



McHenry County Board of Health

Bylaws

2024

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BYLAWS

MCHENRY COUNTY BOARD OF HEALTH

FORMED UNDER THE COUNTY HEALTH DEPARTMENT ACT

PREAMBLE

The McHenry County Board of Health was appointed and operates under provisions of “An Act in relation to the establishment and maintenance of county and multi-county public health departments” (55 ILCS 5/5-25001 et seq.).

Article I - Name

The Name of this body shall be the McHenry County Board of Health.

Article II - Purpose

The Board of Health shall establish the policy, in accordance with its mission and vision, to assure the delivery of sound programs of disease prevention, health promotion, safety and protection of food, water, and the environment.

Article III - Membership and Terms of Office

- A. The McHenry County Board of Health shall consist of twelve (12) members appointed by the Chairman of the McHenry County Board with the approval of the County Board.
- B. Membership on the Board of Health shall consist of at least two (2) physicians licensed in Illinois to practice medicine in all its branches; at least one (1) member shall be a dentist licensed in Illinois and one (1) member shall be chosen from the County Board and at least one registered nurse licensed in Illinois other members may include representation from food service or civil engineering or veterinary services (55 ILCS 5/5-25012).
- C. The County Board liaison member is appointed to a one year term. All other members are appointed to a full three (3) year term (55 ILCS 5/5-25012).
- D. All members shall be chosen for their specific fitness for membership on the Board in conformance with the County Health Department Act (55 ILCS 5/5-250 12).
- E. Any member may be removed for misconduct or neglect of duty by the Chairman of the County Board with the approval of the County Board (55 ILCS 5/5-250 12). Members being absent from three (3) or more consecutive meetings shall be considered to be in neglect of their duties and may be referred to the Chairman of the McHenry County Board for removal unless they present just reason to the President.

- F. Board of Health members may receive compensation as remuneration for their services to the Board of Health. Rates for compensation shall be established by the McHenry County Board. Board of Health members may be reimbursed for actual necessary expenses incurred in the performance of their duties, such as attendance at meetings of the Board of Health, committee meetings of the Board of Health, attend other meetings as a representative of the Board of Health, or at meetings of the Illinois Association of Boards of Health (55 ILCS 5/5-25012).
- G. Vacancies on the Board of Health shall be filled for the unexpired term by the Chairman of the County Board (55 ILCS 5/5-25012).

Article IV - Officers

- A. The officers of the McHenry County Board of Health shall be a president, vice-president, secretary, and treasurer. (55 ILCS 5/5-25013).
- B. An election of officers shall be held annually prior to the end of the operating fiscal year and they shall be elected for the ensuing fiscal year (55 ILCS 5/5-25013). No member shall hold more than one office at a time and no member shall hold an office for more than three consecutive years.
- C. A vacancy in the office of president shall be filled by the vice-president until the next regular election. The office of the vice-president will then remain vacant until the next regular election.
- D. A vacancy in the office of secretary shall be filled through the appointment by the president with the consent of the Board. A member appointed to fill a vacancy shall serve the remainder of the term until the annual election of officers.
- E. In the absence of the President, the Vice-President shall serve as President pro-tem in accordance with these Bylaws and Robert's Rules of Order. In the absence of both the President and Vice-President the Secretary shall serve as President pro-tem. In the absence of the President, Vice President and the Secretary, the Treasurer shall serve as the President pro-tem. In the absence of all four officers the Public Health Administrator shall call the meeting to order and a president pro-tem shall be elected from the Board members present.
- F. Board of Health officers shall perform the duties prescribed by these Bylaws, and unless otherwise stated, Robert's Rules of Order.

Article V - Meetings and Voting

- A. The regular meetings of the Board of Health shall be held monthly on the day established by the Board, unless otherwise voted on, and all meetings will be in accord with the Illinois Open Meetings Act.
- B. Special meetings may be held at any time at the written request of two (2) members of the Board and filed with the Secretary or on request of the Public

Health Administrator. Only items on the announced agenda may be considered at a special meeting (55 ILCS 5/5-25013).

- C. A quorum shall be constituted by the attendance of at least a majority of board members physically present. A quorum for committee meetings shall consist of a majority of the appointed members present. Board members attending a meeting remotely cannot be considered present for the purpose of quorum. If a quorum is established, a board member attending the meeting is considered present.
- D. A board member may attend a meeting remotely due to: (i) personal illness or disability; (ii) employment purposes or the business of the Board; (iii) a family or other emergency.
- E. All questions before the Board shall be decided by a majority vote of all members present. Present can be defined as in person or by a conferencing telephone call.

Article VI - Powers and Duties 55 ILCS 5/5-25013)

- A. The McHenry County Board of Health shall within its jurisdiction and professional and technical competence, enforce and observe all State laws pertaining to the preservation of health, and all county and municipal ordinances except as otherwise stated in the County Health Department Act.
- B. The Board shall within its jurisdiction, and professional and technical competence, investigate the existence of any contagious or infectious disease and adopt measures, not inconsistent with the regulations of the State Department of Public Health, to arrest the progress of the same.
- C. The Board shall within its jurisdiction, and professional and technical competence, make all necessary sanitary and health investigations and inspections.
- D. The Board shall upon request, give professional advice and information to city, village, incorporated town and school authorities, within its jurisdiction, in all matters pertaining to sanitation and public health.
- E. The Board shall, appoint a medical health officer as Administrator of the department; or shall appoint a Public Health Administrator who shall possess such qualifications as may be prescribed by the State Department of Public Health as executive officer for the department; provided that the board of health shall make available medical supervision which is considered adequate by the Director of Public Health.
- F. The Board shall employ such professional employees as may be approved by the Public Health Administrator who meet the qualification requirements of the State Department of Public Health for their respective positions, and such other officers and employees as may be necessary.

- G. The Board shall prescribe the powers and duties of all officers and employees, fix their compensation, and authorize payment of the same and all other Department expenses from the County General Fund.
- H. The Board shall submit an annual budget to the County Board.
- I. The Board shall consult with other private and public health agencies in the county in the development of local plans for the most efficient delivery of health services.
- J. The Board shall initiate and carry out programs and activities of all kinds, not inconsistent with law, that may be deemed necessary or desirable in the promotion and protection of health and in the control of disease.
- K. The Board may receive contributions of real and personal property.
- L. The Board may recommend to the County Board the adoption of such ordinances and of such rules and regulations as may be deemed necessary or desirable for the promotion of health and control of disease.
- M. The Board may enter into contracts with the State, municipalities, other political subdivisions, and non-official agencies for the purchase, sale, or exchange of health services.
- N. The Board may set fees it deems reasonable and necessary (i) to provide services or perform regulatory activities, (ii) when required by State or federal grant award conditions, (iii) to support activities delegated to the board of health by the Illinois Department of Health, or (iv) when required by other private or governmental organization, unless the fee has been established as a part of a regulatory ordinance adopted by the county board, in which case the board of health shall make recommendations to the county board concerning those fees. Revenues generated under this Section shall be deposited to the County General Fund.
- O. The Board shall provide, equip and maintain suitable offices, facilities and appliances for the Health Department.
- P. The Board shall review at each meeting the fiscal status of the Health Department and shall act on all bills paid or incurred since the last meeting. A record of all receipts and disbursements by the Health Department shall be kept by the Board of Health.
- Q. The Board shall have an annual audit to be made of the Health Department's accounts. (The County Auditor's annual audit of all accounts which includes the Health Department, may be accepted as the Board of Health's official audit, or an additional audit by a competent auditor may be obtained).
- R. The Board shall publish annually, within 90 days after the end of the operating fiscal year, in pamphlet form, for free distribution, and annual report containing, a report of financial condition, statistics, and other information in regard to the work

of the Health Department as it may deem of general interest and of which a copy shall be submitted to the County Board.

Article VII – Committees

- A. The President of the Board of Health shall, from among Board of Health members, appoint with the concurrence of the Board of Health, such committees as seem appropriate for conduct of the Board of Health business.
- B. The President shall appoint the following standing committees of the board at the first meeting of the year:
 - a. Finance Committee
 - b. Personnel Committee
 - c. Regulation, Ordinance, Promotion and Planning Committee
 - d. Board of Health Hearing CommitteeEach of these committees shall consist of at least three members; one of which shall be designated as chairman.

- C. The responsibilities of the **Finance Committee** shall be:
 - a. Review Annual Budget and make recommendation to Board
 - b. Report financial status to Board quarterly
 - c. Be familiar with the Department's annual spending plan
 - d. Carry out other fiscal functions as requested by Board
 - e. Review major fund transfers and advise the Board
 - f. Review Income and Expenditure Statements
 - g. Work with the Public Health Administrator to establish budgetary priorities

- D. The responsibilities of the **Personnel Committee** shall be:
 - a. Review and recommend to the Board changes in the Personnel Policy
 - b. Conduct an annual performance review of the Public Health Administrator and make compensation recommendations to the Board.
 - c. Review and recommend changes for staff salary plan to the Board
 - d. Nominate a slate of officers for the upcoming year and present the slate to Board at its October meeting.
 - e. Review and recommend organizational changes to the Board.

- E. The Responsibilities of the **Regulation, Ordinance, Promotion and Planning Committee** shall be:
 - a. Review and recommend to the Board changes to the regulations and ordinances related to the public's health
 - b. Hold hearings for the Board on proposed regulations and/or ordinances as appropriate and health issues being considered for regulation
 - c. Develop in conjunction with the Public Health Administrator a plan to achieve and understanding of the functions and programs of the Health Department by all constituencies
 - d. Monitor and evaluate the progress in achieving the Goals and objectives of the Health Promotion Plan
 - e. Review and recommend to the Board position statements on public health issues for departmental guidance and public information

- f. Establish, in conjunction with the Department, a procedure for developing a long range plan for the Department
- g. Monitor the progress of the Department in achieving the goals and objectives contained in the plan
- h. Review and recommend to the Board annually an update to the plan establishing new annual objectives

- F. Responsibilities of the **Board of Health Hearing Committee** shall be:
- a. Hear appeals when an individual or entity disagrees with an order or decision of the Public Health Administrator
 - b. Conduct a hearing
 - c. Make a finding of fact
 - d. Make a recommendation to the Board of Health

Noted experts in their field may serve as consultants to such committees. Such consultants shall be selected by the President or the Committee and shall serve in an advisory role only and not have a vote nor determining role in committee actions, findings, and recommendations to the Board.

The President may appoint, with the concurrence of the Board, advisory committees made up of McHenry County residents or providers.

The President shall serve as an ex-officio member of all committees of the Board without voting privileges except those committees of which he/she is an appointed member.

Article VIII - Fiscal Year

The fiscal year of the Board of Health shall be the same as that of the County government, December 1 through November 30.

Article IX - Property of the Board of Health

The Board of Health shall request the Public Health Administrator to keep an accurate inventory of all property of the Health Department.

Article X - Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Board of Health in all cases to which they are applicable and in which they are not inconsistent with these Bylaws.

Article XI - Amendments

The Bylaws of the McHenry County Board of Health may be amended by a two-thirds (2/3) vote of the Board members in attendance at a regular or special meeting of the Board at which there is a quorum present provided that a written notice of the proposed changes be sent to each member at least two (2) weeks prior to the meeting at which the Bylaws are to be amended.