HEALTH DEPARTMENT OF NORTHWEST MICHIGAN
Established in 1930 as District Health Department No. 3

BOARD OF HEALTH

BY-LAWS AND RULES OF ORDER

AS APPROVED BY THE BOARD OF HEALTH ON AUGUST 6, 2024

PREAMBLE

The purpose of these By-Laws is to provide for the orderly process of conducting business and meetings of the Board of Health and to ensure full compliance with Act 368 of 1978 which is the legislative basis of the District Board of Health. If there should be a conflict in the interpretation of these By-laws and Act 368 of 1978, Act 368 shall prevail. The Board of Health has an important role in protecting and promoting the health of the people who live, work, learn, play, age, and visit in the community. The Board of Health is an essential function of government and is entrusted to maintain and enhance the quality of life for the people they serve.

ARTICLE I

MEMBERSHIP

Membership of the Board of Health shall consist of two members of each of the Boards of Commissioners for Antrim, Charlevoix, Emmet, and Otsego Counties. The members are appointed through the normal committee appointment process of their respective county. Each individual member shall have full voting authority. Temporary alternative members with full voting authority may be appointed by the respective Chairperson of the County Board of Commissioners to act in the absence of either of the two duly appointed members.

ARTICLE II

OFFICERS

The Board of Health will have the following elected officers: Chairperson and Vice-Chairperson. The Chairperson will conduct Board of Health meetings according to these By-Laws, the Open Meetings Act, and Robert's Rules of Order. The Vice-Chairperson fulfils the duties of the Chairperson when they are absent.

The appointments to the Board of Health are approved by each of the four County Boards of Commissioners (Antrim, Charlevoix, Emmet, and Otsego) usually at their first meeting of the year. At the first regular Board of Health meeting, the respective Commissioners appointed to the Board of Health vote to elect the Chairperson and Vice-Chairperson. The elected Chairperson and Vice-Chairperson will serve one-year terms. The Chairperson appoints members to standing committees.

ARTICLE III

QUORUM

A quorum shall consist of a majority of the Board members which will include at least one representative from each county.

ARTICLE IV

PROCEDURES FOR BOARD OF HEALTH MEETINGS

1. Meetings of the Board of Health shall be held monthly and at other times as called by the Chairperson. Dates and times of meetings for the Board of Health shall be at the discretion of the Board of Health. All efforts will be made to conduct meetings during the regular operative hours of the Health Department of Northwest Michigan (hereafter simply "Health Department").
2. Meetings of the Board of Health shall be conducted in accordance with the Michigan Open Meetings Act, P.A. 167 of 1976, as amended and shall follow the guidelines of Robert's Rules of Order.
3. At the organizational meeting of the Board of Health, at the beginning of each year in January or February, the Chairperson and Vice-Chairperson shall be selected. The Health Officer may assume the temporary Chair for the purpose of conducting the voting on the Chairperson and Vice-Chairperson positions (the Health Officer does not have a vote). Once the Chairperson has been approved, standing committee chairpersons will be selected and committee assignments will be made.
4. The Health Department shall provide a Recording Secretary for the purposes of taking minutes of the Board. The minutes shall be signed by the Chairperson and the Health Officer after approval in accordance with parliamentary procedure and the Open Meetings Act.
5. The Health Officer will prepare a tentative agenda of business for the regularly scheduled Board of Health Meeting. The Health Officer will review the tentative agenda with the Chairperson. The Chair has the discretion to add or delete issues. Requests to place items on the agenda must be received by the Health Officer no later than five (5) business days before the regular meeting for which the agenda is being prepared. Items not received by this deadline will not be considered by the Board except upon a majority vote of the members present.

   The Board of Health Packet containing the agenda, reports and materials will be mailed or electronically transmitted to each Board Member and posted on the Health Department website not later than four (4) business days in advance of the regular meeting.

   All agenda items requiring a vote of the Board will be supported by a written proposed motion for consideration by the Board.

   Meeting agenda: Unless otherwise altered and approved by the Board of Health, the following will be the standard meeting agenda:

I. Call to Order
II. Opening Ceremony (i.e. Pledge of Allegiance)
Board Organization, Election of Officers, and Committee Assignments (First meeting of the year only)
III. Roll Call
IV. Approval of the Agenda
    a. Add or Remove Agenda Items
    Individual items require a vote of the board to be added or removed. The agenda will be considered approved after the members vote to add or remove items regardless of the final outcome of the agenda

V. Review/Approval of the Meeting Minutes
VI. Public Comment (three-minute limit)
VII. Staff Reports
VIII. Committee Reports
IX. Unfinished Business
X. New Business
XI. Public Comment (three-minute limit)
XII. Board Member Comment (three-minute Limit)
XIII. Adjournment

6. Public comment rules are established by the Board of Health and included in the public notice for the any meeting of the Board of Health that is subject to the Open Meetings Act.
7. The place of the meetings will be the offices of the Health Department or at other locations as specified by resolution of the Board of Health.
8. Special meetings of the Board of Health may be scheduled with the approval of the Board Chairperson and public notice will be posted in accordance with the Open Meetings Act.

ARTICLE V

POWER AND AUTHORITY OF BOARD

The Board of Health retains all authority vested in Boards of Health of District Health Departments as specified in Act 368 of 1978 including the audit, allowances and appropriations of claims. The Board will establish an annual budget and a formula for distribution of local appropriations of the department. All Board members and Health Department staff will adhere to all policies adopted by the Board. The Board of Health will appoint a Health Officer who will function as the Administrative Officer of the Board and the Health Department. Through its Administrative Officer the Board of Health will oversee all activities of the Health Department.

In accordance with Act 368 of 1978 the Board of Health may adopt health regulations to properly safeguard the public health and prevent the spread of diseases, approve health programs and services, establish schedules for fees and enter into intergovernmental agreements.

Board of Health Members should be familiar with the following sections of the Public Health Code:

Local Governing Entity Authority/Action	Act 368 of 1978 Reference
Administration and governance of public health at the local level.	MCL 333.2413
Provide the funds and approve the budget for operation of the Local Health Department (LHD).	MCL 333.2413 & MCL 333.2483
Composition of district health board.	MCL 333.2415
Appoint a full-time local health officer who meets requirements set by State Health Department.	MCL 333.2428
Concurrence or disapproval authorizing LHD to adopt regulations.	MCL 333.2441 & MCL 333.2442
Fix and require payment of fees for services authorized or required to be performed by the LHD.	MCL 333.2444
A LHD and its local governing entity shall provide or demonstrate the provision of each required service which the LHD is designated to provide.	MCL 333.2473

ARTICLE VI

RESPONSIBILITIES OF BOARD OF HEALTH MEMBERS

Board of Health members should be aware of the 10 essential public health services and support the Health Department to those ends.

The 10 Essential Public Health Services are as follows:

Assessment

- Assess and monitor health of the community.
- Investigate, diagnose, and address health hazards and root causes.

Policy Development

- Communicate effectively to inform and educate the public.
- Strengthen, support, and mobilize communities and partnerships.
- Create, champion, and implement policies, plans, and laws.
- Utilize legal and regulatory actions.

Assurance

- Enable equitable access to services.
- Build a diverse and skilled workforce.
- Improve and innovate through evaluation, research, and quality improvement.
- Build and maintain a strong organizational infrastructure for public health.

The Health Department will provide orientation materials to new Board of Health members and also act as a resource for the board members throughout their term. In addition, training resources are available and should be reviewed by new board members.

CONFLICT OF INTEREST – STANDARDS OF CONDUCT

A. A Board of Health member shall not divulge to an unauthorized person confidential information acquired by the Board member in the course of his or her duties as a Board member in advance of the time prescribed for its authorized release to the public, if it is to be released to the public. Confidential information means information, written or non-written, that has been obtained by a Board member in the course of acting as such, that is not available to members of the public pursuant to closed sessions as prescribed by the Michigan Open Meetings Act, being MCL 15.268 *et seq.,* Michigan Freedom of Information Act, being MCL 15.231 *et seq.*, or pursuant to other law, regulation, policy, or procedure recognized by law, and that the Board member is unauthorized to disclose.

B. Board members shall represent the official policies, positions, and mission of the Health Department to the best of their ability when representing the Health Department. When presenting their individual opinions and positions, a Board member may not represent, nor allow the inference of, his or her personal opinion or position as that of the Board of Health or the Health Department.

C. A Board member shall not appear or advocate on behalf of the private interest of third parties, including the Board member's immediate family members, before the Board of Health, any committee, or other proceeding of the Board of Health.

D. A Board member shall not solicit or accept a gift or loan of money, goods, services, or other things of value for the benefit of a person or organization other than the Health Department which tends to influence the manner in which the Board member or employee of the Health Department performs official duties.

E. Except as permitted by state law, a Board member shall not engage in a business transaction in which the Board member may derive a personal profit or gain, directly or indirectly, from his or her official position or authority or benefit financially from confidential information which the Board member has obtained or may obtain by reason of that position or authority.

F. Except as permitted by state law, a Board member shall not engage in or accept employment or render services for a private or public interest when that employment or service is incompatible or in conflict with the discharge of the Board member's official duties or when that employment may tend to impair his or her independence or judgment or action in the performance of official duties.

G. Except as provided by state law, a Board member shall not participate in the negotiation or execution of contracts, issuance of permits or other regulation or decision relating to a business entity in which the Board member has a personal or ownership interest.

H. Except as permitted by state law, a Board member shall not vote or participate in any other question on which the Board member has a substantial direct or indirect financial, personal or ownership interest other than an interest similar to that of other citizens affected.

I. Whenever the performance of official duties shall require a Board member to deliberate and vote on any matter involving the Board member's financial or personal interest, the Board member shall publicly disclose the nature and extent of the interest and is disqualified from participating in the deliberations and voting on the matter. The disclosure shall be made public at a meeting of the Board of Health before the matter is voted upon or in any other manner required by law.

J. This Code of Conduct is intended to encourage and promote the highest standards of ethical conduct and behavior by members of the Board of Health and is not intended to be a code enforceable by punitive measures. Violations of this code are not intended to subject Board members to reprimand or censure by the Board of Health. A violation of this code shall not be considered the basis for challenging the validity of a Board member's decision or position as a Board member.

ARTICLE VII

COMMITTEES

Types of Committees: The types of committees of the Health Department shall be standing and special. Standing committees shall be as follows: Program and Evaluation Committee, Personnel and Finance Committee. The Board may from time to time establish special committees and additional standing committees for other matters of concern to the Health Department. All committee recommendations shall be considered by the Board of Health.

PROGRAM AND EVALUATION COMMITTEE: Shall be responsible to:

1. Investigate new program concepts.
2. Develop long range public health strategy.
3. Review existing programming.
4. Review grant opportunities pursuant to policy.
5. Annual review of bylaws.

PERSONNEL AND FINANCE COMMITTEE: Shall be responsible to:

1. Review appropriations and allocation recommendations.

2. Review and approve agency budget.
3. Review and evaluate staffing and compensation schedule.
4. Review and evaluate Personnel Policy.
5. Review monthly expenditures prior to the full Board of Health meeting.
6. Evaluate performance of Health Officer annually.
7. Recommend process for Health Officer replacement as necessary.

Proceedings of Committees: Except as already provided in these By-laws, the Board may, by resolution passed by majority vote of the Board, establish membership requirements, meeting requirements, reporting duties, and other substantive and procedural standards for the operation of any committee. In the absence of any such standards in these By-laws or Board resolution, committees shall establish their own standards of operation, subject always to the power of the Board, in its discretion, to review, modify, ratify, disapprove or otherwise control such standards.

ARTICLE VIII

AMENDMENT

These By-laws may be altered by a majority vote of all Board members. Notice of proposed amendments shall be posted with the regular notice of the Board Meeting.

REVISIONS

March 4, 2003

August 6, 2024