

BOARD OF HEALTH OPERATING PROCEDURES

WILSON COUNTY HEALTH DEPARTMENT

NAME OF POLICY/PROCEDURE: BOARD OF HEALTH OPERATING PROCEDURES	PROGRAM: Administration	MANUAL/LOCATION: Administration Manual/Administration Agency "S" Drive
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APPROVAL SIGNATURES:

MY SIGNATURE BELOW INDICATES THAT I HAVE REVIEWED AND APPROVED THIS POLICY/PROCEDURE.

Jenisa Ellen

HEALTH DIRECTOR

3/29/22

DATE

Paul F. Jones

CHAIR, WILSON COUNTY BOARD OF HEALTH

3/29/22

DATE

OPERATING PROCEDURES

WILSON COUNTY BOARD OF HEALTH

The name of this organization is the Wilson County Board of Health “Board”. The principal office of the Board is located at 1801 Glendale Drive SW Wilson NC, 27893.

I. Officers and Committees

- A. The Board of Health shall consist of members appointed by the Board of Commissioners as provided by law. Presently, the Board consists of one licensed physician, one licensed dentist, one licensed optometrist, one licensed veterinarian, one registered nurse, one licensed pharmacist, one county commissioner, one professional engineer, and three representatives of the general public. If there is not a licensed physician, licensed dentist, licensed optometrist, licensed veterinarian, registered nurse, licensed pharmacist, or a professional engineer available for appointment, the Commissioners shall appoint an additional representative of the general public to serve until such time as a professional becomes available for appointment.
- B. The Board members shall elect a Chair and Vice-Chair by majority vote each at the December meeting. Chair, Vice-Chair, Reappointment and New Appointments will be sworn in at the first meeting of the new year which is typically February.
- C. The local health director shall serve as Secretary to the Board, but the director is not a member of the Board. The local health director may delegate the duties of the Secretary that are set forth in these operating procedures to an appropriate local health department employee.

II. Terms of Office

- A. Members, except the County Commissioners, serve three-year terms. No member may serve more than three consecutive three-year terms. Vacancies may be filled as appointed by the County Commissioners for the unexpired portion of the term of a member replaced. The County Commissioner may serve a term concurrent with his term of office as Commissioner.

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III. Removal

- A. By majority vote of a quorum present at a regular or duly called meeting, the Board of Health may recommend to the Board of Commissioners that a member be removed for cause. Before such removal recommendation, the Board shall, by written notice, inform such member of the reasons for removal recommendation with copies of this correspondence sent to all members. If such member desires a hearing on the removal recommendation, then the member must, in writing, within ten days after receipt of the notice of reasons for removal recommendation request such a hearing before the Board of Health. The hearing shall be set for the next regularly scheduled Board Meeting.
- B. Causes for removal from the Board shall include but not be limited to:
- (a) Unexcused non-attendance at three consecutive Board meetings; the Board deems it essential to its ability to effectively and efficiently discharge its responsibilities that meetings be attended regularly;
 - (b) Physical or mental incapacity to perform duties;
 - (c) Conflict of interest between personal monetary gain and discharge of public business;
 - (d) Felony conviction in any State or Federal Court.

IV. Compensation

- A. Members shall receive a per diem amount as established by the County Commissioners for each properly called and scheduled meeting of the Board. Members shall receive travel expenses for attendance at official meetings and conferences. They shall be compensated at the rate established for county employees when traveling.
- B. Members shall not receive per diem for committee meetings.

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V. Meetings/Education

- A. The Board shall hold one regular meeting every other month in the months of February, April, June, August, October, and December at which business may be conducted. Such meetings shall be pre-scheduled at a time and place agreeable to the majority of members; unless otherwise amended, the time shall be the second Tuesday of every other month at 6 PM in the Board Room of the Wilson County Health Department. If the regular meeting falls on a legal holiday; the date will be discussed at the previous meeting. Committees will meet as formed and instructed by the Chairperson of the Board. Meetings may be held virtually if needed for the health and safety of the board members.
- B. Adjourned meetings may be set by majority vote at any prior regular monthly meeting.
- C. The Board may hold work session meetings to study issues. Motions to conclude matters shall not be permitted at work sessions.
- D. Special meetings to deal with public health problems or emergency situations may be called by the Chairperson or any three members. The Chairperson or calling members shall inform the Secretary to the Board (Health Director) of the special meeting and the Secretary shall give proper notice of the meeting. Except under emergency situations, a minimum of three days prior notice shall be required to hold a special meeting.
- E. Each new Board of health member shall receive BOH orientation to the Roles and Responsibilities of Local Public Health Governing boards within the first year of appointment.
- F. Board of Health members will receive ongoing training at once during a 4-year accreditation cycle relating to their authorities and responsibilities.

VI. Meeting Procedures:

- A. A majority of the filled membership positions shall constitute a quorum. A member who has withdrawn from a meeting without being excused by a majority vote of the remaining members shall be counted as present for the purpose of determining whether a quorum is present.
- B. Robert's Rules of Order shall serve as the guide for the conduct of meetings.

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- C. The secretary shall record meetings and prepare written minutes. The Health Director may appoint a staff member to serve as recording secretary.
- D. The Secretary and Chairman of the Board shall prepare an agenda and meeting notice for proper distribution. Members should contact the Secretary by the 1st Monday of the month to place an item on the agenda.
- E. In conducting its business, the Board shall comply with all applicable North Carolina laws, including but not limited to open meetings laws, public records laws, and the laws setting forth the powers and duties of local boards of health. To assist the Board in compliance, the local health director shall maintain a current copy of relevant North Carolina General Statutes and make them available to Board members on request.
- F. Closed (executive) sessions are permitted only if a majority of members present vote to go into a closed session and if the matter to be considered is eligible according to the then current open meetings Statute.
- G. The Board may not vote on an issue in executive session. The Board must readjourn in public session to vote provided, however, matters of litigation may be concluded in executive session.
- H. The Board does not have to permit the presence of anyone who disturbs and disrupts a meeting. The Chairperson may direct such a person to leave the meeting. Such person can be prosecuted criminally for refusal to leave.
- I. The Secretary shall prepare minutes of each Board meeting. Copies of the minutes shall be made available to each Board member before the next regular Board meeting. At each regular meeting, the Board shall review the minutes of the previous regular meeting as well as any special or emergency meetings that have occurred since the previous regular meeting, make any necessary revisions, and approve the minutes as originally drafted or as revised. The public may obtain copies of the Board meeting minutes at 1801 Glendale Drive SW Wilson NC, 27893 or on the WCHD website at www.wilson-co.com.

VII. Establishment of Fees:

- A. The Board of Health may impose a fee for services to be rendered except where the imposition of a fee is prohibited by Statute or where any employee... is performing the services as an agent of the State.

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Notwithstanding any other provision of law... (the) Board may impose a fee for services performed pursuant to... sanitary sewage systems. The Board and the County Board of Commissioners shall approve fees.

- B. Fees shall be reviewed as necessary at the recommendation of the Health Director for consistency with cost and third party payer requirements.

VIII. Appeals Process/Public Comment

- A. Public Hearing will be held prior to the passage of new Board of Health rule, or substantial amendment of an existing rule in accordance with the requirements of NC General Statutes.
- B. Members of the public wishing to appeal actions based upon local rules, or the health director's determination that a nuisance exists, may be heard at a regular Board meeting. Request to hear an appeal must be made by the first Monday of the month of a scheduled meeting to be placed on the agenda.
- C. Any member of the public wishing to address the board on any topic related to public health may request that the item be placed on the agenda. Such request must be made by the first Monday of the month of a scheduled meeting.

IX. Appointment of the Health Director

- A. As provided by law, the Board of Health, after consulting with the County Board of Commissioners, shall appoint a local health director. A local health director shall possess the qualifications established for the position by the Commission for Health Services under G.S. 143B-142(a) and qualifications established for the position by the State Personnel Commission in accordance with Chapter 126 of the General Statutes. The State Health Director has concurrent authority over such appointment. Secondly, if the Board of Health fails to appoint a local health director within 60 days of the creation of the vacancy, the State Health Director may appoint a local health director in accordance with this section.
- B. The Board will conduct an annual evaluation of the Health Director in accordance with Wilson County procedure in the format in current use by the county through the following procedure:
 - The Chairman of the Board of Health will appoint a personnel committee to prepare the appraisal.

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- The Health Director will prepare a self-assessment for submission to the Personnel Committee.
- The Director's self-assessment and observations at Board meetings will constitute the basis of the evaluation.
- The Personnel Committee will present the Director with the performance appraisal in closed session with the full Board, along with recommendation, if any, for a merit increase.
- In open session, the Board will vote on the recommendations of the Personnel Committee.

C. The Board subject to the provisions of the General Statutes may terminate the director's services and rules established by the State Personnel Commission including, but not limited to, G.S. 130A-41 (a) (b)-1 to 12.

X. Election of Officers:

A. The Health Director shall serve as Secretary to the Board and the Chairperson and Vice Chairperson shall be elected annually. The Board shall appoint a nominating committee of two to three members at least 20 days before the election of officers. It shall be the duty of this committee to nominate one candidate for the offices of Chairperson and another candidate for the office of Vice-Chairperson.

B. The local Health Director, as Secretary to the Board, will temporarily preside at the annual election. In addition to the nominations by the Nominating Committee, any Board member may make a motion to place other names on the ballot for consideration. There shall be no proxy voting and each member shall exercise one vote for Chairperson and one for Vice-Chairperson. The Secretary shall immediately tally and announce the results. In the event of a tie vote; the Board shall continue balloting until the tie is broken. The newly elected officers shall be installed and preside immediately.

C. The Chairperson shall preside at all meetings and the Vice-Chairperson shall preside in the absence of the Chairperson. Should the office of the Chairperson be vacated for any reason, the Vice-Chairperson shall fill the unexpired term of office and a new Vice-Chairperson shall be elected by the Board.

XI. Revision of Rules:

A. Sections of these rules may be revised by simple majority vote of members present at any regular meeting of the Board at which a quorum is present. Such vote shall be preceded by distribution of a copy of the proposed rule change to the members and a discussion of the proposed change at the preceding regular meeting.

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XII. Legal Authority:

A. N.C. GS 130-A and 130-39

B. Reference: Robert's Rules of Order Newly Revised (RONR) 11th Edition