

BYLAWS
WASHTENAW COUNTY BOARD OF HEALTH

Article I- Authority

The Washtenaw County Board of Commissioners retains unto itself the policy authority for local board of health pursuant to Section 2413 of the Public Health Code, 1978 PA 368, as amended, MCL 333.1101·et seq., (hereinafter, the "Public Health Code"), and under the same authority establishes the Washtenaw County Board of Health to carry out such duties as shall be delegated to it under these bylaws.

Article II—Purpose

SECTION 1: NAME. The official name of this body shall be the "Washtenaw County Board of Health" (hereinafter, "the Board").

SECTION 2: PURPOSE. The purpose of the Board is to identify public health problems and concerns in the community, establish health priorities and advise the health department and the Board of Commissioners on community health issues and possible solutions. The Board shall recommend a program of basic health services to the Board of Commissioners. The Board will serve as advocates and educators for public health services and policies.

Further, the Board shall hear appeals and requests for variances from the local public health and environmental regulations established under the Public Health Code. The Board will have the authority to hear appeals regarding the suspension or revocation of food service licenses.

Article III—Membership, Term of Office

SECTION 1: MEMBERSHIP. Membership shall consist of ten (10) members appointed by the Washtenaw County Board of Commissioners, one of which shall be a current member of the Washtenaw County Board of Commissioners, who shall serve in an ex-officio capacity.

SECTION 2: BOARD TERMS. The initial Board term for each member shall be two (2) years, except that the Board of Commissioner member term shall continue until such time as the appointment of a successor Commissioner has been made. To foster continuity on the Board, after the initial two (2) year terms, the nine (9) appointed voting positions on the Board shall be staggered as follows: three (3) members will be appointed to one (1) year terms; three (3) members shall be appointed to two (2) year terms; and three (3) members will be appointed to three (3) year terms. Thereafter, all terms shall be for three (3) years.

SECTION 3: APPOINTMENTS. Appointments to fill vacancies or resignations shall serve the remainder of the term for the appointment filled.

SECTION 4: MEMBER REPRESENTATION. Membership shall take into account relevant public health constituencies, experience and education from sectors including, but not limited to public and environmental health, academia, health service delivery, legal services, philanthropy, social service delivery, k-12 education, consumers and citizens at large.

Article IV - Officers

SECTION 1: BOARD OFFICERS. Officers of the Board shall consist of Chair, Vice Chair and Secretary.

SECTION 2: CHAIR. The Chair shall prepare the agenda for each Board meeting and shall preside at the Board meetings unless she/he delegates these duties to another Board member. Upon approval of the Board, the Chair will speak for the Board and represent the Board at meetings of official and community groups, when appropriate to participate.

SECTION 3: VICE CHAIR. The Vice Chair shall perform and fulfill all of the duties of the Chair in the absence or incapacity of the Chair. When neither the Chair nor Vice Chair is present to chair Board meetings, the members present shall select a temporary Chair to run the meeting provided there is quorum.

SECTION 4: SECRETARY. The Secretary shall ensure that a record of all Board proceedings is kept and shall conduct all correspondence for the Board.

SECTION 5: ELECTIONS. The Chair, Vice Chair and Secretary shall be elected by a majority of the Board, and shall serve a term of one year, or until a successor is named. The Chair, Vice Chair and Secretary shall be eligible for re-election, but shall not serve more than three successive full terms in office.

SECTION 6: OFFICER VACANCIES. In the event a vacancy occurs in the Chair, Vice Chair or Secretary position, the Board shall elect a replacement from among the members to serve the remainder of the calendar year.

Article V– Duties & Responsibilities of the Board

SECTION 1: DUTIES OF THE BOARD

(a) The Board shall advise the Health Officer and the Board of Commissioners on issues of public health problems, public health policy and public health planning.

(b) The Board shall provide a broad-based focal point of community member and professional input to the health department and the Board of Commissioners on the full range of health care programs and issues in Washtenaw County.

(c) The Board shall study problems and health issues referred by the health department, and make recommendations for action and will advocate for program and policy changes as needed.

(d) The Board shall be responsible for setting the health department's overall strategic direction. In consultation with the Board, the Health Officer shall develop and implement the department's strategic plan.

(e) In conjunction with the County Administrator, the Board shall be responsible for regularly evaluating the performance of the Health Officer.

SECTION 2: PROGRAM DUTIES REGARDING APPEALS AND VARIANCES.

(a) The Board shall appoint a three (3) member Appeals Sub-committee to hear all appeals. These appeals will include environmental and food service appeals and requests for variances. An alternate member shall also be appointed. The Appeals Sub-committee shall comply with the Open Meetings Act.

(b) The Appeals Sub-committee shall review and act upon requests for variances as specified in local public health and environmental regulations. The Appeals Sub-committee shall consider all pertinent facts including the practical limitations in meeting the strict compliance with the regulation, the rationale for the regulatory provision being appealed, the impact on the health, environment and living conditions of the appellant and surrounding neighbors, and the long term impact of the alternative being requested by the appellant.

(c) The Appeals Sub-committee shall hear requests to appeal decisions of the Health Officer. The Board shall review all pertinent facts that led to the decision of the Health Officer including the regulatory citation when relevant, the public health reason for the citation, the individual facts of the case, the resultant impact of the decision and any viable alternative to the decision.

(d) The Appeals sub-committee will review and act upon appeals regarding the revocation of food licenses.

(e) Two or more members of the Appeals Sub-committee shall constitute a quorum of the sub-committee. The Appeals sub-committee will have the authority to rule on all appeals, and shall report its decisions to the full Board at the Board meeting. All decisions must be approved by a majority of the sub-committee members.

(f) Any Board member with a personal or business interest with an owner of a property or business under review shall make a verbal disclosure of that relationship and abstain from voting on any related Board actions. All decisions of the Appeals Sub-committee are subject to review by the judiciary.

SECTION 3: SUBCOMMITTEES.

The Board may establish subcommittees to address duties of the Board and to address matters of concern to the health department. Committees shall, unless otherwise defined or authorized, make recommendations to the full Board.

SECTION 4: FINANCIAL DUTIES.

(a) The Board shall review the health department's annual budget request and make recommendations about the budget to the health department and the Board of Commissioners.

(b) The Board shall review grant programs submitted by the Health Officer, and shall make recommendations to the health department and Board of Commissioners as necessary.

Article VI - Meetings

SECTION 1: REGULAR MEETINGS: The Board shall meet at least six (6) times per year for the purpose of advising the Health Officer and the Board of Commissioners on matters of public health issues, policy and planning.

SECTION 2: MEETING CANCELLATIONS. Board meetings may be cancelled at the discretion of the Chair in consultation with the Health Officer.

SECTION 3: SPECIAL MEETINGS. The Chair of the Board or 3 Board members may schedule special meetings as needed for any business consistent with the purpose of the Board, in compliance with the Open Meetings Act.

SECTION 4: ORDER OF BUSINESS. All Board meetings shall be governed by Roberts Rules of Order and the Open Meetings Act, 1976 PA 267, as amended, MCL 15.261 et seq., (hereinafter, the "Open Meetings Act"). Appropriate notice shall be provided.

SECTION 5: QUORUM & REQUIREMENTS FOR ACTION. Five (5) or more members present shall constitute a quorum. Decisions by the Board shall require a majority vote of the voting members appointed and serving.

SECTION 6: MINUTES. The Board shall keep minutes of each meeting and shall meet the provisions of the Open Meetings Act in this regard.

SECTION 7: OPEN MEETINGS ACT. All meetings of the Board shall be open to the public as required by the Open Meetings Act, except that closed sessions may be held as permitted by the Open Meetings Act.

SECTION 8: ATTENDANCE STANDARDS. Meeting attendance shall conform to the policies of the Board of Commissioners.

Article VII – Adoption and Amendment of Bylaws

SECTION 1: REVIEW AND APPROVAL BY THE BOARD. The Board shall review and adopt these bylaws.

SECTION 2: BOARD OF COMMISSIONERS ADOPTION. These bylaws are subject to the review and approval of the Washtenaw County Board of Commissioners.

SECTION 3: AMENDMENT OF THE BY-LAWS. These bylaws may be amended in the same manner as the initial adoption.