



# Bylaws of the Ottawa County Board of Health

## **ARTICLE I- NAME**

The name of this organization is the Ottawa County Health Department (OCHD). The townships and villages in Ottawa County are combined into a general health district. The combination of a general health district and one or more city health districts within a specified geographical area is known as a “combined health district”. The OCHD is a combined general health district.

## **ARTICLE II - MISSION**

Working to protect, promote, and improve the health of our citizens and our environment.

## **ARTICLE III - VISION**

Helping the citizens of Ottawa County to live healthier, happier, longer lives.

## **ARTICLE IV - VALUES & BELIEFS**

1. We believe that Ottawa County is a positive and unique place to live and work.
2. We will work to maintain a well-trained and professional workforce.
3. We will deliver services and programs with compassion and empathy.
4. We will monitor local, regional, and state health status trends and implement best practices for health improvement.
5. We will work with community partners to identify and address the health needs of the residents.

## **ARTICLE V - PURPOSE, DUTIES AND AUTHORITY OF THE BOARD OF HEALTH**

The overall purpose of the Ottawa County Health Department (OCHD) Board of Health (BOH) is to promote and protect optimal health for the citizens of Ottawa County by adopting policies and making such orders and regulations as are necessary. The BOH provides oversight and direction to the OCHD in fulfilling its mission and vision statement while accomplishing the three core public health functions of assessment, policy development, and assurance. The BOH plays an integral role in the work OCHD conducts through their review, study, advisement and recommendations to the Health Commissioner (HC) on matters related to public health.

The objectives of the BOH are to:

- Protect citizens from disease and injury;
- Monitor health status of the citizens of Ottawa County;
- Ensure a safe and healthy environment for all citizens;
- Promote healthy lifestyles;
- Address the need for personal health services; and
- Administer OCHD (by hiring a HC as Chief Executive Officer)

The powers and duties of the BOH are set out primarily in Ohio Revised Code (ORC) Chapter 3709, which governs health districts, and 3707, which governs boards of health. The BOH is vested with authority to provide for the health needs within OCHD's jurisdiction. The Board may also hear appeals from the public health orders issued by district staff for extenuating circumstances with a view to affirm, grant extensions of time, provide waivers where allowable, or refer to the local legal authority for appropriate legal action.

As the district and the BOH were created and governed by the statutes, members of the BOH are therefore, state officers, but are appointed by elected representatives of the citizens to represent them and the state in the legislative management of the health district.

## **ARTICLE VI - EXECUTION OF DUTIES AND ROLES AND RESPONSIBILITIES OF BOH**

The BOH:

1. Operates not only within its legal responsibilities but also operates under the principle of good faith and ethical conduct;
2. Establishes broad policy to ensure stakeholder's needs are being addressed and met;

3. Reviews OCHD's strategic plan, position, and policies and makes recommendations for changes as needed;
4. Reviews operational data on the activities and outcomes of the BOH and OCHD;
5. Approves OCHD programs to ensure their consistency with the OCHD mission, priorities, stakeholder needs and resources;
6. Approves the OCHD financial actions including the budget;
7. Hires the HC as the Chief Executive Officer and delegates to him/her the authority to carry out policies established by the BOH;
8. Provides the HC with a job description;
9. Evaluates the HC's performance on an annual basis or as needed;
10. Acts as an advocate for the citizens it represents by appraising OCHD's programs, services, and activities;
11. Approves policies, related to personnel, procedures, and finances as they relate to the overall conduct of OCHD;
12. Maintains and respects confidentiality in all matters relating to the BOH and OCHD;
13. Maintains high ethical standards including sensitivity regarding conflict of interest and/or the appearance of such conflict;
14. The BOH's authority comes by majority vote of the BOH at a meeting of the BOH;
15. Individual BOH members have no authority to order or direct OCHD staff or serve any other function at OCHD other than as a member of the BOH;
16. BOH members may not serve on other boards, commissions, or as an elected official as determined by law. (May not be county commissioner, township trustee, village mayor, or a village/township administrator. May not serve on a board of elections or a local board of education.);
17. Shall commit to regular attendance of all the meetings of the Board and advise the Health Commissioner at least 24 hours in advance of absence from a Board meeting;  
and

18. Ohio Revised Code 3701.342 mandates annual completion of two hours of continuing education by each member of the BOH. The minimum standards provide that continuing education credits shall pertain to ethics, public health principles, and a member's responsibilities. Credits may be earned in these topics at pertinent presentations that occur during regularly scheduled board meetings throughout the calendar year or at other programs available for continuing education credit. The minimum standards also provide that continuing education credits earned for the purpose of license renewal or certification by licensed health professionals serving on BOH may be counted to fulfill the two-hour continuing education requirement.

## **ARTICLE VII - BOARD FORMATION**

Members of the BOH are appointed for 5 year terms by a combination of:

1. District Advisory Council (DAC) – appoints 4 members, with consideration for geographical representation. One Board member must be a physician.
2. The Port Clinton City Mayor – appoints 1 member (city representation) with Council approval.
3. The District Licensing Council (DLC) – appoints 1 member from the DLC to serve as a Board member and 1 member to serve as an alternate Board member.

BOH vacancies that occur mid-term are appointed in the same manner as the original appointment. Announcements for vacancies are handled by the HC, in collaboration with the Chair of the DAC. Interested individuals for Ottawa County BOH membership must submit a letter of intent and resume to the HC to be forwarded to the Chairman of the DAC. The DAC is convened to review applications of interested individuals and selects a replacement to fill the unexpired term.

There are situations where persons are not eligible for appointment to the BOH. In general, this is due to the interested person's ability to have authority to contract with the department and have an impact on others in the budget process, i.e., township trustee. Where a situation of a conflict of interest may exist, the Ottawa County Prosecutor is consulted.

## **ARTICLE VIII – OFFICERS**

### **Section 1: Election**

- A. The elective officers of the BOH shall be the President and Vice-President. These officers shall be elected at the first regularly scheduled board meeting after the annual DAC meeting in March or when the BOH deems necessary.
- B. The HC shall serve as Secretary to the BOH as required by the ORC 3709.03.

## Section 2: Duties of Officers

- 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 commissions. 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 Vice-President shall perform the duties of the President in his/her absence and provide the President any assistance required.

## **ARTICLE IX – 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 as necessary to assist the Board.

## **ARTICLE X – MEETINGS**

### Section 1: Regular Meetings

- A. The regular meetings of the Board shall be held at least 12 times per year and generally on the second Tuesday of each month at 5:30 p.m. at the offices of the Ottawa County Health Department. If the meeting day is a holiday, or if there is not a quorum, said meeting shall be held at the discretion of the President and the Board, but in no event shall the board meet less than once in each calendar month.
- B. Notice of the monthly meeting shall be emailed to all Board members at least three (3) days in advance of the meeting, and shall include minutes of the previous meeting.

### Section 2: Special Meetings

- A. Special meetings may be called either by the President, or in case of his/her absence the Vice-President, or by any three members of the Board. All special meetings shall be held at the offices of the Ottawa County Health Department or at a location determined by the President or the Board. At least 72 hours prior notice shall be provided for each special meeting unless emergency conditions warrant a meeting with shorter notification.

### Section 3: Quorum

- A. A majority of the members of the Board shall constitute a quorum. Any member's position that is vacant due to death, resignation, or failure to appoint will not count for the purpose of determining quorum for that meeting.

#### Section 4: Executive Sessions

- A. All meetings of the Board and its committee are open meetings. Executive sessions may be held which meet the requirements of Section 121.22 of the Ohio Revised Code, provided the requisite motion with statement of purpose is passed by a roll call vote in open session.

#### **ARTICLE XI – PROCEDURE**

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

#### **ARTICLE XII - PUBLIC PARTICIPATION AT BOARD MEETINGS**

The BOH recognizes the value of governance of public comments on public health issues and the importance of allowing members of the public to express themselves on Public Health matters of community interest. The Board is also committed to conducting its meeting in a productive and efficient manner that assures that the regular agenda of the Board is completed in a reasonable period of time. The portion of the meeting during which the participation of the public is invited shall be limited to fifteen (15) minutes, unless extended by a vote of the Board.

The presiding officer of each Board meeting at which public participation is permitted shall administer the rules of the Board for its conduct. A partial listing of the regulations are as follows:

1. Public participation shall be permitted as indicated on the order of business;
2. Attendees must register their intention to participate in the public portion of the meeting upon their arrival at the meeting;
3. Participants must be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name, address, and group affiliation, if and when appropriate;
4. Each statement made by a participant shall be limited to five (5) minutes duration, unless extended by the presiding officer;
5. No participant may speak more than once on the same topic unless all others who wish to speak on the topic have been heard;

6. All statements shall be directed to the presiding officer. No person may address or question Board members individually; and
7. Statements shall not be derogatory in any manner and participants must conduct themselves in an appropriate manner without becoming belligerent.

#### **ARTICLE XIII - COMPENSATION AND EXPENSES**

In accordance to the Ohio Revised Code, Section 3709.02(B), each member of the Board shall be compensated 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. Each member of the Board shall receive reimbursement for travel expenses to cover actual and necessary expenses incurred for travel to and from meetings that take place outside the county in which the member resides, at rates established by the Ohio Director of Budget and Management pursuant to Section 126.31 of the ORC. Any member may receive reimbursement for travel expenses for registration for any conference that takes place inside the county in which the members reside.

#### **ARTICLE XIV – REQUIRED ATTENDANCE**

Attendance of BOH member is expected at all Board of Health meetings and assigned Committee meetings. Any BOH member who misses all or part of three (3) consecutive Board and assigned Committee meetings or one third of the total Board and assigned Committee meetings in a calendar year shall meet with the BOH President to determine their continued interest in and availability to effectively serve as a BOH member.

#### **ARTICLE XVI – REMOVAL OF BOARD OF HEALTH MEMBERS**

The BOH President may refer board member(s) for failure to meet attendance requirements in Article XIV or for other act(s) in a manner of unbecoming of a Board Member to the appropriate appointing authority or the Ohio Director of Health for possible removal from the BOH pursuant to ORC 3709.35.

#### **ARTICLE XV – AMENDMENTS**

These Bylaws can be amended at any regular meeting of the Board provided that the proposed amendment has been submitted in writing at the previous regular meeting and the amendment has the approval of a majority of the members at a meeting where the quorum is present.

Approved by the majority of the Board of Health on Nov 15, 2022.

ATTEST:

Debbie Hymore-Tester  
President of the Board of Health

Gerald W. Bingham, Jr.  
Gerald W. Bingham, Jr., MPH, REHS  
Secretary