

By-Laws

Trumbull Health District Licensing Council

Article I: Purpose

These By-Laws are the basic rules of governance for the Trumbull Health District Licensing Council (TCHDLC). The Trumbull Health District Licensing Council was created by Substitute Senate Bill 136 in November 2001. Ohio Revised Code 3709.41(A). The initial members of the Trumbull Health District Licensing Council were appointed by the Trumbull County Health District Advisory Council (TCHDAC), Thursday, December 20, 2001.

Article II: Goal

The goal of the Trumbull Health District Licensing Council to comply with mandated state law including the appointment of a Board of Health member and to represent the regulated community in public agency decisions.

Article III: Objectives

- Review and comment of license fees at both the state and local level to insure such necessary fees are fairly determined so as to carry out the intended program mandates and protect the public's health.
- Improved communication and linkages among public and private sector.
- Identification of needed changes in legislation, policy and practices.

Article IV: Organizational Values and Beliefs

The Trumbull Health District Licensing Council believes that:

1. The Licensing community needs to be involved in matters that affect public health.
2. The Licensing community needs to be involved in matters that affect their businesses.

Article V: Roles and Responsibilities

The role of the Trumbull Health District Licensing Council at a minimum will have the responsibility of:

- Organizing-must designate a chairperson and a vice-chairperson.
- Committee must from among their members, designate a Board of Health Member (1) and an alternate Board of Health Member (1). The purpose of the alternate is to allow for voting in instances where the member may wish to abstain. For example, in instances of concern of possible conflict of interest.
- Create a set of bylaws.
- Meet annually or more often, if needed.

- The Health Commissioner shall serve as the secretary to the council.
- Committee may review and comment on any proposed Licensing fee changes, or they may if they choose, review and comment on any other Licensing program issue. The law does not clearly state what the committee can or must do.

Article VI: Appointment of Health District Licensing Council Members

The District Advisory Council of Trumbull County in accordance with Ohio revised Code 3709.41 shall appoint the members of the Trumbull Health District Licensing Council to staggered terms.

Taking into account only programs licensed by the Trumbull County, Combined Health District legally required members of the Trumbull Health District Licensing Council shall be:

- A Trumbull County resident that owns or operates a licensed retail food service business in Trumbull County.
- A Trumbull County resident that owns or operates a licensed retail food establishment business in Trumbull County.
- A Trumbull County resident that owns or operates a licensed public swimming/special use/spa business in Trumbull County.
- A Trumbull County resident that owns or operates a licensed manufactured home park business in Trumbull County.
- A Trumbull County resident that owns or operates a licensed public campground business in Trumbull County.
- A Trumbull County resident that owns or operates a license construction & demolition debris facility in Trumbull County.
- In the future, if any other state-licensing program is created, a Trumbull County resident that owns and/or operates any licensed business in Trumbull County.

A vacancy in the membership of the Board of Health of the designated Trumbull County Health District Licensing Council primary or alternate Board of Health member shall be filled in the same manner as an original appointment to the Trumbull County Health District Licensing Council or council delegate to the board of health. Trumbull County Health District Licensing Council members and delegated positions may be reappointed.

Article VII: Rules of Order

Robert’s Rules of Order shall govern all meetings of the Trumbull County Health District Licensing Council (Implicit in Robert’s Rules is that the council has authority to adopt Rules which supercede Robert’s Rules.)

Article VIII: Quorum

A majority of the members of the council shall constitute a quorum. Council positions that are vacant due to death, resignation, or failure to appoint will not count for the purpose of determining a quorum.

Article IX: Council Member Rights-Responsibilities

All members are equal and their individual rights are equal. Those basic rights are:

1. To attend meetings.
2. To make motions and speak in a debate.
3. To nominate members for designated positions including chairperson, secretary, board of health member, and alternate board of health member.
4. To vote on issues and designated positions. There shall be no vote by proxy at Health District Licensing Council meetings.
5. To serve in any designated position, including membership to the Board of Health, if so elected.

The majority rule is the principal upon which the democratic process is based. The minority has the right to be heard, but once a decision has been reached by a majority of the members present and voting, the minority must then respect and abide by the decision. Should a conflict arise between the rights of a member and the right of the council to do business, the rights of the council prevail.

Council authority comes by a majority vote of the council at a meeting of the council. Individual members of the council have no authority to act in the name of the council without the prior approval of the council.

Article X: Compensation

In accordance with Ohio Revised Code 3709.41(A), members of the Trumbull County Health District Licensing Council shall serve without compensation, except to the extent that serving on the council is part of their regular duties of employment. The member of the Trumbull County Health District Licensing Council that is delegated to serve as the Board of Health member, may receive compensation as provided by law for attending Board of Health meetings attended as provided in O.R.C. 3709.02(B).

Article XI: Organization – Delegated Council Duties

Council member may, if so nominated and elected, serve as more than one delegated role. Reorganization of council shall occur annually at their annual meeting.

Section 1. Chair - The Trumbull County Health District Licensing Council shall by majority vote of a quorum present, elect a chairperson delegate. The chair of the council shall schedule all council meetings and together with the assistance of the secretary delegate, send all necessary correspondence. The chair shall assure that meeting minutes are prepared and maintained. Minutes shall consist of actions taken,

including acceptance of meeting minutes, appointment of members, the adoption of by-laws, the adoption of any form or policy/procedure. Minutes shall be promptly prepared following each and every meeting and shall be read at the next committee meeting. Meeting minutes shall be copied and distributed. Minutes may be amended as necessary, but shall be accepted by consensus. The chair shall be responsible to convey to the health commissioner in writing all committee actions including the council position delegates of the chairperson delegate, secretary delegate, Board of Health member delegate and alternate Board of Health member delegate.

Section 1.2. Vice-Chairperson - The Trumbull County Licensing Council, by majority vote of a quorum present, elect a vice-chairperson delegate. The vice-chairperson of the licensing council shall serve as chairperson, in the absence of the elected chairperson of the council.

Section 2. Secretary - The Health Commissioner of the Trumbull County Combined Health District shall serve as Secretary to the Trumbull County Health District Licensing Council, whose duty shall be to take and prepare minutes and draft and send any necessary correspondence. Any and all public requests for documents or minutes of the council may be directed to that office at the discretion of the council chair and/or secretary.

Section 3. Board of Health Member - The Trumbull County Health District Licensing Council shall, by majority vote of a quorum present, elect a Board of Health delegate who shall be a member of the Trumbull County Board of Health. This person shall have the responsibility of attendance and participation in all Board of Health meetings and business. This shall be considered the primary delegate and shall, at this delegate's discretion, have the right to call upon the alternate delegate to attend and participate at a Board of Health meeting, including voting on issues before the Board of Health.

If a licensing council member's terms is less than five (5) years, and is voted to serve as the Board of Health Member, then that person shall hold office only for such term length as their licensing council term. They may serve their full five (5) years term, if they are reappointed to the licensing council by the health district advisory council.

Section 4. Alternate Board of Health Member - The Trumbull County Health District Licensing Council shall, by majority vote of a quorum present, elect an alternate Board of Health delegate who shall be a member of the Trumbull County Board of Health for any Board of Health meeting if specifically requested by the primary Board of Health member delegate. This person shall have the responsibility of attendance and participation in all Board of Health meetings and business as required. This person shall be considered the alternate delegate and shall, at this delegate's discretion, have the right to call upon the alternate delegate to attend and participate at a Board of Health meeting, including voting on issues before the Board of Health.

If the licensing council member's term is less than five (5) years, and is voted to serve as the Board of Health Alternate Member, then that person shall hold office only for

such term length as their licensing council term. They may serve their full five (5) year term, if they are reappointed to the licensing council by the health district advisory council.

Section 5. Meetings – Notifications - All meetings of the Trumbull County Health District Licensing Council are public and not exempt from any public meeting disclosure or notifications. All discussions, information, statements, work products, shall be considered public documents. The chair of the council shall be responsible for the notification of meetings to the public record by way of the Warren Tribune Chronicle and Youngstown Vindicator.

Any person (non-member invited participants) may be invited to attend and participate at any meeting of the Trumbull County Health District Licensing Council.

Section 6. Meetings - The Trumbull County Health District Licensing Council shall meet at least annually and more often as necessary to conduct business at the discretion of the chair. Meeting may be held at the health department office as may be arranged with health department administrative staff. Necessary clerical support for the conduct of the council's business, including typing document duplication, postage and mailings for reasonable requests, shall be made available through the health department administrative office.

Motions may be offered at any council meeting by any council member except motions to appoint council members. All motions will require a second and can be adopted only by affirmative majority vote with quorum present. All motions shall become part of the minutes. A quorum shall be 50% of all council members, plus one member.

Article XII: By-laws Amendments – The By-laws for the Trumbull County Health District Licensing Council can be repealed, replaced, or amended any regular meeting of the council by a simple majority vote. Changes to by-laws shall take effect at the following meeting.

Amended 3/20/17
Amended 2/17/12
Revised & Adopted 2/27/02