



STAFF REPORT

Report To: Board of Health **Meeting Date:** May 16, 2019

Staff Contact: Nicki Aaker, Health & Human Services Director

Agenda Title: For Possible Action: Discussion and possible action on proposed revisions to the Carson City Board of Health Bylaws. (Nicki Aaker, naaker@carson.org)

Staff Summary: The Carson City Board of Health Bylaws were initially approved on March 17, 2011 and have not been updated. Revisions to the Bylaws are proposed for clarification of duties as prescribed by NRS Chapter 439 and to authorize the election of a Vice Chair.

Agenda Action: Formal Action / Motion **Time Requested:** 10 mins

Proposed Motion

I move to approve the Carson City Board of Health Bylaws as proposed.

Board's Strategic Goal

Quality of Life

Previous Action

The Bylaws were initially adopted by the Carson City Board of Health on March 17, 2011.

Background/Issues & Analysis

The Bylaws have not been revised since initial adoption on March 17, 2011.

Applicable Statute, Code, Policy, Rule or Regulation

NRS Chapter 439

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Provide alternative direction.

Attachments:

[CC BOH By laws_Red Line Version2.docx](#)

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

CARSON CITY BOARD OF HEALTH BYLAWS

Article 1: Name

This public body will be known as the Carson City Board of Health, hereinafter referred to as the Board.

Article 2: Authority

1. This Board is established by the Carson City Board of Supervisors (Board of Supervisors) pursuant to its authority under NRS 439.280, and is authorized to exercise all powers and authority delegated to it under applicable state law and any regulations adopted thereto.
2. The Board is not bound by any act of an individual member unless the Board has expressly designated that individual member for the carrying out of a specific duty on behalf of the Board.

Article 3: Purpose and Function

1. Pursuant to NRS 439.350, this Board shall:
 - (a) Oversee all sanitary conditions of Carson City.
 - (b) Adopt such regulations as this Board determines is necessary for the prevention, suppression and control of any contagious or infectious diseases dangerous to the public health.
 - (c) File with the Carson City Office of the Clerk-Recorder a copy of all regulations adopted pursuant to this Article, each of which takes effect immediately upon approval by the State Board of Health.
2. Pursuant to any other authority granted by applicable state law and any regulations adopted thereto, including, without limitation, NRS 439.360, this Board may exercise additional powers consistent with the purpose of this Board.

Article 4: Composition and Terms

1. As required by NRS 439.280, this Board will consist of each member of the Board of Supervisors, the Carson City Sheriff and the Carson City Health Officer.

2. The term of each member of the Board is as follows:

(a) For a member who is also a member of the Board of Supervisors, the term will run concurrently with the term of the elected office.

(b) For the Carson City Sheriff, the term will run concurrently with the term of the elected office.

(c) For the County Health Officer, the term will be for two years or until a successor has been appointed and qualified, as prescribed by NRS 439.290.

Article 5: Officers

The Carson City Health Officer shall act as chair of the Board and the Carson City Clerk-Recorder shall be the clerk of the Board. One other member of the Board shall act as vice chair of the Board.

Chair:

1. The Board of Supervisors shall appoint the County Health Officer for Carson City on or before January 1 next following each general election. Pursuant to NRS 439.310, in the case of refusal or neglect of the Board of Supervisors to appoint the Carson City Health Officer for 30 days after January 1 next following any general election, or if a vacancy exists in the office of Carson City Health Officer exceeding 30 days, the Chief Medical Officer, as that term is defined by NRS Chapter 439, may make such an appointment for Carson City for that term and fix the compensation.

a. 2. The Carson City Health Officer must, in accordance with NRS 439.290, be appointed on the basis of his or her graduate education in public health, training, experience and interest in public health and related programs. The Carson City Health Officer shall also:

(a) Pursuant to NRS 439.310, 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 .

(b) Preside at all meetings of the Board and enforce parliamentary rules and the proper order of business under all agendas and in accordance with the Nevada Open Meeting Law.

(c) Have the right to offer resolutions and to discuss questions that are relevant to the jurisdictional authority of the Board.

(d) Have the power to vote on all matters before the Board.

(e) Call special meetings of the Board whenever there is sufficient business to come before it or upon written request of not less than three members of the Board.

i. (f) Sign all papers and documents as required by law or as authorized by action of the Board.

ii. (g) Administer oaths or affirmations to witnesses at hearings.

iii. (h) Appoint a chairman and members of any subcommittee created by the Board.

iv. (i) Exercise such other powers as may be delegated by the Board.

v. (j) With the approval of the Board of Supervisors and in accordance with NRS 439.330, appoint such deputies as may be necessary.

(k) Perform any other duty that is required or necessary in compliance with applicable state law or any regulation adopted thereto.

Vice Chair

The vice chair shall, in the absence of the chair, serve in the capacity and assume the duties of the chair, and take any actions as may be necessary and appropriate to fulfill those duties. The vice chair, whose office is not compensated, may be appointed by majority vote of the Board and his or her term will run concurrently with the term of the County Health Officer.

Article 6: Meetings

1. The Board shall hold its regular meetings as frequently as determined appropriate by the Board, generally on the third Thursday of each month and at least once every quarter.
2. As prescribed by law, a majority of the members of the Board constitutes a quorum.
3. As a matter of parliamentary procedure, any motion made by a

member on an agenda item noted as for possible action must be followed by a second before discussion and a vote.

4. All actions of the Board require a majority vote of the members in attendance and eligible to vote, except the adoption of regulations or the amendment of these Bylaws pursuant to Article 8 require an affirmative vote of a majority of all members of the Board.
5. A roll call vote of record of the Board must be made upon request of any Board member.
6. Special meetings of the Board may be held after proper notice is given in accordance with the Nevada Open Meeting Law, and as often as the needs of the Board may require.
7. Meetings must generally follow parliamentary procedure as contained in Robert's Rules of Order insofar as they do not conflict with NRS and these Bylaws.

Article 7: Staffing

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

Article 8: Amendments may only be amended by an affirmative vote of a majority of all members of the Board.

Adopted by the Carson City Board of Health this _____ day of _____, 2019.

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