



# BOH Organization Guide: #4 BOH Meetings

## Board of Health and Local Health Department Standard Operating Procedures (SOP)

This **Checklist** highlights many of the steps needed currently to organize a Massachusetts Board of Health. The checklist is designed to be used in tandem with the **BOH SOP and Appendices**. BOXES CAN BE CHECKED WITH the CURSOR.

### BOH Meetings

#### Meeting Basics

- Statutes:** Open Meeting Law must be followed. BOH majority may not deliberate outside of posted meetings. No exceptions.
- Notice:** meeting agenda must be posted 48+ workday hours before in a public place such as Town/City Hall.
- Agenda:** should list all items reasonably expected to be discussed. Include a catch-all item to allow for Unforeseen Items to be added.
- Agenda Discussions:** may discuss items with BOH staff, but not other BOH members outside of the public meeting, even one at a time.
- Quorum:** quorum is 50% of members. When a majority of the BOH deliberates a BOH issue, this is a legal meeting that must be posted,
- Public Access:** all meetings with very few exceptions are open and must be held in a public place, including those discussing personnel issues. Staff meetings without a BOH majority can be closed.
- Closed Meetings:** very limited. Exceptions might include discussion of personal medical information or pending litigation.
- Posting:** Designate who is responsible for posting the Agenda; generally, the person who creates the Agenda
- Presentations:** Meeting Chair decides who has the right to speak at BOH Meetings and for how long. There is NO legal right for anyone to speak at a BOH meeting, except at hearings which are called for this purpose.
- Hearings:** Hearings are BOH meetings with the purpose of “hearing” evidence from the impacted parties. A hearing is conducted the same way as other BOH meetings, though the impacted parties have the right to respectfully present their case and evidence. The parties involved may also have legal counsel and witnesses. The BOH has no obligation to discuss the case or evidence or make a decision at the hearing. If the case is likely to go to court, the BOH discussion can take place a closed BOH meeting. Hearing notices should be sent to all the impacted parties at least 48 hours before the meeting. At least a week before is better.

#### Meeting Agenda

- Type of meeting:** regular, hearing, emergency, joint, etc.
- Location:** must be a public place, usually Town/City Hall, though the BOH may allow virtual attendance if allowed by law or if 50% of the quorum is present.
- Time of Meeting:** may not be on a holiday or weekend unless an emergency.
- Previous Minutes** to be reviewed and approved if appropriate
- Agenda:** what is expected to be discuss and by whom.
- Posting:** Who/where/when the Agenda was posted.
- Meeting Chair** may add Agenda items, but not as a means to avoid the required public notice.
- Emergency Meetings** may be called for issues that can't wait 48 hours but should be followed up by a regularly called/posted Meeting.

#### Meeting Management

- Chair:** Decide who will chair the meeting. It does not have to be the BOH Chair.
- Minutes:** Decide who will take the minutes, usually a staff person so members can concentrate on the issues.
- Speakers:** Meeting Chair decides who can speak and when. There is no legal obligation to allow the public to speak except at a hearing called for that purpose.
- Voting:** Votes must be made public even it taken in writing. Virtual voting is subject to current laws and regulations but in general require all votes to be taken by role call of each voting member present.
- Decisions:** There is no legal obligation for the BOH to render a decision or comment on any issue brought before it during a meeting. This is especially true during hearings on controversial issues. It is often better for the BOH to make any decisions at their next meeting after additional research and reflection.

#### Meeting Minutes (See BOH Minutes Job Aid)

- Note meeting location, starting, and ending times.
- Note type of meeting.
- Note who is attendance and their function and the presence of a quorum.
- Give a brief description of each topic/discussion. Minutes record what is done, not what is said.

- Record all motions, votes and outcomes; not who said what. No need to name who made motions or how members voted. Avoid quotes/names.
- May estimate the size of crowds; need not list all names.
- Note Date/Time/Location of the next expected meeting.
- Minute taker should sign the minutes.
- Mark DRAFT until approved. Draft minutes must be retained. Notes/recordings used to create minutes may be discarded once minutes are approved.
- Once approved, Minutes should be placed in the Agenda/Meeting Minutes File and are Public Record.

**Minutes Approval**

- Meeting Chair should ask if there are any corrections to the minutes as distributed. If there are no corrections, the Chair can declare the minutes approved/accepted or may call or a roll call vote, though this is not typically done.
- Usually only members who were present at a meeting approve minutes, but Roberts Rules states that all Members can vote on all issues, including minutes as each meeting must have an official record and Boards change.
- Minute approvals are not an opportunity to re-write history. If there is a disagreement about what happened at a meeting, deliberate the issue, and vote again.
- Each correction should be read and approved by the Members and then a final vote taken on the Minutes as corrected. These changes should appear in the current Meeting Minutes and the original Minutes updated as approved.
- Only approved minutes must be posted for public access.