

# Trumbull County Combined Health District

## Board of Health

### By-Laws

#### Article I - Mission

We are committed to protect and promote the health and well-being of our community and prevent disease, disparity, and harm to our residents. This is accomplished by responding promptly to serve the needs of the public in a professional and respectful manner with emphasis on public health education and outreach.

#### Article II - Board Duties

##### Section 1:

The role of the Board of Health is to adopt policies and procedures 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. The board shall make such orders and establish such policies and procedures as are needed for the administration of the health district in meeting the stated mission, goals, and 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 are specified and/or implied in appropriate sections of Ohio revised code.

##### Section 2:

The board shall hear appeals from public health orders issued by the health district staff for extenuating circumstances with a view to either, affirm the order, consider granting extensions of time where allowable, or refer to the local legal authority for appropriate legal action.

In addition, the Board of Health has established a policy authorizing the Health Commissioner and or the Environmental Director to initiate findings and orders against property owners who fail to comply with a state or local rule. The policy is as follows:

- a) A matter is brought to the Environmental Health Director's attention:
  1. A complaint received from a citizen regarding a nuisance;
  2. A point of sale inspection that demonstrates non-compliance with state regulations and local policies;

3. Sewer tie-ins;
  4. Any matter dealing with a private water or septic systems that are non-compliant with a state regulation and local policies that are identified by a sanitarian or the sanitary engineer's office;
  5. Any licensed facility that failed to renew its license, i.e. campgrounds, public pools, restaurants, etc.;
  6. Any individual that failed to renew their O & M Permit to Operate and/or their semi-public sewage system certificate.; and
  7. All violations of the Ohio Plumbing Code.
- b) A sanitarian or plumbing inspector determines there is a violation of statute, administrative code or Board resolution.
  - c) The sanitarian or plumbing inspector issues a Notice of Violation, if the property owner or facility does not comply with the initial notice, then a second Notice of Violation is issued.
  - d) If the property owner or facility does not comply with the second notice, then the Health Commissioner and/or Environmental Health Director will hold an administrative hearing to determine if a violation exists. If it is determined that violation(s) exist, Findings and Orders will be issued.
  - e) The property owner or facility will be notified of their right to appeal the Findings & Orders. If they decide to appeal to the Board, then the matter will be placed on a Board meeting agenda within 60 days.
  - f) If the property owner or facility does not appeal the Findings & Orders, and does not comply with the Orders, then criminal and/or civil remedies will be sought to correct the situation.
  - g) The Board of Health will be supplied with a monthly accounting of each administrative hearing conducted, and the result of said hearings.

## **Article III - Meetings**

### Section 1:

- a.) The regular meeting of the Board of Health shall be held monthly except for the month of July. If there is not a quorum, said meeting shall be held at the discretion of the President of the Board, but no action can be taken by the members present. In no event shall the board meet less than once in each calendar month.
- b.) At its January meeting, the Board of Health shall establish the day, time, and place of its regularly scheduled monthly meetings for the following year and shall be subjected to change as determined by the board. For example, should a meeting fall the day or week of a holiday it can be moved to a different day or week.

- c.) The tentative agenda, minutes of the previous meeting, and appendices for the monthly meeting shall be given to all board members at least five days in advance of the meeting. A revised agenda, if applicable, will be provided to the Board prior to the start of the meeting.
- d.) Notice of regularly scheduled board of health meetings shall be given to the media at least 72 hours in advance of the meeting.
- e.) All Board of Health meetings shall be guided by Roberts Rules of Order, where the Board deems appropriate.

#### Section 2:

Special meetings may be either called by the president, or requested by the Health Commissioner, or, in the case of his or her absence, the Vice-President, or by any four members of the Board of Health. 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 24-hour prior public notice shall be provided for each special meeting unless an emergency condition warrants meeting with a shorter notification.

#### Section 3:

A majority of the members of the board shall constitute a quorum. An action of the Board of Health shall be effective in a majority of the quorum consents. 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, where four (4) or more members are present, are open meetings. Executive sessions may be held that meet the requirements of Section 121.22 (G) on the Ohio Revised Code, provided that the requisite motion with statement of purpose is passed by a roll-call vote in open session.

#### Section 5:

The Board shall provide a period for public participation at every regular meeting of the Board and publish rules to govern such participation in Board meetings on their website and as part of sign in sheets for guests. The presiding officer shall use the following rules:

- A. The public comment period shall be at the end of the meeting.
- B. A speaker will have a maximum of two (2) minutes to make remarks.
- C. No time will be yielded to a speaker by another speaker.

- D. Anyone wishing to address the Board must fill out the “Public Participation Form” (Attachment A), and the Board is entitled to decide whether or entertain the public comment that is submitted by the start of a meeting.
- E. No participant may speak more than once.
- F. All statements shall be directed to the presiding officer, and no person may address or question board members individually.
- G. Speakers will be courteous in their language and presentation, and personal attacks will not be tolerated.
- H. Public comment is not intended to require the board to answer any impromptu questions or take any action.
- I. The presiding officer may interrupt, warn, or terminate a participant statements if it is too lengthy, repetitive, personally directed, abusive, obscene, or irrelevant.

## **Article IV - Officers**

### Section 1: Election

- A. The elected officers of the Board of Health shall be the President and Vice-President. These officers shall be elected each year at the March meeting of the Board of Health.
- B. The Health Commissioner shall serve as the secretary to the Board of Health as required by Ohio Revised Code.

### Section 2: Duties

- A. The President shall conduct all meetings of the board, sign records thereof, and performed generally all the duties performed by presidents of like bodies or commissions. The President 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 or her absence and provide the president with assistance as 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.

### Section 4: Orientation of New Members and Continuing Education

Board of Health members are expected to become knowledgeable about the duties, operations, and functions of the health district through reading of materials provided to members at the board of health meetings, consultation with the health Commissioner, staff presentations at Board of Health meetings, membership in the Ohio Association of Boards of Health and National Association of Local Boards of Health, and, when available, participation in Ohio Department of Health training. The President may appoint an orientation committee for new members.

Each Board of Health member must complete two hours of continuing education annually. The 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 may occur during regularly scheduled board meetings throughout the calendar year or at other programs available for continuing education credit. Continuing education credits earned for the purpose of license renewals or certificate by license health professionals serving on boards about may be counted to fulfill the two-hour continuing education requirement.

## **Article V – Committees**

The president of the Board shall appoint members to standing committees into advisory committees, when deemed necessary by the Board of Health, on which Board of Health member representation is required by Board of Health resolution.

Noticeable committee meetings that consist of a quorum shall be given to local media at least 72 hours in advance of the meeting. Minutes of all committee meetings shall be incorporated into the minutes of the regularly scheduled monthly Board of Health meeting.

## **Article VII - Compensation and Expenses**

Board of Health members shall be compensated per Ohio Revised Code per meeting attended, including special meetings. Compensation shall not exceed 18 meetings per year.

Members shall receive reimbursement for travel expenses at rates established by the Director of Budget and Management pursuant to section 126.31 of the Ohio Revised Code for attendance at special meetings and seminars authorized by the Board of Health.

## **Article VIII - Amendments**

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

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**Robert Biery, Jr. President**

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**John Messersmith, President Pro Tempore**

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**Marisha Agana, M.D.**

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**Thomas Borocz**

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**Kathy Salapata, R.N.**

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**John Simon, Jr.**

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**Gregory Dubos**

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**Frank J. Migliozi, MPH, REHS/RS  
Health Commissioner & Secretary**

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**Robert J. Kokor, Legal Counsel**