

Person County Board of Health Operating Procedures

1. Name and Office.

The name of this organization is the Person County Board of Health (hereinafter "Board"). The principal office of the Board is located at 355-A South Madison Boulevard, Roxboro, North Carolina 27573.

2. Officers and Committees.

a. Chair and Vice-Chair

The Board members shall elect a Chair and Vice-Chair by majority vote each year at the June meeting.

b. Secretary

The local health director shall serve as Secretary to the Board, but the director is not a member of the Board. The local health director may delegate the duties of the Secretary that are set forth in these operating procedures to an appropriate local health department employee.

c. Standing committees

The Board may have the following standing committees:

Environmental Health Subcommittee – shall consist of a chair and four to five Board members. Members select the subcommittee on which to serve. The committee elects a chair for the upcoming year at the June meeting. The Environmental Health Subcommittee meets with members of the Environmental Health Staff and the Health Director to become more knowledgeable about programmatic components.

Personal Health Subcommittee- shall consist of a chair and four to five Board members. Members select the subcommittee on which to serve. The committee elects a chair for the upcoming year at the June meeting. The Personal Health Subcommittee meets with members of the Personal Health Staff and the Health Director to become more knowledgeable about programmatic components.

Personnel Committee- Members are appointed by the Board Chair to assess the Health Director's performance. This committee meets at least annually.

Nominating Committee- Three members are appointed at the April meeting by the Chair. It shall be the duty of this committee to nominate candidates for the offices to be filled at the regular meeting in June. The committee will present the slate of officers during the May meeting. Before the election in June, additional nominations from the floor shall be permitted.

Board of Health members will also assist with the recruitment of members who are reflective of the community served to fill vacant positions.

All standing committees are subject to the North Carolina open meetings laws and shall comply with the provisions of those laws.

d. Temporary committees

The Board may establish and appoint members for temporary committees as needed to carry out the Board's work. All temporary committees are subject to the North Carolina open meetings laws and shall comply with the provisions of those laws.

3. Meetings.

a. Regular Meetings.

The Board shall hold a regular meeting according to the schedule as adopted annually by the Board during the June meeting. The Board shall meet at least quarterly. If a regular meeting day is a legal holiday, the meeting shall be held on the next business day or as approved by the Board of Health. The meeting shall be held at the Person County Health Department, 355-A South Madison Boulevard, Roxboro, North Carolina and shall begin at 6:00 pm.

b. Agenda.

The Secretary to the Board shall prepare an agenda for each meeting. Any person who wishes to place an item of business on the agenda shall submit a request to the Secretary at least five working days before the meeting. For regular meetings, the Board may add items to the agenda or subtract items from the agenda by a majority vote. The agenda for a special or emergency meeting may be altered only if permitted by and in accordance with the North Carolina open meetings laws.

A consent agenda may be utilized during each meeting. Items may be removed from the consent agenda on the request of any member. Items not removed may be approved by general consent without debate. Removed items may be discussed immediately after the consent agenda or placed later on the agenda at the discretion of the Board.

c. Presiding Officer.

The Chair of the Board shall preside at Board meetings if he or she is present. If the Chair is absent, the Vice-Chair shall preside. If the Chair and Vice-Chair are both absent, another member designated by a majority vote of members present at the meeting shall preside.

d. Quorum.

A majority of the actual membership of the Board, excluding vacant seats, shall constitute a quorum. A member who has withdrawn from a meeting without being excused by a majority vote of the remaining members shall be counted as present for purposes of determining whether or not a quorum is present.

e. Voting.

Each Board member shall be permitted to abstain from voting, by so indicating when the vote is taken. A member must abstain from voting in cases involving conflicts of interest as defined by North Carolina law. If a member has withdrawn from a meeting without being excused by a majority vote of the remaining members, the member's vote shall be recorded as an abstention.

f. Remote Participation in Board Meetings

A member who is not physically present for a Board meeting and provides at least 24-hour notice to the Health Director or their designee, may take part in debate in the meeting by electronic means but may neither be counted toward a quorum nor may be the deciding vote on any matter before the Board. See Attachment C.

During a State-Level Declared Emergency, the Board will follow the provisions for Remote Meetings set forth in NCGS 166A-19.24.

g. Minutes.

The Secretary shall prepare minutes of each Board meeting. Copies of the minutes shall be made available to each Board member before the next regular Board meeting. At each regular meeting, the Board shall review the minutes of the previous regular meeting as well as any special or emergency meetings that have occurred since the previous regular meeting, make any necessary revisions, and approve the minutes as originally drafted or as revised. The public may obtain copies of Board meeting minutes at the Person County Health Department, 355-A South Madison Boulevard, Roxboro, North Carolina 27573.

4. Amendments to and Review of Operating Procedures.

These operating procedures will be reviewed annually in January. These operating procedures may be amended at any regular meeting or at any properly called special

meeting that includes amendment of the operating procedures as one of the stated purposes of the meeting. A quorum must be present at the meeting at which amendments are discussed and approved, and any amendments must be approved by a majority of the members present at the meeting.

5. Other Procedural Matters.

The Board shall refer to the current edition of *Robert's Rules of Order Newly Revised (RONR)* to answer procedural questions not addressed in this document, so long as the procedures prescribed in *RONR* do not conflict with North Carolina law. Members of the Board of Health must receive an orientation at the beginning of the member's initial term.

Members are expected to attend at least 75% of the scheduled meetings.

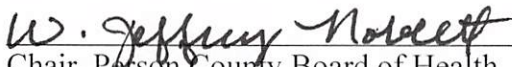
6. Compliance with North Carolina Law.

In conducting its business, the Board shall comply with all applicable North Carolina laws, including but not limited to open meetings laws, public records laws, and the laws setting forth the powers and duties of local boards of health. The Board will follow the appeals procedure as defined in the North Carolina General Statutes 130A-24. To assist the Board in compliance, the local health director shall maintain a current copy of relevant North Carolina General Statutes and make them available to Board members on request.

7. Rule Making

When adopting rules, the Board shall follow NCGS 130A-39 and the Person County Board of Health Public Hearing Rules of Procedure. See Attachments A and B.

Approved and adopted by the Person County Board of Health on April 28, 2025.


Chair, Person County Board of Health


Secretary, Person County Board of Health

DATE DEVELOPED: December 28, 2006

DATE REVIEWED: 5/19/2008, 1/26/2009, 1/25/2010, 1/24/11, 1/23/12, 1/28/13, 2/24/14, 1/26/15, 1/25/16, 1/23/17, 6/26/2017, 1/25/2018, 4/29/2018, 1/28/2019, 1/27/20, 1/25/21, 1/24/22, 1/23/23, 2/26/24, 2/24/25

DATE REVISED: 9/19/2007, 5/19/2008, 5/17/2010, 07/18/11, 1/23/12, 6/26/2017, 2/25/2019, 2/24/2020, 1/23/23, 2/26/24, 4/28/25

Attachment A

§ 130A-39. Powers and duties of a local board of health.

(a) A local board of health shall have the responsibility to protect and promote the public health. The board shall have the authority to adopt rules necessary for that purpose.

(b) A local board of health may adopt a more stringent rule in an area regulated by the Commission for Public Health or the Environmental Management Commission where, in the opinion of the local board of health, a more stringent rule is required to protect the public health; otherwise, the rules of the Commission for Public Health or the rules of the Environmental Management Commission shall prevail over local board of health rules. However, a local board of health may not adopt a rule concerning the grading, operating, and permitting of food and lodging facilities as listed in Part 6 of Article 8 of this Chapter and as defined in G.S. 130A-247(1), and a local board of health may adopt rules concerning wastewater collection, treatment and disposal systems which are not designed to discharge effluent to the land surface or surface waters only in accordance with G.S. 130A-335(c).

(c) The rules of a local board of health shall apply to all municipalities within the local board's jurisdiction.

(d) Not less than 10 days before the adoption, amendment or repeal of any local board of health rule, the proposed rule shall be made available at the office of each county clerk within the board's jurisdiction, and a notice shall be published in a newspaper having general circulation within the area of the board's jurisdiction. The notice shall contain a statement of the substance of the proposed rule or a description of the subjects and issues involved, the proposed effective date of the rule and a statement that copies of the proposed rule are available at the local health department. A local board of health rule shall become effective upon adoption unless a later effective date is specified in the rule.

(e) Copies of all rules shall be filed with the secretary of the local board of health.

(f) A local board of health may, in its rules, adopt by reference any code, standard, rule or regulation which has been adopted by any agency of this State, another state, any agency of the United States or by a generally recognized association. Copies of any material adopted by reference shall be filed with the rules.

(g) A local board of health may impose a fee for services to be rendered by a local health department, except where the imposition of a fee is prohibited by statute or where an employee of the local health department is performing the services as an agent of the State. Notwithstanding any other provisions of law, a local board of health may impose cost-related fees for services performed pursuant to Article 11 of this Chapter, "Wastewater Systems," for services performed pursuant to Part 10, Article 8 of this Chapter, "Public Swimming Pools", for services performed pursuant to Part 11, Article 8 of this Chapter, "Tattooing", and for services performed pursuant to G.S. 87-97. Fees shall be based upon a plan recommended by the local health director and approved by the local board of health and the appropriate county board or boards of commissioners. The fees collected under the authority of this subsection are to be deposited to the account of the local health department so that they may be expended for public health purposes in accordance with the provisions of the Local Government Budget and Fiscal Control Act. (1901, c. 245, s. 3; Rev., s. 4444; 1911, c. 62, s. 9; C.S., s. 7065; 1957, c. 1357, s. 1; 1959, c. 1024, s. 1; 1963, c. 1087; 1973, c. 476, s. 128; c. 508; 1977, c. 857, s. 2; 1981, c. 130, s. 2; c. 281; c. 949, s. 4; 1983, c. 891, s. 2; 1985, c. 175, s. 1; 1989, c. 577, s. 2; 1991 (Reg. Sess., 1992), c. 944, s. 10; 1993 (Reg. Sess., 1994), c. 670, s. 2; 1995, c. 507, s. 26.8(c); 2006-202, s. 6; 2007-182, s. 2.)

Attachment B-

**PERSON COUNTY BOARD OF HEALTH
PUBLIC HEARING
RULES OF PROCEDURE
Adopted February 25, 2008
Amended November 21, 2022**

1. Persons desiring to speak must sign up to do so on a list provided by the county by 6:00 PM on the night of the public hearing.
2. Proponents and opponents to the issue before the Board shall each be allowed a maximum of one hour for presentations.
3. Each speaker shall be allowed 5 minutes to make a presentation
 - (a) If there are more than 12 speakers for the proponents the time allowed for each speaker will be adjusted accordingly.
 - (b) If there are more than 12 speakers for the opponents the time allowed for each speaker will be adjusted accordingly.
4. Members of the board will not ask questions or engage in debate with speakers.
5. Any written material should be provided to the clerk of the Board of Health.

The County Attorney will explain the proposed rule and the public hearing procedures.

Attachment C-

Board of Health Remote Meetings Procedure

Purpose:

To provide an avenue for Board of Health members to participate in meetings remotely.

Procedure:

Board meetings shall be conducted in compliance with the North Carolina Open Meetings Law. To enable all Board members to participate fully in Board meetings, the following requirements shall apply whenever a Board member can only participate in a Board meeting through electronic means:

1. A quorum of the Board must be physically present for the meeting. The remote participant will not be included in determining whether or not a quorum is present in the meeting.
2. The remote participant must be able to hear the Board's discussion and any presentations made to the Board during the meeting.
3. Technical arrangements must be made so that the remote participant's comments can be heard by all present for the meeting, including the public.
4. The remote participant must notify the Board Chair and Health Director sufficiently in advance of the meeting to ensure that all requirements of remote participation, including technical and equipment needs, can be addressed in advance of the meeting.
5. The remote participant may not vote on any matter.
6. The remote participant may not participate in a closed session.
7. The Board minutes must reflect that the remote participant was not physically present.
8. A Board member is discouraged from participating remotely in more than 1 regular Board meeting in a 12-month period.

A Board member who follows the requirements for remote participation shall not be considered absent from attending a regular Board meeting.