

City of Milwaukee Board of Health
RULES AND REGULATIONS

Article 1: Name

1.1 The name of this board shall be the City of Milwaukee Board of Health, hereinafter referred to as the Board.

Article 2: Authority

2.1 The Board is established pursuant to Wis. Stat. §§ 251.04(1) and 251.01(2)(a) and City of Milwaukee Code of Ordinances (“MCO”) Chapter 59. Under state law, the Board is the policy-making body for the City of Milwaukee Health Department and shall govern the Milwaukee Health Department.

2.2 The Board adopts these Rules and Regulations pursuant to its authority under Wis. Stat. § 251.04(3) to adopt regulations for its own guidance and for the governance of the local health department. The Board’s Rules and Regulations may be no less stringent than, and may not conflict with, state statutes and rules of the Wisconsin Department of Health Services (“DHS”).

Article 3: Powers and Duties

3.1 The Board’s powers and duties are established by state law and set forth in Wis. Stat. § 251.04.

Article 4: Composition

4.1 The composition of the Board and the terms of its members are prescribed by City of MCO Chapter 59.

4.2 Board officers shall be elected by the Board at the Board’s meeting in September of each year, or upon vacancy, and shall include a Chair and Vice Chair. No one Board member can serve in the same officer role for more than two consecutive one year terms.

4.3 The Chair shall:

- a. Preside at all meetings of the full Board, and enforce the parliamentary rules.
- b. Have the authority to vote on all matters, except as otherwise prohibited by law.
- c. Call special meetings of the Board, within 30 days, whenever there is sufficient business to come before the Board, or upon written request of at least three (3) members of the Board.
- d. Advise the Commissioner of Health, or their designee, on agenda preparation for the meetings.
- e. Sign all papers and documents as required by law or as authorized by action of the Board.

- f. Exercise such other powers as may be delegated by the Board, including speaking on behalf of the Board publicly.
- g. The Chair, in consultation with the Vice Chair, will designate a Board member to preside over meetings of the full Board, and enforce the parliamentary rules in the absence of the Chair and Vice Chair.

4.4 The Vice Chair shall, in the absence of the Chair, serve in the capacity and assume the duties of the Chair, taking actions appropriate to fulfill said responsibilities.

4.5 Committees which include non-Board members may be created by Board action with a simple majority vote. The size, membership, and responsibilities of these committees are determined by the Board. These committees may also be subject to the Open Meetings Law, Wis. Stat. § 19.81, *et. seq.*

4.6 No member of the Board can bind the Board by word or action unless the Board has, in its capacity as governing body, designated such member as its agent for some specific purpose and for that purpose only.

4.7 Each Board member shall participate in orientation upon appointment prior to their first meeting.

- a. Board of Health members are expected to become knowledgeable about the duties, operations, and functions of the health department through reading of materials provided to members at Board of Health meetings, consultation with the Health Commissioner, staff presentations at Board of Health meetings, membership in the Wisconsin Association of Local Health Departments and Boards (WALHDAB), and, when available, participation in State of Wisconsin Department of Health Services training.

Article 5: Meetings

5.1 The Board shall hold its regular meetings as frequently as determined by the Board, but minimally quarterly. All meetings of the Board must abide by Wisconsin's Open Meetings Law, Wis. Stat. § 19.81, *et. seq.*

5.2 The Commissioner of Health, or the Commissioner's designee, shall prepare the agenda for the Board in consultation with, and at the direction of, the Chair. The order of business as specified on the Agenda for Board meetings may be changed at the discretion of the Chair.

5.3 Meetings will follow parliamentary procedure as contained in Robert's Rules of Order.

5.4 Special meetings may be called either by the Chair, or, in the case of their absence, the Vice Chair or by any three members of the Board of Health. Special meetings must adhere to Wisconsin's Open Meetings Law, Wis. Stat. § 19.81, *et. seq.*

5.5 In all cases, public notice of meetings shall be provided at a time and in a manner consistent with the requirements of Wisconsin's Open Meetings Law, Wis. Stat. § 19.81, *et. seq.*

Article 6: Attendance

6.1 Board members are expected to provide notice to the Board, through the Commissioner of Health or the Commissioner's designee, if they are unable to attend Board meetings in writing at least 24 hours in advance of the meeting. Reasonable efforts will be made to schedule meetings during times that work for all Board members.

6.2 Members of the Board may participate in a meeting by means of conference telephone or similar communication equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this method shall constitute presence in person at such meeting.

6.3 A Board member can send a designee to meetings in the member's place, if designated in writing at least 48 hours before the meeting. The designee is not able to vote on behalf of the Board member.

6.4 Board members who miss four (4) meetings in a row or miss at least half of the meetings in a year may be referred to either the Mayor or the Common Council with a recommendation that the board member be removed from office under Wis. Stat. § 17.12.

Article 7: Conflicts of Interest

7.1 Board members shall avoid all conflicts of interest or the appearance of such conflicts. Most Board members have outside business and professional interests. Board members may not use their position on the Board to further their outside business or employment. Board members shall not accept any gifts, gratuities, trips, personal property, or other items of value from an outside person or organization as an inducement to do business or provide services. Board members shall not abuse their positions by using any services, staff, equipment or property for their personal or family use, or for the use of any organization they are affiliated with.

- a. All Board members must complete the City of Milwaukee Ethics Board Statement of Economic Interests annually, as determined by the Ethics Board.
- b. A member who knowingly has a conflict of interest on any matter before the Board shall declare such conflict of interest prior to any discussion of the matter and shall refrain from any participation in discussion, debate or voting on such matter.
- c. A member who believes they may have a potential conflict of interest on any matter before the Board shall declare such potential conflict of interest to the Board, at which point the Board shall make a request for a confidential advisory opinion from the City of Milwaukee Ethics Board regarding whether an actual conflict of interest exists under the City of Milwaukee's Ethics Code. If the Ethics Board determines that an actual conflict of interest exists, the member with the conflict shall refrain from any participation in discussion, debate, or voting on the matter at issue.
- d. Any member who has reason to believe that another member has a potential conflict of interest shall state the potential conflict of interest to the Board, at which point the Board shall make a request for a confidential advisory opinion from the City of Milwaukee Ethics Board regarding whether an actual conflict of interest exists under

the City of Milwaukee's Ethics Code. If the Ethics Board determines that an actual conflict of interest exists, the member with the conflict shall refrain from any participation in discussion, debate or voting on the matter at issue.

Article 8: Review and Amendments

8.1 The Board shall review these Rules and Regulations every two years.

8.2 These Board Rules and Regulations may be amended, when determined by the Board, by affirmative vote of a majority of all members of the Board.

Article 9: Effective Date

9.1 These Board Rules and Regulations shall become effective and binding upon the Board of Health immediately upon their adoption.