

Operating Procedures of the Durham County Board of Health

1. Name and Office

The name of this organization is the Durham County Board of Health (hereinafter "Board"). The principal office of the Board is located at 414 East Main Street, Durham, NC 27701.

2. Officers and Committees

a. Chair and Vice-Chair:

The Board shall elect a Chair and Vice-Chair by majority vote each year at the first called meeting of the calendar year.

b. Secretary:

The local health director shall serve as secretary to the Board, but the director is not a member of the Board. The local health director may delegate the duties of the secretary that are set forth in these operating procedures to an appropriate local health department employee.

c. Standing Committees

The Board shall have the following standing committees:

1. Nominating Committee: three (3) Board of Health members
2. Personnel Committee: Vice Chair and three (3) other Board members
3. Operating Procedures Committee: three (3) Board members appointed by the Chair to review operating procedures annually
4. Budget and Finance Committee: Vice Chair and three (3) other Board members

The Chair shall be an ex officio member of all ad hoc Board committees.

d. Executive Committee

The Board shall have an Executive Committee which will consist of the Chair and Vice-Chair, on the Board of Health. The Executive Committee shall be empowered to

speak and act for and on behalf of the Board when such action is necessitated due to considerations of time and circumstances; provided, that any action approved and undertaken by the Executive Committee shall be communicated to the members of the Board as soon as practicable following such action and, providing further that a report of such action then be presented at the next Board of Health meeting.

All standing committees are subject to the North Carolina open meetings laws and shall comply with the provisions of those laws.

e. Temporary committees

The Board may establish and appoint members for temporary committees as needed to carry out the Board's work. All temporary committees are subject to the North Carolina open meetings laws and shall comply with the provisions of those laws.

3. Meetings

a. Regular Meetings

The Board shall hold regular meetings on the second Thursday of the month at least once per quarter, except that if a regular meeting day is a legal holiday, the meeting shall be held on the next business day. The meeting shall be held at the Board's office and begin at 5:00 pm.

At or about the first regular meeting of the new calendar year, the Board shall have an organizational meeting at which it shall elect a Chair, Vice-Chair, and approve a schedule of regular meetings.

Board members may attend regular and committee meetings via electronic means in limited circumstances. In the event of an electronic meeting the Board shall make all dialog available to the public via an appropriate listening device. In the event an entire meeting is conducted via electronic means the Board shall provide a location suitable for the public to listen to the meeting and a reasonable cost may be charged to the person's attending which shall not exceed \$25.00.

b. Agenda

The Secretary to the Board shall prepare an agenda for each meeting. Any Board member who wishes to place an item of business on the agenda shall submit a request

to the Secretary at least two working days before the meeting. For regular meetings, the Board may add items to the agenda or subtract items from the agenda only if permitted by and in accordance with the North Carolina open meetings laws.

c. Presiding Officer

The Chair of the Board shall preside at Board meetings if he or she is present. If the Chair is absent, the Vice-Chair shall preside. If the Chair and Vice-Chair are both absent, another member designated by a majority vote of the members present at the meeting shall preside.

d. Quorum

A majority of the actual membership of the Board, excluding vacant seats, shall constitute a quorum. Official meetings may be conducted either in person or by any means compliant with the open meetings laws of the State of North Carolina. If more than a quorum is present or involved in deliberating, taking action or otherwise transacting public business on a particular matter the meeting and/or the information exchanged must comply with the North Carolina open meetings laws.

e. Attendance

- 1) The Board of Health deems it essential to its ability to effectively and efficiently discharge its responsibilities that meetings be attended regularly. Habitual failure to attend may result in removal by the County Board of Commissioners Pursuant to N.C. Gen. Stat. §130A-35 (g)(4).
- 2) The attendance roster will be submitted quarterly to the Clerk to the Board of County Commissioners.

f. Voting

No Board member shall be permitted to abstain from voting. If a member has a conflict of interest as defined by North Carolina law the member shall be required to recuse themselves from making any decision related to the pending matter and shall not be permitted to vote on the issue presented. If a member has left a meeting for any reason during the deliberation of a matter , the member shall be deemed absent for purposes of calculating a quorum and for the vote.

g. Minutes

The Secretary shall prepare minutes of each Board meeting. Copies of the minutes shall be made available to each Board member before the next regular Board meeting. At each regular meeting, the Board shall review the minutes of the previous regular meeting as well as any special or emergency meetings that have occurred since the previous regular meeting, make any necessary revisions, and approve the minutes as originally drafted or as revised. The public may obtain copies of Board meeting minutes from the Secretary of the Board or from the County's website:

<http://www.durhamcountync.gov/departments/bocc/Boards/Minutes/phb/index.html> .

Original minutes are copied on bond paper and filed in an official minute binder.

Copies of the minutes are sent on an annual basis to the State Archive Department to be archived.

4. Amendments to Operating Procedures

These operating procedures may be amended at any regular meeting or at any properly called special meeting that includes amendment of the operating procedures as one of the stated purposes of the meeting. A quorum must be present at the meeting at which amendments are discussed and approved, and any amendments must be approved by a majority of the members present at the meeting.

5. Public Comments

Members of the Public (Durham County Residents) may address the Board of Health during a public comment period held at each regularly scheduled meeting. The Public Comment period will provide three minutes per speaker, up to five speakers per meeting, for a total of fifteen minutes. The Public Comment period can be expanded by a majority vote of the Board members present.

6. Other Procedural Matters

Board of Health members will receive training on the local board of health authorities and responsibilities on an ongoing basis at least once a year.

The Board shall refer to the current edition of Robert's Rules of Order Newly Revised (RONR) to answer procedural questions not addressed in this document, so long as the procedures prescribed in RONR do not conflict with North Carolina law.

Board of Health members desiring additional information from staff shall make the request to Health Director rather than to individual staff members. This process provides the Health Director the opportunity to determine if the request should be treated as an individual request or as a request for information needed by the full board.

7. Process for Addressing Complaints

With the exception of patient care, administrative process issues or matters involving the Health Director all complaints shall first be sent to the Durham County Human Resources Department (HR) for review, assessment, evaluation and investigation consistent with Durham County policies and procedures.

Any complaint against the Health Director shall be sent to the Chair of the Board of Health for referral to the Personnel Committee. The Board of Health and Health Director shall be kept apprised of the status and results of any investigation forwarded to HR which does not involve a confidential personnel matter.

Any complaint that does not specify the identity of the person presenting the grievance shall be forwarded to the Chairperson of the Board of Health for review and consideration. The mere fact that a complaint is “anonymous” shall not, in and of itself, prevent the Board from considering or forwarding the complaint to HR for additional and/or further investigation.

Complaints regarding personnel issues received by the Board shall first be sent to the personnel committee who will review and forward them to HR for guidance and next steps where applicable.

Complaints regarding non-personnel related issues shall first be sent to the Board Chair who will review and forward them to HR for guidance and next steps, where applicable. Once the personnel committee or Board Chair receives guidance and next steps from HR, the Board shall be apprised.

8. Compliance with North Carolina law

In conducting its business, the Board shall comply with all applicable North Carolina laws, including but not limited to open meetings laws, public records laws, and the laws set forth the powers and duties of local Boards of Health. To assist the Board in compliance, the local health director shall maintain a current copy of relevant North Carolina General Statutes and make them available to Board members on request.

Approved and adopted by the Durham County Board of Health on 12th day of October,
2023.

Chair, Durham County Board of Health

Health Director, Durham County Board of Health