

**Wheeling-Ohio County Board of Health
By-Laws**

Effective Dates: 10/8/96, Amended 9/9/97, Amended 2/12/08

Article I

This organization shall be known as the Wheeling-Ohio County Board of Health and shall be organized under the provisions of Chapter 16, Article 2 of the West Virginia Code as defined by the West Virginia Legislature.

Article II, Membership

Section I Composition

- A. The Wheeling-Ohio County Board of Health shall be composed of six (6) voting members, with recommendations from the Board of Health. Three members shall be appointed by the Ohio County Commission and three members shall be appointed by the City of Wheeling (selected and appointed by the Mayor with the consent of the Council of the City of Wheeling). One non-voting member of the Board shall be the Board appointed and employed Health Officer serving in the capacity of Board Secretary.
- B. All Ohio County Commission appointed members shall be citizens of Ohio County. All City of Wheeling appointed members shall be citizens of the City of Wheeling.
- C. No more than two (2) members may be from any one magisterial district.
- D. The members of one political party cannot exceed the number of members of another political party by more than one.
- E. No more than two (2) members shall be personally and/or individually participating in the same business.

Section II Board Appointments

- A. Appointments shall be effective for five (5) consecutive years.
- B. No more than one (1) appointment from each appointing body shall expire each year.
- C. When a vacancy occurs prior to appointment expiration, with recommendations from the remaining members of the Wheeling-Ohio County Board of Health, the Ohio County Commission or City of Wheeling shall appoint an individual to complete the unexpired term(s). That individual must meet the provisions in Section I.
- D. All Board of Health members must take an oath of office prior to entering into or discharging the duties of office. This swearing shall be placed on file in the offices of the Ohio County Clerk with a copy being placed into the Wheeling-Ohio County Board of Health minute record. All members shall receive Board training.

Article III, Administration

Section I Officers

The officers of the Wheeling-Ohio County Board of Health shall consist of a Chairperson, Vice-Chairperson, Secretary, and Treasurer. The Wheeling-Ohio County Health Officer shall serve as Secretary of the Board as defined in West Virginia Code, Chapter 16, Article 2.

Section II Term of Offices

The Chairman and Vice-Chairman shall be elected to serve a term of one year to coincide with the fiscal year of July 1 to June 30. The Secretary shall serve the duration of hire as the Wheeling-Ohio County Health Officer of the Wheeling-Ohio County Health Department.

Section III Duties

- A. Chairperson
 - 1. Perform the duties normally associated with the office of Chairperson.
 - 2. Appoint members to standing and/or special committees.
 - 3. Sign all official documents, as required by state statute and the West Virginia Bureau of Public Health.

4. Serve as an ex-officio member of all committees.
 5. Assure the Board of Health meets at its regularly scheduled meetings.
 6. Call special and emergency meetings, as needed.
 7. Set, or appoint an agent, to set the agenda of Board meetings prior to meeting dates.
 8. Preside at all meetings, establish proper public notification of all public meetings, and declare the attendance of a quorum.
 9. Be an authorized signature of Wheeling-Ohio County Health Department accounts.
- B. Vice-Chairperson
Perform all duties normally associated with the office of Chairperson in the absence of that officer.
- C. Secretary
1. The Health Officer shall attend Board of Health meetings in an ex-official capacity and record written minutes of the proceedings. If the Health Officer is not able to attend the meeting, an agent to complete the written minutes shall be appointed.
 2. After Board approval, a copy of the written minutes shall be sent to the Bureau for Public Health Commissioner and placed on file within the Wheeling-Ohio County Health Department.
 3. Be an authorized signature of the Wheeling-Ohio County Health Department accounts.

Section IV Vacancies

Vacancies during a term of office of Board officers shall be filled by special election, as provided in Chapter 16, Article 2, Section 9 of the West Virginia Code.

Section V Committees

- A. Standing Committees for Wheeling-Ohio County Board of Health shall include, but not be limited to: Personnel, Finance, Program
- B. The Chairperson of the Board of Health shall designate Standing Committee assignments not less than thirty (30) days after assuming office. Committee Chairpersons shall be designated by the Board Chairperson. Special Ad Hoc Committee assignments shall be made as needed.
- C. Duties of Committee Chairpersons
1. Call committee meetings, as required.
 2. Make periodic reports to the entire Board.
- D. Duties of Standing Committees
1. Personnel – Review all personnel actions including, but not limited to, promotions, salary increases, staff reductions, appointment of new staff, staff utilization and efficiency, and other items generally affecting staff morale and welfare. These committee members shall become proficient in federal and state fair labor laws and regulations, the West Virginia Administrative Rule, and other West Virginia Division of Personnel rules and interpretations.
 2. Finance – Review all monthly expenditures, provide assistance in preparation of annual budget request, serve as the audit committee, and keep Board of Health members apprized of fiscal matters which affect the continued day to day operations of the Wheeling-Ohio County Health Department.
 3. Program – Review existing programs to insure validity and timeliness of existing programs, assure that each program area is providing the determined services as defined by the Wheeling-Ohio County Needs Assessment in conjunction with state mandates and orders, provide guidance in exploring new programs and evaluate program and/or staffing effectiveness.
 4. Special Ad Hoc – Act as the lead in special projects and investigations. The committee shall remain intact the duration of the special need or project.

Article IV, Meetings

Section I Frequency of Meetings

- A. Regularly scheduled meetings shall be scheduled at least every other month.
- B. Special meetings with specific meeting purpose shall be scheduled as needed, at least, five (5) working days in advance to the meeting date, if possible.
- C. Emergency meetings shall be convened when necessary. This meeting type shall be called to deal with situations requiring immediate action.

Section II Notification of Meetings

- A. Regularly scheduled meetings shall be announced to the public prior to the meeting date. The notice shall include, but not be limited to, meeting date, time and location.
- B. Special meetings shall be announced to the public five (5) days, in advance of the meeting. The notice shall include, but not be limited to, meeting date, time, location, and purpose of the meeting, if time permits.
- C. Emergency meetings shall not always require advance public notification. Notification shall be made as soon as possible.
- D. The public shall be notified by a reasonable time, in advance if possible, in the case that a regularly scheduled or special meeting is cancelled or rescheduled.

Section III Meeting Attendance

- A. Members of the Board of Health shall be expected to attend Board meetings.
- B. In the event that a Board of Health member can not attend a meeting, the member shall report the absence to a staff member of the Wheeling-Ohio County Health Department. That staff member shall then forward this information to the Local Health Administrator, who shall forward this information to the Board Chairperson.

Section IV Agenda

- A. An agenda for Regularly Scheduled meetings shall be created and distributed to the Board members using the following format:
 - 1. Determination of Quorum and Public Notification
 - 2. Presentation of Delegations
 - 3. Approval of Minutes of Previous Meetings
 - 4. Presentation of Monthly Expenditures
 - 5. Local Health Administrator's Report
 - 6. Standing Committee Reports
 - 7. Special Ad Hoc Committee Reports
 - 8. Old Business
 - 9. New Business
 - 10. Unfinished Business
 - 11. Announcements and Setting of the Next Meeting
 - 12. Adjournment
- B. An agenda for Special meetings shall be created and distributed to the Board members using the following format:
 - 1. Determination of Quorum and Public Notification
 - 2. Presentation of Delegations
 - 3. Approval of Minutes of Previous Meetings
 - 4. Purpose of Meeting
 - 5. Announcement and Setting of the Next Meeting
 - 6. Adjournment
- C. An agenda for Emergency meetings shall be created and distributed to the Board members using the following format:
 - 1. Determination of Quorum
 - 2. Presentation of Delegations
 - 3. Approval of Minutes of Previous Meetings
 - 4. Purpose of Meeting
 - 5. Announcement and Setting of Next Meeting
 - 6. Adjournment

Section IV Quorum

A quorum shall be not less than three (3) voting members of the Board. Non-voting members do not complete a quorum.

Section V Guests

Any person desiring to attend a Board of Health meeting shall be welcomed for the custom of an open meeting is observed. Any person or delegation desiring an audience before the Board must be placed upon the agenda under the format article named Presentation of Delegations. Delegations must register with the Board Chairperson fifteen (15) minutes prior to the beginning of the meeting. No guest may attend Executive Sessions conducted by the Board unless that individual is specifically invited to attend.

Section VI Parliamentary Procedure

All meetings shall be conducted by the Board of Health to be in conformance with Roberts' Rules of Order. If a point of order is not addressed specifically in this document of By-Laws of the Wheeling-Ohio County Board of Health, a ruling shall be determined using Roberts' Rules of Order. If a point of order is specifically addressed in the By-Laws of the Wheeling-Ohio County Board of Health, the By-Laws shall be the determining rule.

Article V, Elections

Section I Annual

An annual election shall be conducted during the Annual Regularly Scheduled meeting of the fiscal year. This election shall be for one fiscal year term being July 1 to June 30. The purpose of this election shall be the selection of a chairperson.

Section II Special

In the event a vacancy occurs in the office of Chairperson, the Vice-Chairperson shall assume the role of Chairperson until a special election can be held at the next Regularly Scheduled meeting. A new Chairperson shall be selected by consensus of the members of the Board of Health to complete the remaining year of term. In the case that the Vice-Chairperson is selected as Chairperson, an additional election shall be conducted at that same meeting to select by consensus of the members of the Board of Health a Vice-Chairperson to complete the remaining year of term.

Article VI, Amendments

Section I Procedure

An amendment to the Wheeling-Ohio County Board of Health By-Laws may be proposed by any member of the Board of Health during any Regularly Scheduled meeting. Proposed amendments must be submitted, in writing, to the entire membership. A motion to accept for consideration of the amendment must be made before the membership. A second to the motion is required, unless the proposed amendment comes from a committee.

Section II Ratification

Proposed amendments must be read at two (2) consecutive Board of Health meetings. One of those meetings must be a Regularly Scheduled meeting. The meeting at which the motion to accept the amendment for consideration shall not be one of the two (2) consecutive meetings. Special meetings may be called for the reading of the amendment. Final voting for ratification must be held at a Regularly Scheduled Board of Health meeting. Amendments shall be effective upon final ratification.

2/12/08

Approval Date

Dr. John D. Holloway

Wheeling-Ohio County Board of Health, Chairperson