the Board of Health shall be the President and President Pro-Tempore. These offices shall be elected at the January meeting of the Board of Health.

B. The Health Commissioner shall serve as Secretary of the Board of Health as required by the Ohio Revised Code.

Section 2: Duties

A. The President shall conduct all meetings of the Board, sign records thereof, and perform generally all the duties performed by presidents of like bodies or commissioners. He/she shall have a vote on all issues and shall be, ex-officio, a member of all committees with the right to vote.

B. The President Pro-Tempore shall perform the duties of the President in his/her absence and provide the President any assistance required.

Section 3: Authority. An individual Board of Health member has no authority to order or direct health district staff. The Board's authority comes by a majority vote of the Board at a meeting of the Board.

ARTICLE V - COMMITTEES

The President of the Board shall appoint members to standing committees and members and/or staff as well as citizens to advisory committees deemed necessary to assist the Board.

Standing committees are personnel and finance and shall consist of three members each.

Note: Examples of other standing or situational committees are negotiating, policy review, executive, operations and planning, etc. Examples of advisory committees are environmental health, nursing, child and family health, home care, etc.

ARTICLE VI - PROCEDURE

The Board shall adopt its own rules or procedure but shall rely on *Robert's Rules of Order* for questions of parliamentary procedure, except were they are inconsistent with the standing rules of the Board or are contrary to existing laws of the State of Ohio.

ARTICLE VII - COMPENSATION AND EXPENSES

Effective October 1, 1995, the ORC states that each member of the board shall be paid a sum not to exceed eighty dollars a day for the member's attendance at each meeting of the board. No member shall receive compensation for attendance at more than eighteen meetings in any year. The ORC further states that each member of the board shall receive travel expenses at rates established by the director of budget and management pursuant to section 126.31 of the ORC to cover the actual and necessary travel expenses incurred for travel to and from meetings that take place outside the county in which the member resides, except that any member may receive travel expenses for registration for any conference that takes place inside the county in which the member resides.

ARTICLE VIII - AMENDMENTS

These by-laws can be amended at any regular meeting of the Board, provided that the amendment has been submitted in writing at the previous regular meeting.

APPENDIX
TO
PREBLE COUNTY BOARD OF HEALTH BY-LAWS
EXECUTIVE SESSION - MATTERS WHICH CAN BE CONSIDERED
(ORC SECTION 121.22)

(1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing. Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of his official duties or for his removal from office. If a public body holds an executive session pursuant to division (G)(1) of this section, the motion and vote to hold that executive session shall state which one or more of the approved purposes listed in division (G)(1) of this section are the purposes for which the executive session is to be held, but need not include the name of any person to be considered at the meeting.

(2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. No member of a public body shall use this division as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member of a public body that has not been disclosed to the general public in sufficient time for other prospective buyers or sellers to prepare and submit offers.

If the minutes of a public body show that all meetings and deliberations of the public body have been conducted in compliance with this section, any instrument executed by the public body purporting to convey, lease, or otherwise dispose of any right, title, or interest in any public property shall be conclusively presumed to have been executed in compliance with this section insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.

(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action;

(4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment;

(5) Matters required to be kept confidential by federal law or rules or state statutes;

(6) Specialized details of security arrangements where disclosure of the matters discussed might reveal information that could be used for the purpose of committing, or avoiding prosecution for, a violation of the law.

If a public body holds an executive session to consider any of the matters listed in divisions (G)(2) to (6) of this section, the motion and vote to hold that executive session shall state which one or more of the approved matters listed in those divisions are to be considered at the executive session (Sec. 121.22 ORC).