



Bismarck-Burleigh Public Health

DATE: April 30, 2024

FROM: Renae Moch, Public Health Director

ITEM: Bismarck-Burleigh Combined Commissions Committee

REQUEST:
Receive draft bylaws for a Joint Board of Health.

Please place this item on the May 7, 2024, Bismarck-Burleigh Combined Commissions Committee meeting agenda.

BACKGROUND INFORMATION:

During the April 2, 2024, Bismarck-Burleigh Combined Commissions Committee meeting, participants received an update on public health services, core functions and requirements for a public health unit in North Dakota. Following the update, the committee recommended bringing forward the previously drafted Joint Board of Health Bylaws for review at the next Bismarck-Burleigh Combined Commissions Committee meeting on May 7.

Bylaws for a Joint Board of Health were drafted during the 2024 budgeting process with intent to form “one” board of health serving in advisory capacity to Bismarck-Burleigh Public Health (BBPH). Currently there are “two” boards of health for “one” public health unit. The Bismarck City Commission serves as the Board of Health for the City of Bismarck and the Burleigh County Commission serves as the Board of Health for Burleigh County. The suggestion to form one Joint Board of Health was made in 2023 by the Public Health City and County Commission portfolio holders to improve communication and collaboration between the City and County for public health services, programming and activities in Bismarck and Burleigh County. One board of health serving both City and County residents would serve in advisory capacity to BBPH to carry out the core functions of public health identified in ND Century Code 23-35-02 and assist with the implementation of strategies addressing health concerns and needs identified through the Community Health Needs Assessment process. Legislative power of budget and ordinances would remain with commissions.

RECOMMENDED COMMISSION ACTION:

Receive draft bylaws for a Joint Board of Health.

STAFF CONTACT INFORMATION:

Renae Moch, Public Health Director, Bismarck-Burleigh Public Health

BY-LAWS OF THE BISMARCK-BURLEIGH BOARD OF HEALTH BISMARCK, NORTH DAKOTA

The Board of Health for the City of Bismarck and Burleigh County, North Dakota, hereinafter referred to as the "Board," does hereby adopt these by-laws that shall govern board operations.

I. PURPOSE

The mission of the "Board" shall be to act in advisory capacity to Bismarck-Burleigh Public Health (BBPH) to carry out the core functions of public health identified in ND Century Code 23-35-02. The "Board" shall also make recommendations to the board of city and county commissioners for appointment of a local health officer.

II. MEMBERSHIP

The Board of Health shall consist of the following:

- One (1) Bismarck City Commissioner who holds the portfolio for BBPH.
- One (1) Burleigh County Commissioner who holds the portfolio for BBPH.
- Two (2) physicians (MD/DO) licensed in good standing in the state of North Dakota working in one of the following specialties: (Family Medicine, Internal Medicine, Pediatrics, Epidemiology, Infectious Disease).
- One (1) Dentist or Pharmacist licensed in good standing in the state of North Dakota.
- One (1) Superintendent or a designated employee of Bismarck Public Schools or Burleigh County Schools.
- One (1) Bismarck-Burleigh Public Health consumer/client, but more specifically, a consumer/client representing the needy, underprivileged, or elderly population in the City of Bismarck and/or Burleigh County.
- The Public Health Director and City-County Health Officer shall serve as ex-officio members to the board, with the Public Health Director serving as secretary to the board. The board shall elect a chair and vice-chair at its first meeting and annually thereafter. It is the duty of the chair to call all meetings of the board.
- All "Board" members, except ex-officio members, shall be residents of Bismarck and/or Burleigh County.
- All of these members shall be appointed and approved by the Board of City Commissioners, Bismarck and the Board of County Commissioners, Burleigh for a term of four (4) years. Staggered terms may apply. All vacancies shall be filled to serve the remainder of the unexpired term. A majority of the board shall constitute a quorum.
- City and/or County Commissions may remove an appointed member for cause.

In no instance may the board be either all male or all female. Each appointee shall serve until a successor is appointed or qualified, and if a vacancy occurs, the vacancy shall be filled by appointment for the remainder of the unexpired term in the same manner as the initial appointment. Each appointee shall qualify by filing the constitutional oath of office in the office of the city attorney.

III. OFFICERS

Officers shall be elected annually. The officers will include a Chair and a Vice Chair. Subsequent terms are allowed if the Board member agrees to continue on in the elected position and a quorum of Board members are in approval.

The Chair shall generally preside and conduct all Board meetings, all special meetings and, with the advice and consent of other members, may appoint committees from Board members to perform specific duties.

The Vice-Chair - In the event of the absence, disability, resignation or conflict of interest of the Chair, the Vice-Chair shall exercise all the powers and duties of said Chair. The Board may elect from its own members a successor Vice-Chair to fill this vacancy at its next regular meeting.

IV. MEETINGS

Quorum - A quorum shall consist of four (4) members (7 members serving).

Regular Meetings - the Board shall meet at a minimum of quarterly. At the December meeting, the following year dates for meetings will be scheduled. Meetings will be scheduled for an hour in duration.

Special Meetings - The Chair may, from time to time, call special meetings of the Board on not less than three days' notice to all Board members.

Meeting Location - All regular meetings of the Board shall be held at the City/County Building Tom Baker Chambers and/or virtually. Special meetings may be held at other locations and at other times which shall be designated in the written notice of special meetings, which shall be transmitted to each member not later than three days prior to the special meeting date.

Order of Business - The items of business to be considered at any regular or special meeting shall be specified on the notice of such meetings, which shall be the meeting agenda and which shall be transmitted to each member, in the case of a regular meeting, not later than five days immediately preceding the meeting date and, in the case of special meetings, not later than provided above. Items of business at any regular or special meeting will be considered by the Board in the order in which they appear on the meeting agenda. Additional items may be placed on the agenda if agreed to by the membership.

Public Notice – Public notice will be given in advance of the meeting as required by law.

Records - The Board shall keep a record of its resolutions, transactions, findings, and determinations; and, such record shall be a public record.

V. VOTING

All Board members, including the Chair and Vice-Chair, shall be entitled to one equal vote at any regular or special meeting. There shall be no voting by proxy. Dissenting votes or abstentions on any matter presented to the Board shall be clearly expressed orally or in writing when voting is in process. When a quorum is present, all matters presented for Board consideration shall be decided by the majority vote of those present at the meeting.

VI. COMPENSATION

All members of the Board shall serve without compensation. When duly authorized by the Board, members thereof may attend conferences or meetings that pertain to public health and the Board may pay the reasonable traveling expenses.

VII. RESPONSIBILITIES OF THE BOARD

The Board of Health is an advisory board for the public health department.

1. Be a community advocate for public health.
2. Make recommendations to the Board of Bismarck City Commissioners and Burleigh County Commission regarding public health issues ensuring policy and legislation is based on the most rigorous and current scientific evidence based on expert recommendation or evidence-based or promising practices.
3. Provide feedback on performance evaluations on the Health Officer and the Director of Public Health positions if requested by City Administration.
4. Provide feedback on the public health department's strategic plan and provide guidance on goals and objectives and ensure alignment with the health department's mission.
5. Assist in providing feedback in identifying and prioritizing programs using data highlighting community needs.
6. Review the annual budget requests and provide a recommendation to support or revise.
7. Review and make recommendations regarding the public health department's policies and procedures involving significant changes.

VIII. OTHER PROCEDURES

All operating procedures not specifically provided for herein shall be governed by "Robert's Rules of Order" which are hereby incorporated for purposes of reference. In the event any provision of "Robert's Rules of Order" are inconsistent herewith, these by-laws shall govern.

IX. CONTROL OF LAW

The by-laws of the Board generally shall be governed by the applicable ordinances of the City of Bismarck, laws of the State of North Dakota, and laws of the United States of America and any provisions herein inconsistent or in conflict with such laws or ordinances shall be deemed void.

X. AMENDMENT AND REPEAL

Except when in conflict with state statutes, these by-laws may be amended or repealed from time to time by the affirmative vote of a majority of the appointed Board members at a regular or special meeting. Said by-laws may be made inoperative regarding any particular subject matter by the affirmative vote of a majority of Board members.

Signature:

Adopted this ____ day of _____, 20__

Bismarck-Burleigh Board of Health Chair