

**BY-LAWS  
OF THE BOARD  
OF THE  
LAKE COUNTY GENERAL HEALTH DISTRICT  
(Authority: ORC 3709.21)**

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Amended:  
January 16, 1995  
August 17, 1998  
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May 2015  
December 2015  
June 2016  
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**ARTICLE I  
NAME**

The name of this organization shall be the Lake County General Health District.

**ARTICLE II  
MISSION**

"The overall mission of the Lake County General Health District is that of preventing disease, prolonging life and promoting health and efficiency through an organized, committed effort and, organizing these benefits as to enable every resident within the Health District to realize their Birthright of health and longevity."

## **ARTICLE III MEETINGS**

### **SECTION 1: REGULAR MEETING**

The regular meeting of the Board of Health is established in accordance with Article III, Section 4B of the By-Laws. Meetings are held on the third Monday of each month at 3:00 P.M. at the offices of the Board of Health or at a location determined by the Board. If the third Monday is a holiday said meeting shall be held at the discretion of the president but in no event shall the Board meet less than once in each calendar month.

### **SECTION 2: SPECIAL MEETINGS**

Special meetings may be called either by the President, or in the case of his absence, the President Pro-Tem, or by any three members of the Board of Health. All special meetings shall be held at the offices of the Board of Health or at a location determined by the Board.

At least 72 hours prior notice shall be provided for each special meeting unless an emergency condition warrants meeting with shorter notification.

### **SECTION 3: QUORUM**

A majority of the appointed members of the Board of Health shall constitute a quorum. (A number more than one half of a total number of the appointed positions).

### **SECTION 4: BOARD AND COMMITTEE MEETINGS**

- A. In accordance with the provisions of the law as detailed in the Ohio Revised Code, all meetings and committee meetings of the Board of the Lake County General Health District are open meetings.
- B. At the regularly scheduled meeting in December of each year the Board of the Lake County General Health District shall establish the day, time and place of its regularly scheduled monthly meetings for the ensuing year.
- C. Notice of the meetings of the committees of the Board of the Lake County General Health District will be on the Health District website. The notice will be posted at least 24 hours in advance of a committee meeting. The notice shall delineate the time and place of the meeting.
- D. Any person may receive advance notice of any meeting of the Board of Health by requesting that their name be placed on the Health District's advance notice list.
- E. Minutes of all committee meetings will be incorporated into the minutes of the meeting of the regularly scheduled monthly Board of Health. These minutes are available to any member of the public by request.

## **ARTICLE IV OFFICERS**

### **SECTION 1: OFFICERS OF THE BOARD OF HEALTH**

The officers of the Board of Health shall be the President, President Pro-Tem and the Secretary. In accordance with the Ohio Revised Code Section 3709.11 the Secretary of the Board of Health is the Health Commissioner.

### **SECTION 2: ELECTION**

In August of each year the Board of Health will consider a recommendation by an AdHoc Nominating Committee and then, by a majority vote will elect the President and the President Pro-Tem. The term will become effective in September of the year of appointment. The President and President Pro-Tem shall serve no more than three consecutive years in their respective office.

### **SECTION 3: VACANCIES**

The President Pro-Tem will fill vacancies in the office of President. Vacancies in the office of President Pro-Tem will be filled by a majority vote of the Board of Health at the next regularly scheduled Board of Health meeting.

### **SECTION 4: DUTIES**

#### **A. PRESIDENT**

The President shall be the chief officer and shall preside at all meetings of the Board of Health. The President shall communicate to the members of the Board of Health and the Health Commissioner such matters and make suggestions, which would promote and increase the efficiency of the Health District. The President shall have a vote on all issues.

#### **B. PRESIDENT PRO-TEM**

The President Pro-Tem shall provide the President any assistance required and shall serve as President in case of the temporary absence or disability of the President. The President Pro-Tem may perform other duties as may be assigned by the members of the Board of Health.

C. SECRETARY

The Secretary shall maintain the records of the Board of Health and shall be responsible for all correspondence and notices pertaining to meetings and recording of all official actions of the Board of Health. The Secretary shall sign, along with the President, all contracts and legal documents authorized by the Board of Health.

**ARTICLE V  
COMMITTEES**

SECTION 1: APPOINTMENT TO COMMITTEES

- A. The President of the Board of the Lake County General Health District shall present to the Board for approval a slate of candidates for membership on Standing Committees at the regularly scheduled meeting in September of each year. The President with Board of Health approval may appoint members of the Board to vacancies on the standing committees that occur during the year.
- B. No committee of the Board of Health shall consist of a majority of the Board of Health members.
- C. The President of the Board shall be a non-voting member on all committees except he/she shall be a voting member of the Negotiating Committee.

SECTION 2: TERMS OF OFFICE AND CHAIRMAN

- A. The term of office of each member of the standing committees shall be for one year, October 1<sup>st</sup> to September 30<sup>th</sup> or until a successor is appointed. The President shall appoint from among the members of the committee a chairman.

SECTION 3: STANDING COMMITTEES

A. FINANCE COMMITTEE

The Finance Committee shall consist of not less than three (3) members of the Board. It is the responsibility of the Finance Committee to work in cooperation with the Health Commissioner and staff in formulating recommendations to the board relative to the financial activities of the Health District.

B. PERSONNEL COMMITTEE

The Personnel Committee shall consist of not less than three (3) members of the Board of Health. This Committee working with the Health Commissioner shall be responsible for formulating recommendations to the Board of Health on matters related to the Health District personnel.

C. NEGOTIATING COMMITTEE

1. The Negotiating Committee shall consist of the President of the Board and the Chairpersons of the Personnel and Finance Committees.  
Responsibility of the Negotiating Committee is to work as a liaison on behalf of the Board of Health and the Health Commissioner in negotiating a contractual agreement between the Health District's Collective Bargaining Units and the Board of Health.
2. Working with the Health Commissioner, the Committee develops for Board of Health approval, the details of the contractual agreement that exists by law between the Board of Health and the Health Commissioner.

D. POLICY REVIEW COMMITTEE

The Policy Review Committee shall consist of not less than three members of the Board of Health. It will be the responsibility of the Policy Review Committee to formulate and recommend policies relative to the Board of Health's responsibility as established by Ohio law.

SECTION 4: ADVISORY COMMITTEES

A. ENVIRONMENTAL HEALTH ADVISORY COMMITTEE

The purpose of the Environmental Health Advisory Committee is to provide appropriate and timely advice to the Health Commissioner on existing and proposed environmental health services conducted by the Health District. The Environmental Health Advisory Committee may subdivide itself into subcommittees on matters such as mosquito control, food service, public health nuisances, air pollution and other environmental health concerns.

SECTION 5: OTHER COMMITTEES

The Board President may from time to time appoint other Committees for purposes not contained in a standing committee charge, as the President deems necessary.

## **ARTICLE VI BOARD OF HEALTH PROTOCOL**

### **SECTION 1: MEMBERS OF THE BOARD OF HEALTH ACCOMPANYING HEALTH DISTRICT STAFF ON FIELD ACTIVITIES**

#### **A. EDUCATIONAL ACTIVITIES**

Members of the Board of Health have a responsibility to become knowledgeable concerning the operation, function, responsibilities and other matters related to the Health District. This can be done by reading, staff presentation, membership in the Association of Ohio Boards of Health, Ohio Department of Health training and accompanying Health District staff while on duty.

1. Board of Health members shall, in accordance with ORC 3701.342, complete two hours of continuing education annually. The continuing education credits shall pertain to ethics, public health principles, and a member's responsibilities. Credits may be earned in these topics at pertinent presentations that may occur during regularly scheduled board meetings throughout the calendar year or at other programs available for continuing education credit. Continuing education credits earned for the purpose of license renewal or certification by licensed health professionals serving on boards of health may be counted to fulfill the two-hour continuing education requirement.

#### **B. AUTHORITY**

An individual Board of Health member has no authority to order Health District staff to take an action regarding the correction of a violation of orders or regulation adopted by the Board. The Board's authority comes by a majority vote of the Board at a Board of Health meeting.

At all times, even in the midst of crisis, the Health Commissioner (or appointed staff), and not a member of the Board of Health shall be the liaison between the Health District and the media. The Board President will represent the Board of Health. Health District staff will have the latest information, and will have the best understanding of technical information that must be relayed to the public.

C. FIELD VISITS

Due to the need to make arrangements and certain liabilities, Board members are to follow the following as protocol when accompanying members of the staff on duty:

1. Board member contacts Health Commissioner as to what areas and/or programs the member would like to view and date and time of the visit.
2. The Board member, while on a visit with a staff member, is to observe only. They are not to give direction nor recommend solutions to pending problems. This is not intended to censor Board members but to leave operational decisions in the hands of the staff. All such visits shall be reported to the Board at the next regularly scheduled Board meeting.
3. The Health Commissioner will arrange the field visit at a time convenient for both the Board member and staff member.
4. If a Board of Health representative plans on reviewing a matter in an area represented by another Board of Health representative, the Board member should ask the Health Commissioner to notify that member that such a review is taking place.

SECTION 2: BOARD MEMBERS WITH IMMEDIATE FAMILY ON HEALTH DISTRICT STAFF

A. VOTING

The Board of Health representative shall be asked to refrain from voting on personnel matters such as salary, personnel policies or negotiations involving either the union or the management staff.

B. COMMITTEE REPRESENTATIVE

The representative shall not serve on any committees, which will influence the Board of Health's decision on the above area.

C. STAFF CONTACT

The representative shall refrain from attempting, either directly or indirectly to influence the employee's supervisor.



### SECTION 3: NEPOTISM

A member of the immediate family of a Board of Health representative shall not be hired by the Board of Health as a full-time employee.

### SECTION 4: LEGAL ACTION

#### A. AUTHORITY

The Board of Health of the Lake County General Health District under the authority of ORC 3709.20 and ORC 3709.21 has made such orders and regulations as are necessary for the public health, the prevention or restriction of disease, and the prevention, abatement or suppression of nuisances.

The Board of Health of the Lake County General Health District has the mandatory authority under ORC 3701.56 to enforce the sanitary rules and regulations adopted by the Ohio Department of Health.

#### B. STAFF'S ROLE

The Board of Health of the Lake County General Health District affirms and acknowledges that the staff of the Lake County General Health District has been vested with the Board of Health's authority to issue orders and grant extensions as warranted based upon the nature of the violation and the potential or actual threat to public health. After the staff has exhausted remedies available to them and has failed to resolve the public health issue, the case shall be referred to the Board of Health who has the authority to refer the case to the Lake County Prosecutor's Office for appropriate legal action.

#### C. BOARD OF HEALTH'S DUTY/RESPONSIBILITY

The Board of Health has the duty and responsibility to review each individual case recommended to them for possible legal action and to ensure that there is sufficient evidence that a local rule, State rule or State law may have been violated, that a potential or actual public health hazard does exist and that the staff has followed appropriate procedure and due process. It is the duty of the Board of Health of the Lake County General Health District to cause legal action to be taken to correct or otherwise abate public health hazards properly referred to it by the staff. However, the Board of Health, in extenuating circumstances and upon the introduction of evidence, may consider and grant further extensions of time.

## SECTION 5: PURCHASE APPROVAL

### A. PURCHASES UP TO \$25,000

Purchases up to \$25,000 are approved by the Health Commissioner or his designee.

### B. PURCHASES GREATER THAN TWENTY-FIVE THOUSAND DOLLARS (\$25,000) BUT LESS THAN SEVENTY-FIVE THOUSAND DOLLARS (\$75,000)

Purchases of twenty-five thousand dollars (\$25,000) or more and less than seventy-five thousand dollars (\$75,000) require prior Board of Health approval.

### C. PURCHASES EQUAL TO OR GREATER THAN SEVENTY-FIVE THOUSAND DOLLARS (\$75,000)

Anything to be purchased, leased, leased with an option or agreement to purchase, or constructed, including, but not limited to, any product, structure, construction, reconstruction, improvement, maintenance, repair, or service at a cost equal to or greater than seventy-five thousand dollars (\$75,000) shall be obtained through competitive bidding and prior Board of Health approval. Bid guaranty requirements such as bid bonds or cashier checks are required for purchases excluding vehicles.

However, prior Board of Health approval (except as specified in Section 5(D1) and competitive bidding is not required if any one of the conditions listed in Section 5(D) is met.

### D. COMPETITIVE BIDDING IS NOT REQUIRED IF ANY ONE OF THE FOLLOWING CONDITIONS IS MET:

1. The Board of Health, by a unanimous vote<sup>1</sup> of its members, makes a determination that a real and present emergency exists and such determination and the reasons therefore are entered in the minutes of the proceedings of the board, and either of the following conditions are met:
  - a. The estimated cost is less than one hundred thousand dollars (\$100,000), in which case the health district shall solicit estimates from no fewer than three qualified vendors before awarding the contract. The Health District shall maintain a record of such estimates, including the name of each qualified vendor from whom an estimate is solicited, for no less than one year after the contract is awarded.

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<sup>1</sup> For purposes of this division “unanimous vote” means all members of the Board of Health when all members are present, or all members that are present, when the members present constitute a quorum.

- b. There is actual physical disaster to structure, communications equipment, or computers.
- 2. The purchase consists of supplies or replacement of supplemental part or parts for a product or equipment owned or leased by the Health District and the only source of supply for such supplies is limited to a single supplier.
- 3. The purchase consists of services related to information technology, such as programming services that are proprietary or limited to a single source.
- 4. The purchase consists of products or chemicals for the prevention, treatment, or elimination of zoonotic diseases for the protection of public health.
- 5. The purchase is from the federal government, state, another county or contracting authority thereof, a board of education, township, or municipal corporation.
- 6. The purchase consists of human and social services, the services of an accountant, architect, attorney at law, physician, professional engineer, construction project manager, consultant, surveyor, or appraiser by or on behalf of the Health District.
- 7. The purchase consists of any form of an insurance policy or contract authorized to be issued under Chapter XXXIX (Insurance) of the Ohio Revised Code or any form of health care, dental and vision care contract or plan that the Health District is authorized to purchase, and the Health District does all of the following:
  - a. Determines that compliance with the requirements of this section would increase, rather than decrease, the cost of such purchase;
  - b. Employs a competent consultant to assist the Health District in procuring appropriate coverage at the best and lowest prices;
  - c. Requests issuers of such policies, contracts, or plans to submit proposals to the Health District or its consultant, in a form prescribed by the Health District, setting forth the coverage and cost of such policies, contracts, or plans as the Health District desires to purchase;
  - d. Negotiates with such issuers for the purpose of purchasing such policies, contracts or plans at the best and lowest price reasonably possible.
- 8. Property, including land, buildings, and other real property, leased or rented for offices, storage, parking, or other purposes and all of the following apply:
  - a. The Health District is authorized by the Ohio Revised Code to lease the property;

- b. The Health District develops requests for proposals for leasing the property, specifying the criteria that will be considered prior to leasing the property, including the desired size and geographic location of the property;
  - c. The Health District receives responses from prospective lessors with property meeting the criteria specified in the requests for proposals by giving notice in a manner substantially similar to the procedures established for giving notice under section 307.87 of the Ohio Revised Code;
  - d. The Health District negotiates with the prospective lessors to obtain a lease at the best and lowest price reasonably possible considering the fair market value of the property and any relocation and operational costs that may be incurred during the period the lease is in effect.
  - e. The Health District may use the services of a real estate appraiser to obtain advice, consultations, or other recommendations regarding the lease of property under this division.
- 9. Items (including vehicles) purchased at prices from the most recent Ohio bidding list of approved state bid items as maintained by the Ohio Department of Administrative Services Procurement web site.
- 10. To purchase, construct, reconstruct, improve, lease or otherwise develop facilities or utilize real property for the district's purposes when such purchase, construction, reconstruction, improvement, lease or development will materially contribute to the economic revitalization and improved economic welfare or the use or reuse of vacant land is procured through an agreement with a political subdivision or an agent or company contracting with the political subdivision to promote economic growth and development for the benefit of the political subdivision.
- 11. The purchase is necessary for LCGHD to perform its statutory duties to respond to, combat, or mitigate COVID-19 or the effects thereof, or any other pandemic or significant disease outbreak, and competitive bidding or requests for proposals cannot reasonably be obtained due to at least one of the following:
  - a. Based on the nature of the purchase, competitive bidding or a request for proposals would not be reasonable or practicable; or
  - b. Because of an emergency situation, it is necessary to purchase the item immediately. Whether an emergency situation exists shall be determined by two-thirds of a quorum of the Board.

E. SPECIAL NOTIFICATION LIST:

1. The Health District shall request proposals and renegotiate with issuers of contracts negotiated under Article VI, Section 5 (d) (6) at least every three years from the date of the signing of such a contract.
2. Any consultant employed pursuant to Article VI Section 5 (d) (6) and any real estate appraiser employed pursuant to Article VI Section (d)(7) of this section shall disclose any fees or compensation received from any source in connection with that employment.

SECTION 6 BOARD OF HEALTH COMPENSATION AND EXPENSE

- A. Each Board of Health member shall be compensated in accordance with the maximum amount allowed by the ORC per meeting.
- B. No board member shall receive compensation for attendance at more than eighteen meetings in any year or as specified by the ORC.
- C. It will be the responsibility of the President or President Pro-Tem of the Board of Health to authorize travel in advance and approve the reimbursement for actual and reasonable expenses incurred by members of the Board of Health in the performance of their duties.
- D. It is the policy of the Board of Health that travel by members of the Board of Health performed in the course of conducting official business be approved in advance and such travel will be reimbursed according to the guidelines below. Travel reimbursement referred to in this policy does not include expenses associated with meetings of the Board of Health and committees of the Board of Health. These expenses are reimbursed in accordance with the Ohio Revised Code.
- E. Board of Health members will be reimbursed in accordance with the policies adopted by the Board of Health for the members of its management staff.