

Macon County Board of Health Bylaws

*Including Amendments Approved and Adopted
June 20, 2023*



Public Health
Prevent.Promote.Protect.

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Bylaws

Macon County Board of Health

Preamble

The Macon County Board of Health operates under provisions of “An Act in relation to the establishment and maintenance of county and multiple-county public health departments” (55 ILCS 5/5-25001 et seq.), hereinafter called the Act.

Article I – Name

The name of this body shall be the Macon County Board of Health; hereinafter called the Board.

Article II – Mission

The Mission of the Board, within its responsibilities and authorities set forth in §5-25013 of the Act, shall be “**Vision** - To lead Macon County to be one of the healthiest counties in the State of Illinois. **Mission** – To promote the health and healthy practices of all residents of Macon County.”

Article III – Membership and Term of Office

- A) Pursuant to increase provided by Resolution of the Macon County Board, hereinafter called the County Board, abolishing the Board of Directors of the County Tuberculosis Sanitarium as authorized by 55 ILCS 5/5-23002, the Board shall consist of 11 members appointed by the Chair of the County Board, with the approval of the County Board. Members are appointed to three year terms and until their successors are appointed. Recommendations to the County Board Chair for members of the Board will be communicated by the President of the Board based upon recommendations of the Nominating Committee approved by the Board.
- B) All members of the Board shall serve without compensation, but they shall be reimbursed for actual necessary expenses incurred in the performance of their duties, such as, but not thereby excluding others, attendance at meetings of the Board, or at meetings of the Illinois Association of Boards of Health.
- C) Members of the Board are required to attend meetings of the Board and participate when appointed on Board committees identified in the Bylaws, and *ad hoc* committees appointed by the President of the Board. Board members are expected to represent the Board in a positive manner at all times. Each March the Nominating Committee shall review the participation of each Board member and provide the results of that review to the Board. The Board at its April meeting shall review the Nominating Committee report and consider, as to each Board member, any absences from regular or special meetings, participation on committees, or other activities, and representation of the

Board in the community. A finding by the Board of lack of conscientious overall participation by a Board member shall be communicated by the President to the County Board Chair, along with a replacement recommendation identified by the Board through the Nominating Committee. The County Board Chair, with the consent of the County Board, may remove a member for misconduct or neglect of duty.

- D) In the event of a member's resignation prior to the end of his or her term of appointment, that fact shall be communicated by the President to the County Board Chair along with a replacement recommendation identified by the Board through the Nominating Committee.

Article IV – Officers

- A) The officers of the Board shall be President, Vice-President, Secretary, and Treasurer.
- B) An election of officers shall be held annually in November. The terms of the officers elected shall be from December 1 through and including November 30 of each year (i.e., the County's fiscal year). The Board's Nominating Committee shall meet as necessary to provide the Board with a slate of officer nominees at the Board's October meeting. No person shall be included in the recommended slate who is not willing to serve in the office he or she is being nominated for. At the November meeting, in addition to the slate of nominees, the President shall call for nominations from the floor. All nominations from the floor must be seconded and the person so nominated must indicate his or her willingness to serve. If any nominee is not present at the November meeting, the Board may rely upon a representation that the nominee has indicated a willingness to serve. If a nomination from the floor is not seconded or if the willingness of the person nominated to serve cannot be immediately ascertained, the nomination shall fail. Voting shall occur once the nomination slate has been presented and any nominations from the floor are accepted. If no nominations from the floor are made, the President shall put the question to the Board as to whether the slate shall be elected as presented. Votes on the individual offices shall not be necessary. If nominations from the floor are properly made, the President shall have the Secretary or person taking minutes call the roll as to the particular office or offices which are contested. Each member shall vote for a person by stating that person's name. Uncontested offices shall be voted on as a slate with the members voting aye or nay. No member shall serve more than three consecutive years in the same office. No member shall hold more than one office at a time.
- C) It shall be the duty of the President to preside at all meetings of the Board. The President shall designate, subject to concurrence of the Board, the Chair and members of all standing and special committees. The President shall serve as an ex-officio member of all Board Committees except the Nominating Committee. The President shall perform all other duties that may pertain to his or her position. The President shall, on behalf of the Board, execute such notes, deeds, and contracts or other documents as the Board may direct.

- D) The Vice-President shall have all authority and perform all the duties of the President in the absence or inability of the President to act, and such other duties as assigned by the President or by the Board.
- E) The Secretary shall have charge of recording and signing along with the President the minutes of all meetings of the Board. All official records of minutes shall be presented for approval at the next meeting of the body whose minutes they are and kept and maintained in the principal office of the Department available, except as to any minutes of closed sessions not yet released, to the public for viewing upon request. The Secretary shall see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law; keep a register of the post office address and any available E-mail address of each member and in general, have all the usual powers and duties incident to the office of Secretary of a board, and such other duties as may be assigned by the President or the Board. Except where the Secretary's signature is required, the Secretary may delegate any or all of the above responsibilities to an administrative assistant of the Department.
- F) At each Board meeting the Treasurer shall oversee and review the finances and fiscal matters of the Board and of the Department. He/she shall assure the preparation and provision of an annual budget to the Board for members' approval. The Treasurer shall sign, or approve the use of a signature stamp, for all checks or drafts of the organization. He/she shall assure the development and Board review of financial policies and procedures.
- G) A vacancy in the office of President, Vice-President, Secretary or Treasurer shall be filled by the Board via election at the next meeting following the occurrence of said vacancy, taking into account the recommendations of the Nominating Committee, if any. A member so elected to fill a vacancy shall serve the remainder of the term until the annual election of officers. Notwithstanding the following, if the filling of a vacancy results in the creation of another vacancy, the resulting vacancy or vacancies may be filled at the same time as the filling of the original vacancy.

Article V – Meetings and Voting

- A) The regular meetings of the Board shall commence at 5:30 pm on the third Tuesday of each month, unless or until otherwise established by resolution of the Board, and all meetings will be in accord with the Open Meetings Act (hereafter, OMA). All meetings of the Board shall be accessible to physically challenged individuals in accordance with ADA standards.
- B) The agenda format of any regular Board meeting shall be:
 - 1. Call to Order
 - 2. Roll Call
 - 3. Pledge of Allegiance
 - 4. Consent Calendar

- a. Approval of All Minutes Not Previously Approved
- b. Communications
- c. Presentation and Acceptance of Department Financial Report
- d. Review of Department Expenditures
- e. Grant Application Review
- f. Department Division Reports
5. Public Comment
6. Department Employee Recognition
7. Old Business
8. New Business
9. Closed Session, if Appropriate
10. Reopen Meeting, if Closed; Action, if Any
11. Adjournment

A copy of each Regular Meeting Agenda along with all attachments available shall be transmitted to each member at his or her last known contact data for the form of communication used, no later than the close of business of the Friday immediately preceding such meeting.

A Consent Calendar will be used to expedite the handling of ministerial, routine, or non-controversial items. The Administrator, in consultation with the Board President, will be responsible for placing items on the Consent Calendar. The Consent Calendar may include, but is not limited to, the following items: approval of minutes of previous meetings, communications, presentation and acceptance of the financial report, review and approval of departmental expenditures, review and approval of grant applications, and acceptance of department division reports. There should generally be no discussion of items on the Consent Calendar. If a discussion of or separate vote on any item or items on the Consent Calendar is desired by any member of the Board, the item or items shall be removed from the Consent Calendar upon notice from the member of the desire. Any items remaining on the Consent Calendar shall then be voted on as a group. The item or items removed from the Consent Calendar at a member's request shall then be called separately for discussion and possible vote.

A member's desire to have an item or items removed from the Consent Calendar is not subject to being seconded, voted upon, or appealed.

Items that will be considered in the Consent Calendar shall be listed individually and assigned a number or letter so that a member may refer to the item by letter/number if they want to discuss or vote on it separately.

C) The agenda format at special Board meetings shall be:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Reading of the Notice Calling the Meeting

5. Transaction of Business for which the Meeting was called
 6. Closed Session, if Appropriate
 7. Reopen Meeting, if Closed; Action, if Any
 8. Adjournment
- D) Special Meetings may be held at any time at the written request of two members of the Board and filed with the Secretary or upon the request of the Administrator. Notice of Special Meeting shall be transmitted to each Board member so as to be received at least 48 hours before the meeting. All reasonable efforts shall be made to insure each member has actual notice of the meeting. Only items specified in the notice of the meeting may be considered at a special meeting, including any closed session. Notwithstanding the foregoing, an emergency meeting may be called in the same manner as a special meeting in the event of a bona fide emergency. If an emergency meeting is called, every effort will be made to notify each Board member as far in advance as practical. Additionally, the Board or Administrator shall take steps to post notice of an emergency meeting in compliance with the OMA.
- E) A quorum shall be a simple majority of the members duly appointed and serving.
- F) All questions before the Board, except amendment of these Bylaws as provided in Article XIV below, shall be decided by a majority vote of all members present and voting if a quorum is present.
- G) Closed sessions of the Board, during any regular, special, or emergency meeting, will be held in compliance with the OMA.
- H) Public comments will be received at all meetings pursuant to Article VI below.

Article VI – Public Comments

- A) The Board acknowledges that public participation at Board meetings provides necessary input on various matters of concern to the public and contributes to the effective operation of the Department. Members of the public are encouraged to participate at Board meetings in accordance with this policy. The Board hereby states its intention to comply with the laws of Illinois concerning provisions for public comments at open meetings.
- B) Public participation shall be permitted at any meeting of the Board or any committee thereof which is required to be open to the public under the OMA. The Board shall not, however, permit public participation during any meetings or portions of meetings that are closed pursuant to the OMA.
- C) A portion of each meeting required to be open shall be reserved and set aside for purposes of public comments. In addition to that portion of the meeting set aside for public comments, the President, in his or her discretion, may permit public comment at

any other time during the meeting, when such comment is deemed by the President to facilitate the discharge of the Board's responsibilities.

- D) The Board shall permit any member of the public, including employees of the Department to comment or ask questions of the Board during that portion of the meeting designated for public comment. The Board has no obligation, however, to respond to any comments or to answer any questions raised by members of the public.
- E) Members of the public shall be permitted to comment on any subjects or issues of public concern.
- F) Any person may make comments at a Board meeting, subject to the provisions set forth below. Such persons may be requested to provide their name, contact information, and subject of their comment in advance of the meeting or the comment, but shall not be required to do so. The President may, in his or her discretion, call upon persons who have provided such information before calling upon persons who have not or who refuse to do so, even if such prioritization results in a person or persons who have not provided such information not being allowed to speak because of the time limitations in paragraph G of this Article VI, below.
- G) Members of the public, during the Public Comment section of the meeting, shall be permitted to make comments to the Board at each meeting, subject to the following time limitations:
 - 1. Three minutes per speaker
 - 2. Fifteen (15) minutes per meeting
- H) The President, upon the request of any member of the public seeking to make comments or ask questions, may reasonably extend either or both of the foregoing time limitations. Any such extension of the time limitations shall be discretionary and shall not establish precedent in any other such requests.
- I) If a substantial number of members of the public desire to comment at any meeting, the President, in his or her discretion, may appoint representative members of the public to act as spokespersons for purpose of making otherwise repetitive or redundant public comments.

Article VII – Nepotism and Conflict of Interest

- A) No member of the Board shall accept any gift based upon any understanding, either explicit or implicit, that a judgment or decision would be influenced.
- B) No member of the Board shall solicit or accept any gift in return for advice or assistance on any manner concerning the operation or business of the Department.
- C) No member of the Board shall engage in unauthorized use of Department owned property.

- D) No member of the Board shall disclose confidential information or use confidential information gained in the course of his or her position for financial gain.
- E) Board members will refrain from recommending products or services supplied by any vendor which is owned or operated by a family member, or in which they have economic interest. Should such vendors be considered by the Board, the Board member(s) with such an interest must disclose any familial or economic interest, and refrain from discussion of or voting on related subjects.
- F) No member of the Board shall advocate for employment by the Department or as a contracting party with the Department any person who is a relative, defined as spouse, parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent or grandchild, and a Board member shall excuse him or herself, in the event any such employment or contract involving such a relative is being deliberated.
- G) No Board member shall, in the exercise of any function of the Board, vote on any matter respecting any individual or entity with which such member has, or within the 12 months preceding the vote had any ownership, employment, medical staff, fiduciary, contractual, creditor or consultant relationship. The Board shall require each member who has or has had such a relationship with an individual or entity involved in any manner before the Board to disclose such relationship before discussion of such matter and to abstain from discussion of and voting on such matter.
- H) Any Board member may raise the question of conflict of interest with respect to any other Board member; and the question so raised shall be decided by a majority vote of those members present, excluding the member in question and those members who have already been disqualified from voting because of their own conflict of interest. Whenever a conflict of interest is found to exist with respect to any member, such member shall abstain from discussion of and voting on the matter.
- I) Board members shall file Statements of Economic Interest as required by law.

Article VIII – Committees

- A) Standing and *Ad Hoc* Committees: The President shall, from among Board members, appoint, with the concurrence of the Board, the following standing committees: Finance, Personnel, and Nominating. The President may create and appoint members to *ad hoc* committees as the Board may deem necessary. Members of standing committees shall be appointed at the December meeting of the Board and shall serve for one year or until a successor is appointed.
- B) Nominating Committee: The Nominating Committee shall be composed of three Board members who shall:
 - 1. Perform the annual participation review prescribed by section C of Article III;

2. Advise the Board regarding the filling of any officer vacancies as prescribed by section G of Article IV;
 3. Recommend persons to fill Board vacancies whenever they occur, as prescribed by sections A, C and D of Article III; and
 4. Present a slate of officers to the Board at its October meeting.
- C) Noted experts in their field may serve as consultants to committees. Such consultants shall be selected by the President with concurrence of the Board and shall serve in an advisory role only and as such neither have a vote or a determining role in committee actions, findings, and recommendations to the Board.
- D) The President may appoint, with the concurrence of the Board, advisory committees made up of Macon County residents and/or providers.

Article IX– Fiscal Year

The Fiscal Year of the Board shall be the same as that of the Department and the County Government, December 1 through November 30.

Article X – Property of the Board of Health

- A) The Board shall require the Administrator to keep an accurate inventory of all property of the Department and its insurable value.
- B) The Board shall cause property of the Department to be adequately protected by insurance.

Article XI – Parliamentary Authority

Unless a matter is governed by a procedure set forth in these Bylaw, the parliamentary procedure of the Board and its committees shall be governed by Robert’s Rules of Order Newly Revised 12th Edition, or any subsequent edition.

Article XII - Severability of Provisions

Should any of the provisions of these Bylaws be held unenforceable or invalid for any reason, the remaining provisions of these Bylaws shall be unaffected by such holding.

Article XIII – Amendments

These Bylaws may be amended by a two-thirds vote of the Board members duly appointed. Amendments may be made at a regular or special meeting of the Board, provided that a written notice detailing the proposed changes be transmitted to each member at least two weeks prior to the meeting at which the Bylaws are to be amended.