

Operating Procedures

Buncombe County Board of Health

1. Name and Office

The name of this organization is the Buncombe County Board of Health (hereinafter "Board"). The principal office of the Board is located at 35 Woodfin Street, Asheville, NC 28801.

2. Officers and Committees.

a. Chair and Vice-Chair

The Board members shall elect a Chair and Vice-Chair by majority vote each year at the January meeting. The Chair and Vice-Chair will serve for a one-year term, or until his or her successor is elected, and they may be re-elected for one or more consecutive terms. The board may not remove the Chair and Vice-Chair from office during his or her term unless the Chair and Vice-Chair is also removed as a member of the Buncombe County Board of Health.

b. Secretary

The 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: A Nominating Committee, Director Evaluation Committee, and Strategic Planning Committee.

d. Temporary committees

The Board may establish and appoint members for temporary committees as needed to carry out the Board's work.

3. Meetings.

a. Regular Meetings

The Board shall hold a regular meeting on the second Thursday each month with the exception of August and January. The meetings shall begin at 6:00pm.

Bi-Annually the Board shall hold an integrated meeting with the DSS Board on the fourth Friday in August and January. These bi-annual meetings shall begin at 12:00 pm.

b. Special Meetings

The Chair or a majority of the members of the Board may at any time call a special meeting of the Board of Health by signing a written notice stating the time and place of the meeting and the subjects to be considered. The person or persons who call the meeting shall cause the notice to be delivered to the Chair and all of the Board members or left at the usual dwelling place of each member at least 48 hours before the meeting and shall cause a copy of the written notice of the meeting to be placed on the board's principal bulletin board or at the door of the board's usual meeting place as well as to be delivered to each newspaper, wire service, radio station, television station, and other persons who have asked the Board for written notice of special board meetings. Only those items of business specified in the notice may be transacted at a special meeting, unless all members are present or those who are not present have signed a written waiver.

If a special meeting is called to deal with an emergency, the notice requirements of this rule do not apply. However, the person or persons who call an emergency special meeting shall take reasonable action to inform the other members and the public of the meeting. Only business connected with the emergency may be discussed at such meeting.

c. Agenda

The Secretary to the Board shall prepare an agenda for each meeting.

Any individual or group who wishes to have an item of business placed on the agenda shall make a request to be on the agenda to the Health Director. The request must be in writing, must state the nature of the matter and must be submitted at least 10 days prior to the meeting so that the Health Director and/or appropriate staff will have an opportunity to respond to the area of concern. If appropriate, the Health Director will resolve the request and, if not, the Health Director will determine when the individual or group should be placed on the agenda. The time limit for addressing the Board shall be three minutes for any individual and 10 minutes for a representative of a group of 8 or more, unless a majority of the Board agrees to additional time.

Any Board members may add an item to the agenda. Such request to have an item of business placed on the agenda must be received by the Health Director no later than one week prior to the Thursday meeting.

For regular meetings, the Board may add items to the agenda or subtract items from the agenda by a majority vote.

d. Order of Business

Items shall be placed on the agenda according to the order of business. By general consent of the board, items may be considered out of order. The order of business for each regular meeting shall be as follows:

- Discussion and revision of proposed agenda; adoption of agenda
- Approval of minutes
- Financial Reports
- Program Reports
- Old Business
- New Business
- Director Report
- Chair Comments
- Public Comment
- Adjourn

e. 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 members present at the meeting shall preside.

The Chairman shall preside at the meetings of the Board. A member must be recognized by the Chairman in order to address the Board. The Chairman shall have the following powers:

- To rule motions in or out of order, including the right to rule out of order any motion patently offered for obstructive or dilatory purposes;
- To determine whether a speaker has gone beyond reasonable standards of courtesy in his remarks and to entertain and rule on objections from other members on this ground;
- To call a brief recess at any time;
- To adjourn in an emergency.

f. Quorum

A majority of the Board's entire membership, excluding vacancies, shall constitute a quorum. The chair is considered in determining the number on which a majority is based and in counting the number of members actually present.

g. Action by the Board

- The Board shall proceed by motion. Any member, including the Chairman, may make a motion.
- All motions require a second before the motion can be discussed.
- A member may make only one motion at a time.
- A substantive motion is out of order while another substantive motion is pending.
- A motion shall be adopted by a majority of the votes cast, a quorum being present, unless otherwise required by these rules or the laws of North Carolina.
- The Chairman shall state the motion and then open the floor to debate on it. The Chairman shall preside over the debate according to these general principles:
 - i. The introducer (the member who makes the motion) is entitled to speak first;
 - ii. A member who has not spoken on the issue shall be recognized before someone who has already spoken;
 - iii. To the extent possible, the debate shall alternate between opponents and proponents of the measure.

h. Procedural Motions

In addition to substantive proposals, the following procedural motions, and no others, shall be in order. All motions require a second before the motion can be discussed. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority vote for adoption.

In order of priority (if applicable), the procedural motions are:

1. **To Appeal a Procedural Ruling of the Chair.** A decision of the chair ruling a motion in or out of order, or determining whether a speaker has gone beyond reasonable standard of courtesy in his or her remarks. This appeal is in order immediately after such a decision is announced and at no other time. The member making the motion need not be recognized by the chair and the motion, if timely made, may not be ruled out of order.
2. **To Adjourn.** The motion may be made at any time by a member of the Board and would require majority vote.
3. **To Take a Recess.**
4. **Call to Follow the Agenda.** The motion must be made at the first reasonable opportunity or it is waived.
5. **To Suspend the Rules.** The motion requires a vote equal to a quorum.
6. **To Divide a Complex Motion and Consider It by Paragraph.**

7. **To Defer Consideration.** A substantive motion whose consideration has been deferred expires 100 days thereafter unless a motion to revive consideration is adopted.
8. **Call of the Previous Question.** The motion is not in order until every member of the Board has had at least one opportunity to speak.
9. **To Postpone to a Certain Time or Day.**
10. **To Refer to a Committee.** Sixty days after a motion as been referred to a committee, the introducer may compel consideration of the measure by the entire board, regardless of whether the committee has reported the matter back to the Board.
11. **To Amend.** An Amendment to a motion must be germane to the subject matter of the motion, but it may achieve the opposite effect of the motion. Any amendment to a proposed ordinance shall be reduced to writing on the call of any member, including the Chairman.
12. **To Revive Consideration.** The motion is in order at any time (100 days) after a vote to defer consideration of it. A substantive motion on which consideration has been deferred expires (100 days) after the deferral, unless a motion to revive consideration is adopted.
13. **To Reconsider.** The motion must be made by a member who voted with the prevailing side. The motion must be made at the same meeting at which the original vote was taken. The motion cannot interrupt deliberation on a pending matter but is in order at any time before adjournment.
14. **To Rescind or Repeal.**
15. **To Ratify.**
16. **To Prevent Reconsideration for Six Months.** The motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires a vote equal to a quorum and is valid for six months or until the next regular election of County Commission Board members, whichever occurs first.
17. **To Renew a Motion.** A motion that is defeated may be renewed at any subsequent meeting unless a motion to prevent reconsideration has been adopted.
18. **Withdrawal of a Motion.** A motion may be withdrawn by the introducer at any time before a vote.
19. **Duty to Vote.** Once a meeting has been convened, every member, including the Chairman, must vote unless excused by a majority vote of those members present. A member who wishes to be excused from voting shall so inform the Chairman, who shall take a vote of the remaining members. The Board may excuse a member from voting, but only upon questions involving his own financial interest or his official conduct or on matters on which the member is prohibited from voting under NCGS §14-234, §153A-340(g), or §153A-345(e1). For purposes of this rule, the question of the compensation and allowances of members of the Board does not involve a member's own financial interest or

official conduct. Refusal to vote (without just cause) shall be recorded as an affirmative vote.

i. 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 at Buncombe County Department of Health.

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. Other Procedural Matters.

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.

6. 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 setting forth the powers and duties of local boards of health. To assist the Board in compliance, the 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 Buncombe County Board of Health on _____, 2010.

Chair, Buncombe County Board of Health

Secretary, Buncombe County Board of Health