

**City of Carson City
Agenda Report**

Date Submitted: March 8, 2011

Agenda Date Requested: March 17, 2011

Time Requested: 15 minutes

To: Carson City Board of Health
From: Health and Human Services

Subject Title: Discussion and action to adopt revised By-Laws for the Carson City Board of Health. (Marena Works, Director of Health and Human Services)

Staff Summary: During the September 2010 Board of Health meeting, developing BOH By-laws was identified as one of 5 top priorities for the BOH. By-laws were therefore drafted and presented at the December 2010 BOH meeting. During that meeting several suggestions were given in regards to the presented by-laws. Those suggestions are integrated into this amended version of the by-laws are now presented to the Board for approval.

Type of Action Requested: (check one)

☐ Resolution

☐ Ordinance

☒ Formal Action/Motion

☐ Other (Specify)

Does This Action Require A Business Impact Statement: ☐ Yes ☒ No

Recommended Board Action: I move to adopt the By-Laws for the Carson City Board of Health.

Explanation for Recommended Board Action: During the September 2010 Board of Health meeting, developing BOH By-laws was determined to be one of 5 top priorities. By-laws have been drafted and brought to the December, 2010 Board of Health for review. Suggested revisions from the December 2010 meeting were made and the final document is presented for approval.

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

Supporting Material: Drafted Board of Health By-Laws

Prepared By: Marena Works, Director

Reviewed By:

(Health Department)

(City Manager)

(District Attorney)

(Finance Director)

Date: 3-9-11

Date: 3/9/11

Date: 3/9/11

Date: 3/9/11

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

CARSON CITY BOARD OF HEALTH BYLAWS

Article 1: Name

1. The name of this board shall be the Carson City Board of Health, hereinafter referred to as the Board.

Article 2: Authority

1. **The Board is authorized under** NRS 439.280

Article 3: Purpose and Function

1. The purposes and functions of the Board are to:
 - a. Protect and promote the public health generally.
 - b. Adopt, amend, and enforce reasonable regulations consistent with law in the areas outlined in NRS Chapters 439, 441A 444, 446, 450B, and all other statutes providing authority to adopt, amend and enforce health-related regulations consistent with law.
 - c. Adopt a schedule of reasonable fees to be collected for providing of public health services, including but not limited to issuing or renewing any health permit or a license required to be obtained from the Board or the Health District pursuant to applicable law, with such permit or license fees being collected for the sole purpose of defraying the cost and expenses of the procedures for issuing licenses and permits, and investigation related thereto, and not for the purposes of general revenue generation.

Article 4: Composition

The composition of the Board as prescribed by NRS 439.280 and the terms of its members are as follows:

- a. The members of the Carson City Board of Supervisors whose terms on the Board of Health shall run concurrently with their terms in office.

- b. The Carson City Sheriff whose term on the Board of Health shall run concurrently with his term in office.
 - c. The County Health Officer whose term is prescribed by NRS 439.290.
- 2. Committees which include non-Board members may be created by Board action and the size and membership determined by the Board.
- 3. No member of the Board can bind the Board by word or action unless the Board has, in its capacity as governing body, designated such member as its agent for some specific purpose and for that purpose only.

Article 5: Officers

The Carson City Health Officer shall act as chairman of the City Board of Health and the City Clerk shall be the clerk of the Board.

2. Chairman

- a. The Board of Supervisors shall appoint a health officer for the City on or before January 1 next following each general election.
 - i. In the case of refusal or neglect of the Board of Supervisors to appoint a city health officer for 30 days after January 1 next following any general election or if a vacancy shall exist in the office of city health officer exceeding 30 days, the State Health Officer may make such an appointment for the City for that term and fix the compensation. (NRS 439.310).
- b. The City Health Officer shall:
 - i. Be appointed on the basis of his or her graduate education in public health, training, experience and interest in public health and related programs (NRS 439.290).
 - ii. Act as chairman for a term of two years or until a successor has been appointed and qualified.

- iii. Receive compensation as fixed by the Board of Supervisors, which shall not be less than \$25 per month for performing the duties prescribed by law (NRS 439.300).
- iv. Preside at all meetings of the Board and enforce the parliamentary rules and order of business pursuant to the Agenda and the Nevada Open Meeting Law.
- v. Have the right to offer resolutions and to discuss questions.
- vi. Have the power to vote on all matters.
- vii. Call special meetings of the Board whenever there is sufficient business to come before the Board, or upon written request of three members of the Board.
- viii. Advise the Health Director on Agenda preparation for the meetings.
- ix. Sign all papers and documents as required by law or as authorized by action of the Board.
- x. Administer oaths or affirmations to witnesses at hearings.
- xi. Appoint a chairman and members of Board committees.
- xii. Exercise such other powers as may be delegated by the Board.
- xiii. With the approval of the Board of Supervisors appoint such deputies as may be necessary (NRS 439.330).

3. Vice Chairman

a. The vice-chairman shall, in the absence of the chairman, serve in the capacity and assume the duties of the chairman, taking actions appropriate to fulfill said responsibilities.

4. Secretary

a. The secretary shall:

- i. Call the Board meetings to order in the absence of the chairman and vice-chairman, and serve in the capacity of the chairman and assume the duties of the chairman.
- ii. Exercise such other powers that may be delegated by the Board.

Article 6: Meetings

1. The Board shall hold its regular meetings as frequently as determined by the Board, generally on the third Thursday of the month at least every quarter, unless such interferes with holidays or circumstances justify the setting otherwise.
2. As prescribed by law, a majority of the members of the Board constitutes a quorum.
3. Motions on action items shall require a second.
4. Any action of the Board shall require majority vote of the members in attendance and eligible to vote, except when adopting regulations or amending these bylaws whereby an affirmative vote of a majority of all members of the Board is required.
5. A roll call vote of record of the Board shall be had upon request of any Board member.
6. Special meetings may be held upon notice to each member of the Board as often and in such places within the City as the needs of the Board require.
7. Meetings will generally follow parliamentary procedure as contained in Robert's Rules of Order insofar as they do not conflict with the Nevada Revised Statutes and these bylaws.

Article 6: Staffing

1. Staff to the Board shall be provided by Carson City Health and Human Services for purposes of secretarial, research, and other needs.

Article 7: Amendments

1. These Bylaws may be amended by an affirmative vote of a majority of all members of the Board.

Adopted by the Carson City Board of Health March 17, 2011.

DRAFT