

Operating Procedures

Gaston County Department of Health and Human Services

1. Purpose

To establish the general operating procedures for the Gaston County Department of Health and Human Services Board, in compliance with state law and county regulations, and to establish an annual review of these operating procedures.

2. Name and Office

The name of this organization is the Gaston County Health and Human Services Board, (hereinafter “Board”). The principal office of the Board is located at the Gaston County Department of Health and Human Services, 330 Dr. Martin Luther King Jr. Way , Gastonia, NC 28052.

3. Authority of the Board

Except as otherwise provided, this consolidated human services board shall have the powers and duties set forth under Chapters 153A-77 and 122C of the North Carolina General Statutes, the relevant portions of the North Carolina Administrative Code, and the Gaston County Code of Ordinances. The Board shall consult the Gaston County Attorney for legal opinions or guidance regarding policy-making, rule-making, and adjudicatory activities.

The Board shall have the responsibility to protect and promote the public’s health and wellbeing, and to provide necessary advice to local officials through the County Manager.

- a. Delegation of Authority: The Board delegates authority to the Director and Division Directors to correspond with the Board of County Commissioners, other units of government, foundations, and community groups on public health and social services matters and needs. The Director and Division Directors will communicate updates to the Board during regularly scheduled meetings.

4. Officers and Committees

- a. Chair and Vice Chair: The Board shall nominate and elect a Chairperson and a Vice Chairperson by majority vote, for a two -year term, at its annual organizational meeting. Their term of office shall begin at the close of the regular

meeting at which they are elected. While not required, it is desirable that the Vice Chairperson be amenable to election to Chairperson in the next election cycle. No official action by a Board shall take place absent a quorum, which is 50% plus one additional member of the Board's total membership present at the meeting.

- b. Secretary: The Director of Health and Human Services shall serve as Secretary of the Board, but is not a member of the Board. The Director may delegate such duties to department staff as appropriate.
- c. Committees: The Board may establish standing and ad hoc committees. Committee members are appointed by the Chairperson; ad hoc committees may include persons other than Board members. The Chair shall be an ex-officio and non-voting member of all committees. The Chair has no obligation to participate at committee meetings and shall not be counted in determining if a quorum is present. The Chair will determine the duration and dissolution of all committees.

5. Membership

- a. The Health and Human Services Board shall be composed of members appointed by the Gaston County Board of Commissioners pursuant to G.S. 153A-77.
- b. Members of the Board may receive a per diem for meeting attendance in an amount established by the Gaston Board of Commissioners. Reimbursement for subsistence and travel shall be in accordance with a policy set by the Board of Commissioners.
- c. No member shall vote on a question in which he/she has a direct personal or financial interest not common to other members of the Board, as described in G.S. 14-234.
- d. With the exception of medical reasons, any member of the Board may be removed from office if he/she:
 - (1) Is absent from three (3) consecutive board meetings.
 - (2) Has less than a 60% annual attendance record at board meetings.
- e. Any member of the Board may be removed from office by the Gaston County Board of Commissioners for:

- (1) Commission of a felony or other crime involving moral turpitude.
 - (2) Violation of a State law governing conflict of interest.
 - (3) Violation of a written policy adopted by the board of commissioners
 - (4) Conduct that tends to bring the office into disrepute.
 - (5) Failure to maintain qualifications for appointment.
- f. A Board member may be removed only after the member has been given written notice of the basis for removal and has had the opportunity to respond. The member has ten days after receipt of the notice to submit a rebuttal/response upon removal. The Gaston County Board of Commissioners may appoint an appropriately qualified member to fill any unexpired portion of a removed member's term.

6. Meetings

The Board shall meet at least once a quarter. The time and place of regular meetings shall be determined by the Board at its biennial organizational meeting. Meeting time and location may be changed by majority vote of the Board. Special and Emergency meetings may be called by the Chairperson or other members of the Board in accordance with North Carolina's Open Meetings Law.

- a. All meetings of the Board and its committees are subject to compliance with the provisions of North Carolina's Open Meetings Law.
- b. The Secretary shall prepare an agenda for each meeting. Any board member 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. At 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. Any person may request that an item be placed on the Board agenda by submitting a written request to the Secretary at least ten working days before the meeting.
- c. The Chair of the Board shall preside at Board meetings. 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. 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. 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; abstentions will be noted in the minutes. 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. 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 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 Health and Human Services offices located at 991 West Hudson Boulevard, Gastonia, NC and 330 Dr. Martin Luther King Jr. Way, Gastonia, NC.
- g. Regular meetings may be cancelled by majority vote of the Board.

7. Review of and Amendments to Operating Procedures

- a. These operating procedures may be amended by a majority of the Board at any regular or properly called meeting that includes the 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 Board.
- b. A review of these operating procedures will be completed annually and signed by the Chairman of the Health and Human Services Board as well as by the Secretary to the Board.

8. Other Procedural Matters

Newly appointed Board members will receive training and reference materials on the authorities and responsibilities of the board within the first year after appointment to the board. Information will be presented at a regularly scheduled board meeting. Members not present will receive the training through email. Current board members will receive ongoing training during an annual review of authorities and responsibilities of the board.

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, provided the procedures prescribed in RONR do not conflict with North Carolina law; any questions regarding procedure shall be referred to the County Attorney.

9. Compliance with North Carolina Law

In conducting its business, the Board and its committees 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 consolidated human services boards. In the event these bylaws conflict with North Carolina law, North Carolina law shall prevail.

Approved and adopted by the Gaston County Board of Health and Human Services on August 2, 2018.



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Secretary, Gaston County Board of Health and Human Services



Robert Browne
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