

# SPALDING COUNTY BOARD OF HEALTH BYLAWS

## Article I Creation

- A. Creation: This Board is created by the Official Code of Georgia Annotated (OCGA) § 31-3-1, et seq which establishes a county board of health in each and every county of the State. Consequently, this Board is named the Spalding County Board of Health. This law is made an addendum to these bylaws.

## Article II Functions

- A. Powers and Functions: The functions of the Spalding County Board of Health are broad and comprehensive. In accordance with OCGA §31-3-5, the Spalding County Board of Health shall:
1. Determine the health needs and resources of Spalding County by research and by collection, analysis, and evaluation of all data pertaining to the health of the community.
  2. Develop, in cooperation with the Department of Public Health, programs, program activities and facilities responsive to the needs of Spalding County.
  3. Secure compliance with the rules and regulations of the Department of Public Health that have local application. Enforce or cause enforcement of all laws pertaining to health unless the responsibility for the enforcement of such laws is that of another agency.
  4. To enforce, or cause enforcement of, all laws pertaining to health unless the responsibility for the enforcement of such laws is that of another agency

## Article III Authority and Powers

- A. Authority. The Board is fully empowered by law to assume its responsibilities under OCGA § 31-3-4. The Board is empowered to:
1. Establish and adopt bylaws for its own governance.

2. Exercise responsibility and authority in all matters within Spalding County pertaining to health unless the responsibility for enforcement of such is by law that of another agency.
3. Take such steps as may be necessary to prevent and suppress disease conditions deleterious to health and to determine compliance with health laws and rules, regulations and standards adopted thereunder,.
4. Adopt and enforce rules and regulations appropriate to its function and powers, provided such rules and regulations are not in conflict with the rules and regulations of the Department of Public Health .
5. Receive and administer all grants, gifts, moneys and donations for purposes pertaining to health pursuant to OCGA §31-3-1, et seq.
6. Make contracts and establish fees for the provision of public health services.
7. Contract with the Department of Public Health Human Resources or other agencies for assistance in the performance of the Board's functions as set forth in § 31-3-4(7).

#### Article IV Members

- A. Members: The Spalding County Board of Health shall be composed of seven members as provided in OCGA § 31-3-2. Composition of the Board, appointments, terms of members, notification of vacancies, appointment and qualification of members to fill vacancies shall be shall be an employee of the Board of Health.
- B. Terms of Office: A term of office shall be six years except as otherwise provided by OCGA §31-3-2.
- C. Board Member Responsibilities: Duties of individual Board member includes, involvement and attendance at meetings, being a spokesperson in the community for the Board of Health on health issues, and an advocate for health lifestyles, and becoming knowledgeable about the health status and issues of Spalding County and the services provided by the health department. Board members should be aware of the Georgia Code on conflict of interest and open meeting laws (OCGA §50-14-1 Open and Public Meetings and §45-10-1 et seq. Code of Ethics and Conflicts of Interest). Members shall refer to the Handbook for Members of County Boards of Health for responsibilities.

- D. Compensation: OCGA §31-3-7 governs compensation for members' attendance at meetings, stipulating that Board members may receive up to \$25 per day for meetings attended if funds have been budgeted. The Board of Health may vote each year to waive said compensation for a luncheon at the monthly meeting.

Article V  
Officers

- A. Officers: The officers of the Spalding County Board of Health shall be the Chairperson, Vice-Chairperson, and Secretary.
- B. Election of Officers: At the regular December monthly meeting, the nominating committee shall submit nominations for the positions of Chairperson, Vice-Chairperson and Secretary. Nominations may also be made by Board members for each of the officer positions to be filled at the regular January monthly meeting.
- C. Terms of Office of Officers: Officers shall serve for terms of one year beginning January 1 and ending December 31. Officers so elected shall hold office until a successor is elected.
- D. Removal: Any officer may be removed from said office by a majority of the Board for cause.
- E. Vacancies: A vacancy in any Board of Health office arising at any time and from any cause shall be filled for the unexpired term in the office by the Board at a regular meeting of the Board.
- F. Duties of Chairperson: The Chairperson shall preside at all meetings of the Board and shall serve as the official spokesperson for the Board. The Chairperson shall execute contracts and documents on behalf of the Board when required by these bylaws or the Board. The Chairperson shall perform such duties as may be assigned from time to time by the Board.
- G. Duties of the Vice-Chairperson: The Vice-Chairperson shall fulfill the duties of the Chairperson in the absence of the Chairperson and shall perform such duties as may be assigned from time to time by the Board.
- H. Duties of the Secretary: The Secretary shall cause to be kept all records of the Board; record or cause to be recorded the minutes of all meetings and, when these minutes are approved by the Board, certify such minutes; attest the seal of the Board when necessary or required, and perform such

duties as may be assigned from time to time by the Board. The Secretary shall also keep or cause to be kept a current register of the names and addresses of each Board member. The Secretary shall keep the Department of Public Health Human Resources informed of the names, addresses and terms of office of its Board members in accordance with OCGA §31-3-3.

#### Article VI Chief Executive Officer

- A. Chief Executive Officer: The Spalding County Board of Health, along with the other eleven county boards of health in District Four, shall appoint the District Health Director as its Chief Executive Officer as provided in Section 31-3-11 of the Official Code of Georgia.
1. The Director, as Chief Executive Officer of the Spalding County Board of Health, shall, in the name of said Board of Health, exercise the powers and perform the functions set forth in OCGA §31-3-11 except, the power to adopt bylaws and adopt rules.
- B. Powers and Functions: §31-3-12 Duties of Director: Subject to the policies and directives of the bounty board of health and the policies and directives of the multiple county districts served, the director shall perform the functions and exercise the powers set forth in this chapter except the power to adopt bylaws and to adopt rules and regulations and may delegate the powers and authority conferred, or any part thereof, to one or more individuals as he may deem appropriate. The director shall devote his entire time to the service of the county districts, where created, and shall be vigilant in procuring compliance with its rules and regulation and with Georgia health laws and rules and regulations adopted thereunder that county board of health and the agency in charge of the multiple county district in such manner and form and with such frequency as required by it and shall also report to the Department of Public Health.department in such manner, detail, and form as the department may specify. (Code 1933, 88-212, enacted by Ga. L. 1964, p. 499, 1)

#### Article VII Meetings of the Board

- A. Regular Meetings: Regular meetings shall be held at least quarterly, and shall be called by the Chairperson.
- B. Special Meetings: Special meetings of the Board may be called at any time by the Chairperson, or any three members of the Board. At any special meeting, no business shall be transacted except that stated in the notice calling the meeting. Notice of the time, place, and purpose of any

special meeting shall be made in compliance with the provisions of OCGA §50-14-1, et seq. not less than 24 hours before the time set for the meeting; provided, however, that a meeting called to meet an emergency can be held as soon as a quorum of the members is assembled. Called meetings of the Board will be published 24 hours in advance in the local newspaper and announced over the radio, except in the case of an emergency during which a meeting may be held as soon as a quorum of the members is assembled.

- C. Quorum: Quorum of the Board shall be four members.
- D. Continuance: In the absence of a quorum, a meeting of the Board shall be continued. Prior to such continuance, the Board members present may set a time, date and place for a meeting of the Board.
- E. Minutes: Minutes of each meeting of the Board, shall be taken by the Secretary or designee. Following each meeting, copies of the minutes for the meeting shall be disseminated to each Board member no later than seven days prior to the date of the next regular meeting. These minutes shall be approved by the Board at the next regular meeting of the Board and, after approval, shall be certified by the Secretary of the Board and signed by the Chairperson. A certified copy of the approved minutes shall be made a part of the permanent records of the Board.
- F. Parliamentary Authority: The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern, unless said rules conflict with State Laws.

#### Article VIII Committees

- A. Committees: The Board shall have a standing executive committee and ad-hoc committees, as needed. When determined by the Board to be needed for developing a comprehensive community health plan and for executing the plan, the Board may appoint advisory and nominating committees.
  - 1. Executive Committee: The executive committee of the Board shall consist of the Chairperson, Vice-Chairperson and Secretary. The Chairperson of the Board shall serve as the Chairperson of the executive committee. The executive committee shall serve as the personnel committee for the Board and, when requested by the Chief Executive Officer, shall serve as advisory committee to the Chief Executive Officer on personnel matters. When required by the Board, the executive committee shall review matters directed to it by the Board and submit recommendations to the board on such matters.

The executive committee shall not exercise the authority of the Board in the management of the affairs of the Board.

B. Rules of Procedure for Committees: Committees shall comply with the following rules for their meetings:

1. Quorum: Unless otherwise provided, a majority of the committee meeting shall constitute a quorum.

Article IX  
Budget and Finance

- A. Fiscal Year: The fiscal year of the Board shall begin July 1 and end June 30 of each year.
- B. Preparation of Proposed Budget: The departmental directors of the health department shall draft a proposed budget for the new fiscal year. The Chairperson and Vice-Chairperson of the Board shall work with the CEO, Board or designee in final preparation of the proposed draft budget to the Board.
- C. Presentation of Proposed Budget: Not later than June 1 of each year, the CEO, Board or designee shall present a proposed budget for the new fiscal year to the Board. This proposed budget shall be a balanced budget. The proposed budget shall be submitted if approved. To the Spalding County Commission for funding consideration within the time period specified by the County.
- D. Adopted Budget: On or before the first day of the fiscal year, the Board shall adopt a final budget for the new fiscal year.
- E. Budget Reports: The CEO or Board shall submit a budget report to the Board describing the status of revenues and expenditures at regular board meetings.
- F. Audit: The Board shall hire an independent auditor who shall audit the Board's books and records and render a report not later than 180 days after the close of the fiscal year. Copies of the annual audit shall be submitted to the Office of Audits for the State of Georgia and also to any jurisdiction contributing funds for programs and operations of the Board and requiring such audit. Each Board member shall receive a copy of the annual financial audit.

Article X  
Contracts, Checks, Deposits, and Funds

- A. Contracts: The Board may authorize any officer or officers to enter into contracts in the name and on behalf of the Board. Such authority shall be specified in the minutes of the Board which have been certified by the Secretary of the Board. Such authority shall be countersigned by the Chief Executive Officer.
- B. Checks or Drafts: All checks, drafts or other orders of payment shall be signed by two of the three departmental directors of the health department.
- C. Deposits: All funds of the Board shall be deposited to the credit of the Board in such depositories as the Board may from time to time select. The CEO or designee shall be authorized on behalf of the Board to bid banking services annually and the Board shall accept the bid earning the highest rate of interest and lowest service charges for the Board's fund.

Article XI  
Amendments to Bylaws

- A. Amendments: These bylaws may be amended by four affirmative votes of the Board. Bylaw changes shall be presented for consideration at a regular meeting of the Board, but shall not be voted until the regular meeting next following the meeting at which the bylaw changes were proposed.