



# TIOGA COUNTY BOARD OF HEALTH

## BY-LAW REVIEW SUBCOMMITTEE MEETING MINUTES March 10, 2023

### **BOARD MEMBERS PRESENT :**

T. Leary, FNP  
W. Standinger III, Legislator

### **ABSENT:**

W. Simmons

### **OTHER(S) PRESENT:**

H. Vroman, Interim Public Health Director  
A. Reigelman, Secretary to the Public Health Director

### **CALL TO ORDER:** 9:43 A.M.

### **Discussion:**

Subcommittee met to review and discuss Board of Health By-Laws. Comments submitted prior to the meeting by Board members Dr. Nytch and Mr. Simmons were considered. Ms. Vroman sent members samples of Board of Health By-Laws from Chemung and Cayuga Counties to also consider.

### **By-Law Suggested Revisions:**

#### In Chapter II, Section 1:

Mr. Simmons requested clarification on Article 28 and Article 36 Diagnostic and Treatment Center. Ms. Leary suggested a definition section might be a useful addition and to include Article 28 and Article 36 definitions, or to just reference where to locate said definitions in the case changes are made to regulations so that By-Laws do not have to continuously be updated.

Ms. Vroman also asked if the Board would prefer to include additional specific duties of the Public Health Director, to hold the Public Health Director accountable. Decision made to include language to end of Section 1. "and other assigned duties, as outlined in position description," including a reference to the Tioga County's position description for Public Health Director.

#### Chapter II, Section 2.:

Dr. Nytch commented that the Medical Consultant should be a member of the Board. Subcommittee agreed to include language that the Medical Consultant should be a voting member of the Board of Health.

#### Chapter II, Section 3:

Dr. Nytch commented to include at end of statement: "and may be referred to office of professional discipline, NYS Education Department; if warranted. Subcommittee in agreement to include.

#### Chapter III, Section 1:

Ms. Vroman stated that she reached out to NYSACHO for guidance on the matter of having three physicians, who responded saying other counties also struggle with this and is moving for push to update regulation. Subcommittee decided to leave as edited, but to specify "seven voting members," and to include statement: "Board of Health can designate ex-officio or other relevant non-voting members as situation dictates."



## TIOGA COUNTY BOARD OF HEALTH

Decision made to combine the new Chapter VII Section 1 and 2 with Chapter III (Membership Oath of Office, Trainings)

Chapter IV.:

Discussion of Board compensation. Ms. Vroman stated she would research, see if this chapter needs to be included.

Chapter V, Section 1:

Change to include- Public Health Director may designate secretarial duties.

Chapter V., Section 7.:

Would prefer to keep broad. Needs full Board discussion.

Chapter VIII, Section 1.:

Ms. Vroman suggested to change "Third Thursday of the Month," to "once a month." Subcommittee agreed with change.

Chapter VIII, Section 4.

Subcommittee included Dr. Nytch's comment, "Appointed committees also must keep and submit minutes and noted each meeting of Board."

Chapter VIII, Section 5.

Noted Dr. Nytch's comment on considering including "approved" local media list and discussed.

Chapter IX., Section 1.

Posed change from review of By-Laws every 3 years to annual review.

Chapter IX., Section 2.

Change language to "Any request of amendment..." Discussion of changing time length of fourteen days in advance to something more accommodating.

All sections not noted were deemed to leave as written.

Meeting adjourned at 10:45 A.M.

Minutes respectfully submitted by Abigail Reigelman.

**By-Laws**  
**Tioga County Board of Health**

**PROPOSED REVISIONS**  
**3/10/2023**

Chapter I  
Governing Authority

The governing authority for the Tioga County Health District is the Tioga County Board of Health.

Chapter II  
Purpose

The purpose and aim of the organization shall be to establish and maintain a comprehensive continuum of Public Health services to all residents of Tioga County for the promotion and maintenance of optimum physical, psychological and environmental well-being and health.

To further the fulfillment of the stated purpose of the Tioga County Board of Health, the responsibilities are accepted and acted upon as needed.

Section 1. The Tioga County Board of Health shall advise the Tioga County Legislature on the appointment of a Director of Public Health to oversee the Tioga County Public Health Department as outlined in [Tioga County's position description](#)<sup>1</sup>, including its Article 28 and Article 36 Diagnostic and Treatment Center<sup>2</sup>.

Section 2. The Tioga County Board of Health shall advise the Tioga County Public Health Department's Director of Public Health on the appointment of the Medical and Dental Consultants. The Medical Consultant provides advice and guidance in connection with a variety of medical matters, such as preventative medicine, immunizations, disease outbreaks and other related details. [The Medical Consultant is an active, voting member of the Board of Health.](#)

Section 3. Quality of Practice issues that may be of concern to the Tioga County Board of Health will be brought before the Board by the Director of Public Health, [and may be referred to Office of Professional Discipline, New York State Education Department; if warranted.](#)

Section 4. The Board may adopt by-laws for the proper conduct of its affairs, election of officers and appointment of committees, not inconsistent with law.

Section 5. The Board may adopt or revise the Tioga County Sanitary Code in accordance with New York [Public Health](#) State law.

Chapter III  
Membership

Section 1. The Board of Health shall consist of at least seven [voting](#) members, one of whom shall be a member of the Legislature, selected by the Legislature. At least ~~two~~ [three](#) of whom

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<sup>1</sup> Tioga County Personnel & Civil Service Department. Position Description-Public Health Director. <https://www.tiogacountyny.com/media/yqybo53d/public-health-director-2022.pdf>.

<sup>2</sup> Public Health Law-Laws of New York. Article 28/Article 36. <http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO>:

shall be a physician ~~and a veterinarian~~ licensed to practice in the State of New York, ~~and one veterinarian.~~<sup>3</sup> Remaining members should reflect varied aspects of the community including geography of the population. ~~such as education, government, law, mental health and social services.~~

In addition to the voting members, the Board of Health can designate non-voting ex-officios or other relevant members as situation dictates.

Section 2. The members of the Board of Health shall be residents of the health district.

Section 3. Prospective members of the Board of Health shall be appointed by the Tioga County Legislature in accordance with Public Health Law, from candidates recommended by the Board of Health.

~~Section 4. Certain advisory bodies (e.g., environmental and/or professional) may be appointed by the Board of Health by nomination of the President or Tioga County Director of Public Health.~~

**Commented [RA1]:** Suggest removing Section 4. as same statement is made in Chapter V, Section 6.

Section 5. The term of office of each appointive member of the Board of Health shall be six years, and the term of one of the members shall expire annually; except that the term of office of the representative member of the legislature shall be for such lesser period as may be required in the event that he/she does not continue as a member of the legislature.

Section 6. In the event a Board member is absent for more than three consecutive regular monthly meetings within a twelve month period without reasonable cause, then the said member may be asked by the Board to resign.

Section 7. All members take oath of office upon being appointed by the Tioga County Legislature.

Section 8. All members shall complete attestations and trainings required in performance of their role as a Board member.

**Commented [RA2]:** Combine Sections 1 & 2 with Chapter 3. Membership

#### Chapter IV Compensation and Expenses of Members

**Commented [RA3]:** Requires Board Discussion.

Section 1. The members shall receive compensation fixed by the Tioga County Legislature for attendance at regular, special and standing committee meetings of the Board.

Section 2. A member of the Tioga County Legislature, who is also a member of the Tioga County Board of Health is not entitled to the per diem compensation for attendance at Board of Health meetings.

#### Chapter V Officers and Term of Office

Section 1. The officers of this Board shall be President, Vice-President and Secretary. The ~~Board of Health~~ Public Health Director may designate the ~~Tioga County Director of Public Health Secretary to the Public Health Director or the Tioga County Clerk of the Legislature or the Tioga County Director of Public Health~~ to act as its Secretary.

<sup>3</sup> Public Health Law-New York State Law. Title 3. Statute 343.  
<http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO:> .

Section 2. The Board shall elect a president from among its members who shall serve as presiding officer of the Board.

Section 3. The Board shall elect a vice-president from among its members who shall serve as presiding officer of the Board in the absence of the President.

Section 4. Biennially, the Board shall elect a President and Vice-President. The election shall take place at the ~~December~~ last regular meeting of the even numbered years.

Section 5. All officers shall assume office at the first January meeting and serve for 2 calendar years or until their successors have been elected and qualified to take office. The voting members, by a unanimous vote, may allow just one (1) additional 2 year term for the current President.

Section 6. The President shall have the power to establish appropriate committees and to appoint with the approval of the Board, the membership of such committees, such as a standing committee for credentialing for practitioners.

Section 7. The President shall have the power to sign papers, vouchers, documents, minutes, contracts, certificates, etc. as necessary to conduct the business and affairs of the Board in its relationship to its own particular affairs and to those of the Health Department requiring such action in the name of the Board of Health. The President may delegate any or all of these signature powers, per his/her name, to the Tioga County Director of Public Health except for those which, by law, (s)he must personally sign or execute.

Commented [RA4]: Needs Discussion. Make statement broad.

#### Chapter VI Rules of Order

Section 1. The deliberation of the Board shall be governed by "Robert's Rules of Order" when not in conflict with the by-laws, or laws of the Rules and Regulations of the State of New York.

Section 2. The President may recognize non-members of the Board and give such persons the opportunity to address the Board. The President may set a time limit on such discussions.

Section 3. With the approval of the Board, the President may call for closed sessions. Only actions taken by the Board in open session shall be considered a legal and binding decision of the Board.

Section 4. The President may call for a recess for a period of time not to exceed two hours.

#### Chapter VII <Title ?>

~~Section 1. All members take oath of office upon being appointed by the Tioga County Legislature.~~

~~Section 2. All members shall complete attestations and trainings required in performance of their role as a Board member.~~

Commented [RA5]: Combine Sections 1 & 2 with Chapter 3. Membership

Chapter VII VIII  
Meetings and Voting

Section 1. The Board shall meet ~~on the third Thursday of the~~ once a month.

Section 2. The Board of Health will meet at least 8 times per year.

Section 3. A simple majority of those board members present shall constitute a quorum at any regular or special meeting of the Board.

Section 4. Minutes of all regular Board of Health meetings shall be maintained as well as meetings of its committees & special meetings. An attendance record shall be included. Such minutes shall be recorded, signed, retained and made available for inspection during regular working hours of the Tioga County Public Health Department.

Section 5. The President may request the Secretary of the Board to advertise the time and date of the meeting in local media.

**Commented [RA6]:** Possible addition of "approved" media, needs discussion.

Section 6. The President, or other presiding officer of the Board may call special meetings thereof when in their judgment, the protection, preservation or improvement of the public health of the Health District or any part thereof requires it.

Section 7. If the President, or presiding officer of the Board, refuses to call a special meeting, upon written request of the majority of the Board a special meeting must be called.

Section 8. At all meetings each member shall have 1 vote, and may take part and vote in person only. A majority vote of those members present and voting shall govern.

Chapter VIII IX  
Amendments

Section 1. These by-laws shall be reviewed and/or revised by the Board of Health at least ~~every three years~~ annually.

Section 2. ~~Text of such~~ Any request for amendment must be mailed to each Board of Health member ~~at least fourteen (14) days~~ before the meeting at which it is to be voted upon. For the adoption of any amendment, a simple majority must be present and agree with a simple majority vote.

**Commented [RA7]:** More vague or more convenient time frame

Section 3. All amendments, unless specifically stating otherwise, shall be effective upon approval.

**July 16, 2020: By-Laws amended by unanimous vote of Tioga County Board of Health**