

BOARD OF HEALTH BYLAWS

ARTICLE I – MISSION, VISION, AND VALUES

Section 1: Mission Statement

Promote, preserve, and enhance the health of our community.

Section 2: Vision Statement

To be the dedicated leader in achieving the healthiest community to live, work, and grow.

Section 3: Values

Transparency, Integrity, Education, Engagement, Innovation, and Equity

ARTICLE II – BOARD DUTIES

The role of the Board of Health of the Delaware Public Health District is to adopt policies and to make such orders and regulations as are necessary for the promotion or health and prevention of disease and the abatement or suppression of nuisances. In addition, the Board shall make such orders and establish such policies as are needed for the administration of the health department in meeting the stated mission, goals, and standards of the Ohio Department of Health and the requirements of the National Public Health Accreditation Board. Power and authority to perform such quasi-legislative, executive, and administrative functions is specified or implied in appropriate sections of the Ohio Revised Code.

The Board may also hear appeals from public health orders issued by the district staff for extenuating circumstances with a view to either affirm, grant extensions of time, provide waivers where allowable, or refer to the local authority for appropriate legal action.

The specific Ohio Revised Code (ORC) that relates to health districts, to include the Board of Health, is found at [ORC Title 37 Chapter 3709, 3709.01 – 3709.99](#).

ARTICLE III – BOARD MEETINGS

Section 1: Regular Meetings

The regular meeting of the Board of Health of the Delaware Public Health District shall be held on the last Tuesday of each month at 7:00pm. If the meeting day is a holiday or there is not a quorum, said meeting shall be held at the discretion of the Board of Health. The Board may, at its discretion, omit one or more monthly meetings, provided the Board meets no fewer than ten (10) times in each calendar year.

Notice of the regular monthly meeting shall be via email to all Board members to provide receipt at least five (5) days in advance of the meeting, and shall include an agenda, attachments, monthly bills, and minutes of the previous meeting.

Board members will be provided with Delaware Public Health District exhibits for review prior to an administrative hearing. The opposing party will be notified of a request to provide nine (9) copies of their exhibits and a summary, not to exceed two pages of their position, to the Board of Health at least five (5) days prior to the hearing.

Section 2: Special Meetings

Special meetings may be called by the President, or in the cases of his/her absence the Vice President, or by any three members of the Board of Health. At least 24-hour prior notice shall be provided for each special meeting unless an emergency condition warrants a meeting with shorter notification.

Section 3: Quorum

A majority of the members of the Board shall constitute a quorum. The DPHD Board of Health shall consider a “majority” of the Board to be a majority of the fixed membership, or total number of board seats as prescribed by law, when determining quorum at meetings. Vacancies shall not impact the majority number of members needed to constitute a quorum. (Assistant Prosecuting Attorney 1/30/2014)

Section 4: Open Meetings

All meetings of the Board and committee meetings are open meetings, and the Board is firmly committed to the letter and spirit of the Ohio Revised Code (ORC), [Section 121.22](#). Executive sessions may be held which meet the requirements of ORC Section 121.22 of the Ohio Revised Code provided the requisite motion with statement of purpose is passed by a roll call vote in open session and all action is taken in open session.

Section 5: Voting Rights and Outcomes

Each member of the Board shall be counted for the purposes of determining quorum and shall have one (1) vote. There shall be no voting by proxy.

No action by the Board of Health shall be effective until such time as a majority of the quorum assents thereto. Any action resulting in a tie vote will be presented at the next scheduled Board of Health meeting. If a tie occurs again, the matter will be presented at the following (third) Board of Health meeting, failing if the action still does not receive a vote majority for passage.

Section 6: Procedure and Agenda Format

The Board shall adopt its own rules of procedure but shall rely on Robert’s Rules of Order for questions of parliamentary procedure, except where they are inconsistent with the standing rules of the Board or are contrary to existing laws of the State of Ohio.

The President of the Board may communicate monthly with staff to set the regular meeting agenda. The standing meeting agenda format follows but may be adjusted at the beginning of or during any meeting by the President to accommodate public guests, partners, and time constraints.

- Call to order, roll call and approval of previous minutes
- Review of agenda
- Act on Resolutions
- Reports from Health Commissioner and Deputy Health Commissioners
- Discussion of Old and New Business (to include Committee Reports)
- Executive Session as warranted
- Adjournment

Section 7: Public Participation

A person may ask to speak at a BOH meeting during a specific time allocated to public comments as outlined on the meeting agenda. At its discretion, the BOH may allow a person to address the BOH and may set a time limit on individual public comments due to the number of individuals wishing to speak and/or to the amount of business to conduct at that meeting. Questions at a meeting are to be directed to the board as a whole and may not be addressed to any individual member of the board or the health district staff except by permission of the President. A disruptive person waives the right to attend a meeting and may be removed.

ARTICLE IV – OFFICERS

Section 1: Officers

The officers of the Board of Health shall be a President and a Vice President. Officers are elected during the March regular Board of Health meeting. Officers shall serve for a one-year term. The Health Commissioner shall serve as Secretary to the Board of Health as required by the Ohio Revised Code.

Section 2: Nominations and Voting

Nominations for officers shall be made from the floor by the Board members at the reorganizational meeting in March of each year with the election immediately following using a voice vote. Members must be present to vote, but the nominee(s) may be absent. The nominee receiving the greatest number of votes shall be declared the winner.

GARRETT GUILLOZET, MPA, REHS | HEALTH COMMISSIONER

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Section 3: Officer Duties and Continuity of Operations

The President shall conduct all meetings of the Board and sign records thereof and perform generally all the duties performed by presidents of like bodies or commissions.

The President may call special meetings as deemed necessary, set the agenda for meetings, and act on behalf of the Board regarding communications. The President shall have a vote on all issues and shall be, ex-officio, a member of all committees with the right to vote. They shall perform such other functions as may be determined by the Board.

The Vice President shall perform the duties of the President in the event of absence or disability; and, at the President's request, shall assist the President in the performance of functions.

In the event of the absence of the President and Vice President, the members of the Board present will elect a member to act as President. If the President resigns or becomes permanently unable to fulfill their duties, the Vice President shall assume the role of President and the Board shall elect a new Vice President at the next meeting. If the Vice President resigns or is unable to fulfill their role, the Board shall elect a new Vice President at the next meeting. Officers' terms expire at the end of the meeting where their successors are elected. If the election occurs mid-year, the officer's term will expire at the annual re-organization meeting.

Section 4: Board of Health Secretary

The Health Commissioner serves as Secretary of the Board and is responsible for giving notices of the meetings. The Secretary records all meeting minutes and maintains records of all meetings as set forth in [ORC 3709.19](#). All meeting minutes are open for public inspection as required in ORC 121.22 ("Sunshine Law"). The Secretary is responsible for posting the meeting dates of all meetings and notifying Board members and the public of all meetings. Notice of the monthly regular meeting shall be provided to all Board members at least five (5) days in advance of the meeting and shall include an agenda, related materials, and minutes of the previous meeting.

Section 5: 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 of Health.

ARTICLE V – MEMBERSHIP

Section 1: Board Composition

The Board of Health shall consist of nine members as agreed upon by the Delaware Public Health District, the District Advisory Council (DAC), City of Delaware, City of Powell, and City of Sunbury.

Five (5) members will be appointed by the DAC (as required by the Contracts with the cities and [ORC 3709.03](#)), two (2) members by the City of Delaware, one (1) member from the City of Powell and one (1) member from the City of Sunbury. One appointment must be a [physician](#) and other appointments should be appointed with due regard to equal representation of all parts of the district. The DAC appointees must be a resident that resides in either a township or village. Notice of a Board member's pending term end date shall be communicated to the appointing body (DAC or Mayor) at least three months prior to that end date by the Board of Health Secretary.

Section 2: Term of Office

Terms are for a five (5) year period.

Section 3: Vacancies

According to [ORC 3709.02](#), vacancies shall be filled by the original appointing entity. If the vacancy is a DAC appointment, the DAC shall hold a special meeting pursuant to [ORC 3709.03](#). Other vacancies are filled in the same manner as the original appointment. A notice of vacancy on the Board of Health shall be provided distributed in various manners to ensure adequate communication of the vacancy. The distribution may include but not be limited to electronic newsletters, electronic distribution, publication in the newspaper and on various websites.

Section 4: Conflict of Interest

BOH members shall avoid all conflicts of interest or the appearance of such conflicts. BOH members may not use their position on the BOH to further their outside business or employment. BOH members shall not accept any gifts, gratuities, trips, personal property, or other items of value from an outside person or organization as an inducement to do business or provide services.

Board of Health members will perform their duties in accordance with the Ohio Revised Code and the Ohio Administrative Code, and in the best interest of the public's health. Individual members will abstain from voting on issues that present a conflict of interest.

Each Board of Health members shall sign a Conflict of Interest form annually at the Board's Reorganization meeting and as a part of their intake orientation when newly appointed.

Section 5: Continuing Education

Each BOH member shall complete two (2) hours of continuing education (CE) annually as required per [OAC 3701-36-03 \(08\)](#). The CE shall pertain to ethics, public health principles, and/or member responsibilities. Credits will be offered during regularly scheduled board meetings and through online opportunities. CE credits earned for the purpose of license renewal or certification may be counted to fulfill the requirement if the CE is related to a previously listed topic.

Section 6: Orientation of New Board Members

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 before the Board of Health meetings, consultation with the President or Vice President and the Health Commissioner, and staff presentations at Board meetings.

These Bylaws and Board Policies will be used by the Health Commissioner or an existing Board member for a 1:1 orientation of the new member. There will also be scheduled meetings with the Health Commissioner and Deputy Health Commissioners to review DPHD operational status, programs, and finances.

ARTICLE VI – PROCEDURE

Section 1: Robert's Rules of Order

The Board shall rely on Robert's Rules of Order for questions of parliamentary procedure, except where they are inconsistent with the standing rules of the Board or are contrary to the existing laws of the State of Ohio.

Section 2: Voting

A motion before the Board for consideration will be affirmed by the majority vote of the quorum present at the meeting of the Board.

ARTICLE VII – COMMITTEES

Section 1: Standing and Advisory Committees

The President of the Board shall appoint members to standing committees. Membership of advisory committees deemed necessary to assist the Board shall be confirmed by the Board of Health.

The current standing committees include: Personnel, Finance/Audit, Regulation Review, and Subdivision/Variance. A minimum of two members of the Board shall be appointed to every standing committee unless otherwise determined by the Board. Staff members of the committee will be counted to determine the quorum and a quorum will be the majority of the committee membership. No Board of Health standing committee shall be held unless at least one Board member is present.

Advisory committees may be appointed by the Board to advise on specific programs or regulations. They shall be reviewed annually by the Board. One member of the Board shall be appointed to every advisory committee, unless otherwise determined by the Board.

Board of Health members are encouraged to participate on DPHD led coalitions as members of the community they represent; all decisions that are the responsibility of the Board of Health shall be made through regular/special board meetings and not independent of the entire board.

Section 2: Meeting Notice and Records

Notice of all Committee and Workgroup meetings with an anticipated Board quorum shall be given to the media for communications purposes at least 24 hours in advance of the meeting. Minutes of all committee meetings shall be incorporated into the minutes of the regularly scheduled monthly BOH meetings.

ARTICLE VIII – COMPENSATION AND EXPENSE

Section 1: Compensation for Meetings

Members of the BOH shall receive compensation in accordance with section [3709.02](#) of the ORC at a rate of \$80.00 per meeting. No member shall receive compensation for attendance at more than eighteen meetings in any year.

Section 2: Compensation for Expenses

The [ORC 3709.02](#) states that each member of the board shall receive travel expenses at rates established by the director of budget and management pursuant to section [126.31](#) of the Revised Code to cover the actual and necessary travel expenses incurred for travel to and from meetings that take place outside the county in which the member resides, except that any member may receive travel expenses for registration for any conference that takes place inside the county in which the member resides.

ARTICLE IX – NONDISCRIMINATION STATEMENT AND POLICY

The Delaware Public Health District does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations. These activities include, but are not limited to, hiring, and firing of staff, selection of volunteers and vendors, and provision of services. We are committed to providing a welcoming environment for all members of our staff, clients, volunteers, subcontractors, vendors, and clients.

The Delaware Public Health District is an equal opportunity employer. We will not discriminate and will take affirmative action measures to ensure against discrimination in employment, recruitment, advertisements for employment, compensation, termination, upgrading, promotions, and other conditions of employment against any employee or job applicant on the basis of race, color, gender, national origin, age, religion, creed, disability, veteran's status, sexual orientation, gender identity or gender expression.

ARTICLE X – BYLAW REVIEW AND CHANGES

The Bylaws and Guidelines of the Delaware Public Health District Board of Health will be reviewed annually with an updated version published, as necessary, in February of each year.

These Bylaws may be amended by a two-thirds (2/3) vote of those currently appointed Board members in attendance and voting at any regular or special meeting, provided that the amendment has been submitted in writing at the previous meeting.

Superseding all previous editions, the Delaware General Health District Board of Health Bylaws is hereby amended and approved by the Delaware General Health District Board of Health this 28th day of May 2024.



Patrick Blayney, P.E., FACEC

President
Board of Health
Delaware General Health District



Garrett Guillozet, MPA, REHS

Secretary
Board of Health
Delaware General Health District

CONFLICT OF INTEREST

It is in the best interest of the Board of Health to identify and manage all conflicts of interest and appearances of conflicts of interest. This policy is designed to help Board members identify potential conflicts and to provide the Board with a procedure to appropriately manage conflicts.

The Delaware County Prosecuting Attorney's Office is the designated legal representative for the Delaware Public Health District and the Board of Health and is available to assist regarding potential conflict issues and, if necessary, to provide opinions as to whether a particular situation or relationship amounts to a conflict of interest.

Conflict of Interest Basic Rules and Resources. The Board of Health is governed by Ohio Revised Code (ORC) [Section 102.03](#), [2921.42](#), and other related sections of Ohio law regarding conflicts of interests and ethical conduct of public officials. The following are some of the provisions of ORC Section 102.03 pursuant to which a Board member may have a conflict of interest:

1. A Board member (or family member) is a party to a contract with the Board, or involved in a transaction with the Board, for goods or services.
2. A Board member (or family member) has a financial interest in a transaction between the Board and an entity in which the Board member or a family member is a director, officer, agent, partner, associate, employee, trustee, personal representative, receiver, guardian, custodian, or other legal representative.
3. A Board member (or family member) has a financial interest in a business or enterprise that competes with the Board or is engaged in some capacity with a competing business or enterprise.

Board members should be aware of the Ohio Ethics Commission and should review its publication, [Ohio Ethics Law Memoranda for Board and Commission Members](#) that summarizes and explains the relevant Ohio law regarding conflicts of interest, prior to beginning service on the Board of Health.

Appearance of a Conflict of Interest. Other situations may create the appearance of a conflict of interest in connection with members of the Board, members of the Department, or any parties who have contracts with the Board or may be interested in doing business with the Board. All such circumstances should also be disclosed to the Board and a decision made as to what course of action the Board should take so that the best interests of the Board are not compromised.

Gifts, Entertainment, Other Items of Value. Accepting gifts, entertainment, or other items of value from individuals or entities can also result in a conflict of interest whenever it might be inferred that such action was intended to influence the Board member in the performance of his or her duties. This rule does not preclude the acceptance of items or entertainment of nominal or insignificant value that are not related to any particular transaction or activity of the Board.

Identifying Conflicts of Interest.

1. When a member begins service on the Board of Health and annually thereafter at the reorganizational meeting in April, he or she shall complete the "Conflict of Interest Disclosure Form," attached as an Exhibit to this Policy, to identify any potential conflicts of interest based on the member's current memberships, employment, affiliations, fiduciary or familial relationships, or other associations.
2. Prior to Board or committee action on a contract, transaction, or other business involving a potential conflict of interest for a Board member, that member shall determine whether the potential conflict constitutes a conflict such that the member should not participate in Board business related to the matter giving rise to the conflict. The Board member may seek legal advice from the County Prosecutor regarding whether a conflict exists.

3. If Board members are aware that Delaware Public Health District staff or other volunteers affiliated with the Board of Health have a conflict of interest, relevant facts should be disclosed by a Board member or by the interested staff member or volunteer before discussion of the contract, transaction, or other business to which the conflict is related.

Addressing Conflicts of Interest.

1. The person having a conflict of interest may not vote on the contract, transaction, or other business. A member's ineligibility to vote shall be reflected in the minutes of the meeting.
2. A Board member who has a conflict of interest with regard to a contract, transaction, or other business shall not be counted in determining the presence of a quorum for purposes of the vote on that matter (either as a present or absent member, or as one of the total number of members of the Board or committee).



**Delaware Public Health District
Conflict of Interest Disclosure Form**

Name: _____

Position Title: _____

Please specify other nonprofit and for-profit boards of which you (or your spouse) are a member; any for-profit businesses in which you or an immediate family member are an officer, director, owner, partner, representative or majority shareholder; and any entity for which you serve in a fiduciary capacity:

Or: I do not have such an interest in any business. _____ (initial)

I hereby certify that the information set forth above is true and complete to the best of my knowledge. I have reviewed, and agree to abide by, Board of Health Policy and the current version of the Ohio Ethics Commission's "Ohio Ethics Law Memoranda for Board and Commission Members."

Signature: _____

Date: _____