

**BY- LAWS  
OF  
EFFINGHAM COUNTY BOARD OF HEALTH**

**ARTICLE I**

**NAME:** This Board of Health is a creation of Title 31-3, *Official Code of Georgia Annotated* (O.C.G.A.), which establishes a county Board of Health of in each and every county of the state. Consequently, this Board of Health is named the Effingham County Board of Health.

**ARTICLE II**

**FUNCTIONS AND POWERS:** The functions and powers of the Effingham County Board of Health are those given it by Titles 31-3-4 and 31-3-5 of the *Official Code of Georgia Annotated*.

**A: FUNCTIONS**

The Effingham County Board of Health functions are:

- 1) To determine the health needs and resources of its jurisdiction by research, and by collection, analysis, and evaluation of all data pertaining to the health of the community;
- 2) To develop, in cooperation with the health department, programs, activities, and facilities responsive to the needs of its area;
- 3) To secure compliance with the rules and regulations of the health department and have local application; and
- 4) To enforce, or cause enforcement of, all laws pertaining to health unless the responsibility for the enforcement of such laws is that of another agency.

**B: POWERS**

The Effingham County Board of Health is empowered to:

- 1) Establish and adopt By-Laws for its governance. Meetings shall be held at least four (4) times per year.
- 2) Exercise responsibility and authority in all matters within the county pertaining to health unless the responsibility for enforcement of such is By-Laws of another agency;

- 3) Take such steps, as may be necessary, to prevent and suppress disease and conditions deleterious to health and to determine compliance with health laws and rules, regulations, and standards adopted;
- 4) Adopt and enforce rules and regulations appropriate to its functions and powers;
- 5) Review and approve annual budget, review and accept the annual audit report and review quarterly financial updates on results of operations;
- 6) Propose to the Effingham County Commission fees for the provision of environmental health services provided by the County Board of Health;
- 7) Contract with Georgia Department of Public Health, or other agencies, for assistance in the performance of its functions and the exercise of its powers and for supplying services which are within its purview to perform, provided that such contracts and amendments thereto shall have first been approved by the Georgia Department of Public Health; and
- 8) Establish rules and regulations which apply to all citizens and premises of the county or to specified areas and citizens therein without regard to the remainder of the county (**OCGA 31-3-6**).

### **ARTICLE III**

**MEMBERSHIP:** The Effingham County Board of Health shall be composed of seven members as provided in Title 31-3-2 of the Official Code of Georgia Annotated. Composition of the Board of Health, appointments, terms of members, notification of vacancies, appointment, and qualification of members, to fill vacancies, shall all be according to said Title 31-3-2, and these By-Laws. The composition of the Effingham County Board of Health is listed in the following table:

**GEORGIA HEALTH CODE**  
**CHAPTER 3 COUNTY BOARDS OF HEALTH**

31-3-2

Composition; terms of members (Created by House Bill 1068, 1984 Georgia Legislature)

<b>BOARD OF HEALTH MEMBERS</b>	<b>TERM BEGINS/EXPIRES</b>
1. Chief executive officer of the governing authority of County (Chairperson of County Commission or another member of the County Commission)	Serves While Holding Office
2. County Superintendent of Schools (or an Assistant Superintendent of Schools appointed by the Superintendent)	Serves While Holding Office
3. Physician actively practicing in County (Appointed by governing authority of County [County Commissioners])	Six Year Term
4. Consumer representing consumers of Mental Health, Mental Retardation, and Substance Abuse Services. (Appointed by governing authority of County [County Commissioners])	Six Year Term
5. Consumer or licensed nurse interested in promoting Public Health (Appointed by governing authority of the largest municipality in the county)	Six Year Term
6. Consumer representing the County's needy, underprivileged, or elderly community (Appointed by governing authority of County [County Commissioners])	Six Year Term
7. Chief executive officer of the governing authority of the largest municipality of the County (or a member of the City Commission)	Serves While Holding Office

No member appointed to the Effingham County Board of Health shall be an employee of the Effingham County Government or of the Effingham County Health Department. Appointing authority must provide documentation to Effingham County Board of Health of selection. *When a Board member's term expires, that Board member will continue to hold office and may continue to participate and vote on Board matters until a successor is sworn in.*

## **ARTICLE IV**

**TITLES OF OFFICERS:** The officers of Effingham County Board of Health shall be the Chairperson, Vice-Chairperson, and Secretary.

### **ELECTION OF OFFICERS:**

Officers shall be elected bi-annually and at the first regular meeting of the Board of Health of the calendar year. To qualify for nomination it is preferred that a person must have been a member, of the Board of Health, for a minimum of one year. There shall be no limit to the number of terms to which an officer may be elected to serve.

### **A. DUTIES OF THE BOARD OF HEALTH CHAIRPERSON**

1. The Chairperson shall:
  - a) ensure that all meetings are held as required by these By-Laws;
  - b) preside at all meetings of the Board of Health;
  - c) ensure that provisions in these By-Laws are adhered to;
  - d) ensure that all policies, resolutions, and directives of the Board of Health are carried out;
  - e) serve as an ex-officio member of all committees; and
  - f) perform other appropriate duties as the Board of Health may direct.
2. If the Chairperson does not fulfill his or her duties, resigns, or is no longer eligible to serve, the election of a new Chairperson will be conducted by the Board of Health.

**B. DUTIES OF THE BOARD OF HEALTH VICE CHAIRPERSON:**

1. In the absence of the Chairperson, the Vice Chairperson shall conduct the Board of Health meeting and perform other duties as requested.
2. In the absence of the Chairperson and the Vice Chairperson, the District Health Director may Chair the Board of Health meeting.

**C. DUTIES OF THE BOARD OF HEALTH SECRETARY:**

1. Ensure minutes are taken to accurately reflect proceedings of each meeting. An Effingham County Health Department employee may be designated to take the minutes of each meeting.

**D. NOMINATING COMMITTEE**

1. The Chairperson shall appoint a nominating committee consisting of three Board of Health members. This committee will be appointed two months prior to the meeting where elections are held. Additional nominations may be made from the floor at the time of elections.

**E. DUTIES OF THE BOARD OF HEALTH MEMBERS**

1. The members shall:
  - a) attend all meetings of the Board of Health if possible, but to remain on the Board of Health members must attend a minimum of 2 meetings per year.
  - b) removal of any member will require a majority Board of Health vote;
  - c) ensure that provisions in these By-Laws are adhered to;
  - d) ensure that all policies, resolutions, and directives of the Board of Health are carried out;

- e) serve as an ex-officio member of ad hoc committees as requested; and
- f) perform other appropriate duties as the Board of Health may direct.

## **ARTICLE V**

**CHIEF EXECUTIVE OFFICER:** The District Health Director of Public Health District 9-1 shall serve as the Chief Executive Officer of this Board of Health as provided in Sections 31-3-12 and 31-3-15 of the Official Code of Georgia.

**FUNCTIONS AND POWERS:** The District Health Director, as Chief Executive Officer of this Board of Health, shall in the name of the Board of Health perform the functions and exercise the powers set forth in Chapter 31-3 of the Official Code of Georgia, except to adopt By-Laws and adopt rules.

**COUNTY HEALTH DEPARTMENT LEADERSHIP STAFF (I.E COUNTY NURSE MANAGER, ENVIRONMENTAL HEALTH MANAGER):** The County Nurse Manager and the Environmental Health Manager, of the Effingham County Health Department, will sit on the Board of Health, as an ex-officio members.

## **ARTICLE VI**

**REGULAR MEETINGS:** Regular meetings shall be held no less frequently than quarterly.

**SPECIAL MEETINGS:** Special meetings may be called by the Chairperson at the request of any member of the Board of Health or as deemed necessary by the Chairperson. No business shall be transacted at a special meeting except that stated in the notice call the meeting.

Notice of any special meeting shall be given at least five days before the time set for the meeting; provided, however, that a meeting called to respond to a public health emergency may be held as soon as a quorum of members is assembled.

**QUORUM:** Four members of the Board of Health shall constitute a quorum for the conduct of business.

**AMENDMENTS:** The By-Laws may be amended, after at least 30 days notice, at any regular meeting of the Board of Health. Such notice shall be referred to a special committee which shall report at the next regular meeting and shall require a majority vote of those present for adoption. Amendments, so made, shall be effective when approved by the Board of Health.

**PARLIAMENTARY AUTHORITY:** The rules contained in the current edition of *Robert's Rules of Order* shall guide governance in all cases to which they are applicable.

**ADOPTION:** These By-Laws shall be adopted at any regular meeting of the Board of Health in which there is a quorum and shall replace any previous By-Laws. Members of the Board of Health will need to be notified 30 days in advance if new By-Laws will be presented.

ADOPTED BY THE EFFINGHAM COUNTY BOARD OF HEALTH, THIS \_\_\_\_\_

DAY OF 5/8, 20 14.

  
Chairperson, Effingham County Board of Health

  
District Health Director, Coastal Health District 9-1