

Bylaws of the Board of Health of the Arapahoe County Public Health Department

ARTICLE 1 GENERAL

SECTION 1. NAME

The official name of this body is the Board of Health (“Board”) of the Arapahoe County Public Health Department (“Department”).

SECTION 2. PURPOSE

The general purpose of the Board is to oversee the operations and activities of the Department, and to exercise the powers and duties imposed upon the Board as set forth in C.R.S. § 25-1-508.

SECTION 3. Members

The Board shall consist of such members as may be appointed by the Arapahoe County Board of County Commissioners. Term limits for Board members are set by the Board of County Commissioners.

SECTION 4. DUTIES AND POWERS

The powers and duties conferred and imposed upon the Board by the provisions of C.R.S. § 25-1-501 to 519 include, but are not limited to, the following:

- (a) To develop and promote the public policies needed to secure the conditions necessary for a healthy community;
- (b) To approve the local public health plan completed by the Department, and to submit the local public health plan to the State Board of Health for review;
- (c) To select a Public Health Director, and if necessary, a medical officer, to serve at the pleasure of the Board;
- (d) To provide, equip and maintain suitable offices and all necessary facilities for the proper administration and provision of core public health services by the Department;
- (e) To determine general policies to be followed by the Public Health Director in administering and enforcing the public health laws, the orders, rules and regulations of the Board, and the orders, rules, regulations and standards promulgated by the State Board of Health;
- (f) To issue such orders and to adopt such rules and regulations, not inconsistent with the public health laws of this State nor with the orders or rules of the State Board of Health, as the Board may deem necessary for the proper exercise of the powers and duties vested in, or imposed upon, the Board and the Department;
- (g) To act in an advisory capacity to the Public Health Director on all matters pertaining to public health;
- (h) To hold hearings, administer oaths, subpoena witnesses, and take testimony in all matters relating to the exercise and performance of the powers and duties vested in, or imposed upon, the Board;

- (i) To provide environmental health services and to assess fees to offset the actual direct cost of such services, except that no fee for a service shall be assessed against any person who has already paid a fee to the state or federal government for the service, and except that the only fee which shall be charged for annual retail food service establishment inspections shall be the fee set forth in C.R.S. § 25-4-1607; and
- (j) To accept and, through the Public Health Director, to use, disburse and administer all federal aid, state aid, or other moneys, property or services allotted to the Department for local public health functions or allotted without designation of a specific agency for purposes which are within the functions of the Department, and to prescribe, by rule or regulation, the conditions under which such moneys, property or services shall be accepted and administered. The Board is empowered to affirm existing agreements, or to make new agreements, that may be required to receive such moneys or other assistance.

SECTION 5. CONFLICT OF INTEREST AND ETHICAL CONDUCT

Any Board member who is present at a meeting at which any matter is discussed in which they have a private pecuniary or property interest, or such other circumstance where the member has an interest that results in their inability to be impartial, the member shall declare that they have a potential conflict of interest. The Board member shall abstain from voting on such matter and shall refrain from attempting to influence the decision of the Board regarding the matter.

The Board adopts and each Board member agrees to comply with the most up to date Arapahoe County Code of Ethics adopted by the Board of County Commissioners.

**ARTICLE 2
OFFICERS**

SECTION 1. DESIGNATION AND TERMS OF OFFICE

The officers of the Board shall be a Chair and a Vice Chair each of whom shall be elected annually by the Board's members at the first regular meeting of each calendar year. All officers so elected shall hold office at the pleasure of the Board and shall otherwise serve a one-year term unless such term is altered by the officer's resignation or removal. Officers may be re-elected but may not serve more than three consecutive terms in the same elected office.

SECTION 2. QUALIFICATIONS

Any person who is a member of the Board shall qualify and may serve as an officer of the Board. The Public Health Director or their designee may serve as the Secretary of the Board.

SECTION 3. DUTIES OF OFFICERS

The Chair shall set the agenda for each meeting; preside at each meeting; provide informational updates to Board members regarding matters pertinent to their responsibility; represent the Board and be the spokesperson for the Board at governmental, community, or other meetings; and sign letters and other official documents on behalf of the Board. The Chair shall perform such other duties as are incident to holding the office of Chair, and as are determined by mutual agreement, from time to time.

The Vice Chair shall have the responsibility to carry out all duties of the Chair in the Chair's absence.

ARTICLE 3 MEETINGS

SECTION 1. REGULAR MEETINGS

Meetings shall occur regularly at locations and times as scheduled, but at least once every three months as may be established by resolution of the Board. Regular meetings may also be held via videoconference or teleconference transmission at which time all Board members shall have an opportunity to participate in the same manner as they would participate in a Board meeting at which they are physically present in person.

SECTION 2. SPECIAL MEETINGS

Special meetings of the Board may be called by the Board Chair, the Public Health Director, or by a majority of the members of the Board at any time, for the transaction of any business. Special meetings may be held at locations and times as scheduled, and they may also be held via videoconference or teleconference transmission at which time all Board members shall have an opportunity to participate in the same manner as they would participate in a Board meeting at which they are physically present in person. Best efforts will be made to provide the Board of Health with at least 24 hours advance notice of any special meeting.

SECTION 3. NOTICE OF MEETINGS AND ELECTRONIC RECORDING

All meetings of three or more members of the Board at which any public business is discussed or at which any formal action may be taken are declared to be public meetings requiring full and timely notice to the public pursuant to the Colorado Open Meetings Law, C.R.S. § 24-6-402. The agenda for each public meeting shall be posted on the county website. The executive session portion of all public meetings shall be electronically recorded as pursuant to the requirements of the Colorado Open Meetings Law, except for executive sessions that are for the purpose of receiving advice from an attorney.

SECTION 4. QUORUM FOR MEETINGS

Any formal action undertaken at a public meeting shall require a quorum. A majority of the Board members shall constitute a quorum for the transaction of business at any regular or special meeting of the Board. The Board may enter into an executive session upon the affirmative vote of two-thirds of the quorum present at the meeting.

SECTION 5. CONDUCT OF MEETINGS

All meetings of the Board shall generally conform with the provisions of the most current edition of *Robert's Rules of Order Newly Revised*, to the extent applicable and not inconsistent with these Bylaws. The Board shall provide opportunities for public comment at the regularly scheduled public meetings. Public comment shall be limited to 3 minutes per person and no more than one hour in total, unless otherwise noted by the Chair.

SECTION 6. VOTING AT MEETINGS

All actions to be taken by the Board shall be submitted to a vote of the members of the Board at a duly convened meeting at which a quorum is present. All actions shall require the affirmative vote of a majority of the Board members present, to be approved, with the exception of actions to be taken to amend these Bylaws as presented in Article 6. The voting of Board members by proxy shall not be permitted. The voting of Board members in person, or via videoconference or teleconference transmission shall be permitted.

SECTION 7. MINUTES OF MEETINGS

Minutes of meetings can be recorded electronically or in written form. If in written form, each member of the Board shall be furnished a copy of the minutes of the preceding Board meeting and such minutes shall be formally adopted, either with or without corrections, at the next ensuing meeting of the Board. Compliance shall be evidenced by the signature of the Board Chair. All minutes shall be entered and posted onto the county website.

**ARTICLE 4
COMMITTEES**

SECTION 1. COMMITTEES

The Board may establish committees to serve the interests of the Board. When the Board establishes a committee, it shall clearly define the purpose of the committee and specific objectives of the committee, as well as any appropriate guardrails or limitations. No committee shall pursue any initiatives or take any formal action without first receiving approval from the Board. Committees shall provide regular updates of its activities, progress, outcomes and issues to the full Board.

SECTION 2. COMMITTEE MEMBERS

Committee membership shall include at least two Board members and other persons as determined by the Board.

SECTION 3. MEETINGS AND ACTION OF COMMITTEES

The meetings and actions of committees shall be governed by, noticed, and held in accordance with the provisions of these Bylaws concerning meetings of the Board. Each committee shall designate a Committee Chair who shall have responsibility to set the agendas and preside at the meetings, set a course of action to address the goals and objectives of the committee, hold such meetings as may be appropriate, review and approve committee meeting minutes, and provide progress updates to the full Board.

**ARTICLE 5
RECORDS**

SECTION 1. CUSTODIAN OF RECORDS

The Public Health Director shall be the custodian of all property and records of the Board and the Department.

SECTION 2. OPEN RECORDS

Minutes and records of the Board are subject to the provisions of the Colorado Open Records Act. The Board adopts and will follow the provisions of the most up to date Open Records Policy adopted by the Board of County Commissioners.

**ARTICLE 6
BYLAWS**

SECTION 1. AUTHORITY FOR BYLAWS

These Bylaws are adopted pursuant to C.R.S. § 25-1-508(4)(b)(II), which provides that the Board may adopt and amend bylaws in relation to its meetings and the transaction of its business. Prior to adoption, the Board agrees to provide a copy of these Bylaws, and any amendments, to the Board of County Commissioners for review, comment, and approval.

SECTION 2. PROCEDURE FOR AMENDMENT

These Bylaws may be amended at any regular meeting by a vote of at least 2/3 of the Board members, provided that the amendment was previously submitted in writing to the Board members and approved by the Board of County Commissioners.

SECTION 3. ADOPTION OF BYLAWS

Upon the Board's adoption of these Bylaws, or any amendment thereof, the Board Chair shall complete the certificate below.

CERTIFICATE

As Board Chair, I hereby certify that a duly constituted meeting of the Board of Health was held on MONTH/DAY/YEAR and upon a two-thirds affirmative vote of the entire membership of the Board these Bylaws were approved and adopted.

Signature: _____

Name: _____

Date: _____