



**Article 1: Name**

- 1.1 The name of this board shall be the Franklin County General Health District Board of Health, hereinafter referred to as the Board.

**Article 2: Authority**

- 2.1 The Board is authorized according to Ohio Revised Code Chapter 3707 and Chapter 3709.
- 2.2 In each general health district there shall be a board of health consisting of five members to be appointed as provided in section 3709.03 of the Revised Code.

**Article 3: Purpose and Function**

- 3.1 The Board shall be the policy-making, rule-making and judicatory body for the Franklin County General Health District (also known as Franklin County Public Health) pursuant to ORC Chapters 3707 and 3709. The Board is responsible for adoption of regulations to protect public health and for the enforcement of its own regulations, State laws, and applicable rules in the Ohio Administrative Code, including but not limited to the rules adopted by the Public Health Council.
- 3.2 The Board shall support the Constitution of the United States and the Constitution of the State of Ohio, and faithfully abide by the laws of the State of Ohio.
- 3.3 The Franklin County Prosecuting Attorney is the statutory legal advisor of the Board (ORC 3709.33).
- 3.4 The Franklin County Treasurer shall be the custodian of all health funds. Expenses of the Board shall be paid on the warrant of the Franklin County Auditor issued on vouchers approved by the Board and signed by the Health Commissioner (ORC 3709.31).
- 3.5 The Board shall annually, on or before the first Monday in April, adopt an itemized appropriation measure (ORC 3709.28).
- 3.6 The Board may, by rule, establish a uniform system of fees to pay the costs of any services provided by the board (ORC 3709.09).



## **Article 4: Board Composition**

- 4.1 The composition of the Board and the terms of its members are prescribed by law as follows:
- a. Members of the Board serve terms of five (5) years.
  - b. Five (5) Board members are appointed by the District Advisory Council (DAC). The DAC consists of the president of the board of county commissioners, the chief executive of each municipal corporation not constituting a city health district, and the president of the board of township trustees of each township (ORC 3709.02, 3709.03).
  - c. At least one member of the Board shall be a physician. Appointments shall be made with due regard to equal representation of all parts of the district (ORC 3709.03).
  - d. No member of the Board can bind the Board by word or action unless the Board has, in its capacity as governing body, designated such member as its agent for some specific purpose and for that purpose only.
  - e. All members of the Board, as Public Officials, shall comply with the ethics laws of the State of Ohio (ORC Chapter 102).

## **Article 5: Officers**

- 5.1 The Board has three officers: President, Vice-President (or President pro tempore) and Secretary. The Health Commissioner serves as Secretary of the Board (ORC 3709.11). Unless otherwise approved by a vote of the Board, each Board member will serve 1 year as Vice-President and 1 year as President during their 5-year term such that all members serve on a rotating basis.
- 5.2 Duties of President: shall preside at all meetings of the Board; shall preside over all hearings of the Board; shall appoint standing and special committees and their chairpersons; shall be the official spokesperson of the Board; and perform all other duties of the President.
- 5.3 Duties of the Vice-President: acts as President in the President's absence and performs other duties as delegated by the President.
- 5.4 Duties of the Secretary: responsible for keeping all meeting minutes; maintains committee lists; files all official correspondence of the Board; ensures official minutes and other Board documentation is archived; ensures that all official policies enacted by the Board are maintained.

## Article 6: Meetings

- 6.1 The Board shall hold its regular meeting as frequently as determined necessary by the Board, generally the second Tuesday of the month, unless such meeting day interferes with holidays or circumstances justify the setting of a meeting otherwise. In compliance with Ohio Revised Code section 121,22(F), the date, time and place of all Board meetings shall be published on the Franklin County Public Health website. The Board shall give at least twenty-four hours' advance notice of meeting dates, times and locations, except in the event of an emergency requiring immediate official action. In the event of an emergency, notice of board meetings shall occur as set forth in Article 10, below.
- 6.2 A simple majority of the members of the Board shall constitute a quorum.
- 6.3 All members of the Board, including the President, shall vote or abstain on all issues. Votes may be taken by roll call upon request of any member. A member may abstain: to indicate the voting individual's ambivalence about the measure; to indicate mild disapproval that does not rise to the level of active opposition; when they do not feel adequately informed about the issue at hand; or when they have not participated in relevant discussion. A member shall abstain in the case of a conflict of interest. Abstentions do not count in tallying the vote negatively or positively; when members abstain, they are in effect attending only to contribute to a quorum.
- 6.4 A member who knowingly has a conflict of interest on any matter before the Board shall declare such conflict of interest prior to any discussion of the matter and shall refrain from any participation in discussion, debate or voting on such matter.
- 6.5 Meetings will generally follow parliamentary procedure as contained in Robert's Rules of Order insofar as they do not conflict with the Ohio Revised Code.
- 6.6 Consent Agenda Procedure – Prior to the Board meeting, the Secretary shall prepare and circulate a proposed Consent Agenda, containing all routine matters and resolutions, not requiring discussion by the Board. At a meeting of the Board, following a verbal call of the roll, the Consent Agenda shall be addressed. The President shall request the Secretary to call out the individual name and number of each Resolution being considered for placement onto the Consent Agenda. Upon completion of the call, any member may request removal of a specific Resolution or item from the Consent Agenda. Any Resolution or item removed from the Consent Agenda shall be debated and voted upon separately from the Consent Agenda. Following receipt of a motion

and a second to move the Consent Agenda, the President shall ask for the Secretary to call the roll for a vote upon the Consent Agenda. A simple majority vote of the members present is necessary for passage and enactment of the Consent Agenda, and all items placed therein.

## **Article 7: Committees**

7.1 The Finance committee shall be comprised of at least two (2) of the five (5) Board members. All Finance Committee meetings are chaired by the Director of Finance and Business Operations of the Franklin County General Health District. The purpose of the Finance Committee is to oversee finances and make budget recommendations to the full Board.

## **Article 8: Compensation**

8.1 Each member of the board shall be paid a sum of seventy (70) 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 (ORC 3709.02(B) *(NOTE: maximum allowed is \$80)*)

8.2 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 Revised Code 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 (ORC 3709.02(C)).

## **Article 9: Staffing**

9.1 Appointment of Health Commissioner – The Board shall appoint a Health Commissioner and determine his/her duties and shall annually set the Health Commissioner's salary. The Health Commissioner shall devote such time to the duties of his/her office as may be fixed by contract with the Board. The Commissioner shall be the executive officer of the Board and

shall carry out all orders of the Board and of the department of health. He/She shall be charged with the enforcement of all sanitary laws and regulations in the district. The Commissioner shall keep the public informed in regard to all matters affecting the health of the District (ORC 3709.11, 3709.16).

- 9.2 Appointment of Employees – the Board shall appoint full-time and/or part-time employees based upon the recommendation of the Health Commissioner. The Board shall determine the duties and annually set forth the salaries of its employees in the FCPH Compensation Plan (ORC 3709.13, 3709.15, 3709.16).

#### **Article 10: Open Meetings and Public Records**

- 10.1 a. Any meeting of the Board shall comply with the Open Meetings Act of the Ohio Revised Code, and shall be open to the public.
- b. The Board has adopted a rule pursuant to R.C. 121.22(F), regarding notification of meetings, as follows:
- i. For all regularly scheduled meetings, the Board shall ensure the publication of notice announcing the time and place of regular meetings on Franklin County Public Health's website.
  - ii. The Board shall not hold a special meeting unless it gives at least twenty-four hours' advance notice to the public and any news media that have requested such notification. In the event of a special meeting, the Board shall: 1) post the time, place, and purpose of the special meeting on site at the offices of Franklin County Public Health at least twenty-four hours in advance of the meeting; 2) post the time and place of the meeting on the Franklin County Health website; and 3) send notification of the time, place, and purpose of the special meeting to members of the news media that have requested such notification.
  - iii. In the event of an emergency meeting requiring official action, the Board shall post the time, place, and purpose of the emergency meeting on site at the offices of Franklin County Public Health, on the Franklin County Public Health website and notify the news media that have requested notification of the time, place, and purpose of any emergency meeting as soon as possible.
  - iv. Any person may obtain reasonable advance notification of Board meetings. Upon request, a person may receive advance notification of Board meetings electronically, by supplying a valid e-mail address, or via regular mail, by supplying a self-addressed, stamped envelope or envelopes. Franklin County Public Health shall maintain the list of those members of the public requesting meeting notification.

c. The Board shall follow Ohio Public Records Law in making records available to the public. Franklin County Public Health's public records policy shall apply.

**Article 11: Amendments**

11.1 These by-laws may be amended by an affirmative vote of a majority of all members of the Board.

**Adopted \_\_\_\_\_ May 14, 2024 by the Franklin County District Board of Health, Resolution # \_\_\_24-068\_\_**