

MINUTES OF LAKE CUMBERLAND DISTRICT  
BOARD OF HEALTH MEETING

September 30, 1971

The Lake Cumberland District Board of Health met on September 30, 1971, at 7:00 P.M., C.D.T., in the auditorium of the Wayne County Health Center, Monticello, Kentucky.

Members Present:

Ernest Barnes, M.D.  
Joseph Schickel, M.D.  
James Anderson, D.M.D.  
Robert Anderson, County Judge  
Hoover Perry, M.D.  
Gordon Betts, M.D.  
Stephen Kelley, M.D.  
Dorothy Tohill, R.N.  
Thomas Wilson, M.D.  
Frank Duncan, M.D.  
Claude McHargue, M.D.  
Mack Roberts, M.D.  
Wilson Shearer, County Judge  
Arlie Winchester (F.C.)

Proxy Votes:

Joe Cerrato, County Judge  
Floyd Hay, M.D.  
C. C. Langford (F.C.)  
D. B. Robinson, D.M.D.  
Thomas J. Miller, D.M.D.  
William Owsley, M.D.  
Lyle Webb, County Judge  
Lewis Williams (F.C.)  
Peggy Moore, R.N.

Members Absent:

Eddie Lovelace (F.C.)  
Janice Akins, R.N.  
James W. Morris, M.D.  
David Ross (F.C.)  
Nancy West, R.N.  
Merrill Winchester, M.D.  
Joseph Dunkum, D.M.D.  
John Garner, County Judge  
Joe Montgomery, County Attorney  
Lyle Matthews, D.M.D.

Others Present:

Phillip R. Spangler  
M. A. Shepherd, M.D.  
William R. Kelsay, Jr., M.D.  
John H. Hail  
Paris Boles  
Mrs. Ernest Barnes  
Mrs. Joseph Schickel  
Jeneane Price

Judge Wilson Shearer called the meeting to order. Dr. Shepherd reported on progress made during the first three months the district has been in existence. The minutes of the previous meeting were read. There being no corrections, the minutes were approved.

A roll call was taken. Fourteen members were present and nine members sent written and signed proxy votes which were filed with the secretary. A discussion of the legality of proxy voting followed, and Dr. Shepherd informed the board that the State Health Department Attorney John Godfrey does not view proxy voting as legal for boards of health.

Chairman Shearer ruled that the proxy votes submitted tonight would be recognized for the purpose of the business at hand and the meeting proceeded to the next order of business which was adoption of the proposed bylaws, a copy of which had been supplied to every member two weeks in advance. Dr. Stephen Kelley moved that the bylaws be adopted as presented by the Bylaws Committee; Dr. Gordon Betts seconded the motion. The motion carried with eighteen votes yes and five votes no.

Dr. Kelley mentioned that a complaint had reached him regarding a problem in which an oil well had been tapped in McCreary County and a runoff or seepage appeared to be polluting Beaver Creek. Dr. Shepherd asked that John Hail bring this to the attention of Water Pollution at the State Health Department when he is in Frankfort tomorrow.

Dr. Shepherd presented to the board the necessity of applying for a family planning grant and stated that one of the major needs of the district health department is to get federal monies to deal with projects the district needs badly. Dr. Ernest Barnes made a motion that the district department apply for a grant to do family planning. Dr. Kelley seconded the motion and it passed unanimously. ←

Judge Wilson Shearer explained the need for the board to request funds from the Emergency Employment Act Grant but indicated the funds are controlled somewhat on the local level. A motion was made by Dr. Barnes and seconded by Dr. Betts to apply for this grant; the motion carried.

In the form of new business Dr. Kelley resolved and moved that the subdivision regulation be extended to encompass the other counties in the district in which this regulation is not in force and be voted on at the next meeting. Dr. Claude McHargue seconded the motion and it carried. Mr. John Hail suggested the need to amend one phase of the regulation and mentioned this could be done at the next meeting if the board so desires. It was noted that a notice should be prepared of the proposed regulation in advance of the next meeting.

Dr. Shepherd asked for approval from the board to attend the American Public Health Association meeting in Minneapolis, Minnesota, which is to be held during the middle of October and indicated that he plans to talk to officials from Health, Education, and Welfare and other governmental agency personnel at this meeting relative to grants, etc., for the district. A motion was made by Dr. Hoover Perry and seconded by Mrs. Dorothy Tohill that Dr. Shepherd attend this meeting. The motion passed unanimously.

There being no further business, Dr. Mack Roberts moved that the meeting adjourn, seconded by Dr. Frank Duncan.

  
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Judge Wilson Shearer, Chairman

  
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M. A. Shepherd, M.D., Secretary

BY-LAWS  
LAKE CUMBERLAND DISTRICT BOARD OF HEALTH

ARTICLE I

NAME AND ORIGIN

Section 1. The name of this organization shall be the Lake Cumberland District Board of Health.

Section 2. ORIGIN. The Lake Cumberland District Board of Health became a legal entity when the Governor of Kentucky announced that a Lake Cumberland District Health Department was established effective July 1, 1971.

ARTICLE II

PURPOSE

Section 1. GOVERN DISTRICT DEPARTMENT. It shall be the purpose of the District Board of Health to serve as the governing body of the District Health Department in accord with provisions of the Kentucky Revised Statutes and policies of the State Department of Health.

Section 2. ADOPT REGULATIONS. It shall be the further purpose of the District Board to adopt such rules and regulations as are deemed necessary to carry out the statutory responsibilities of the local board of health.

ARTICLE III

MEMBERSHIP

Section 1. COMPOSED OF COUNTY BOARDS. A provision of KRS is that

the District Board of Health shall be composed of the boards of health of the counties comprising the district.

Section 2. **ADDITIONS.** When additional counties unite their Health Departments with the District Department or when a county withdraws from participation in the District Health Department, membership on the District Board shall be adjusted to comply with the statutory requirements regarding District Board membership.

#### ARTICLE IV

##### OFFICERS

Section 1. **NUMBER.** The officers of the Board shall be: Chairman, Vice Chairman, and Secretary.

Section 2. **ELECTION.** The chairman and vice chairman shall be elected annually at the first regular meeting in each fiscal year. The Secretary of the board is, by statutory requirement, the appointed Health Officer for the District Health Department. The Health Officer is only an ex-officio member, without voting privilege, and serves as Secretary for the tenure of his appointment.

Section 3. **REMOVAL OF OFFICERS.** Any officer may be removed by a majority of the board whenever in its judgement the best interests of the people of the Lake Cumberland District will be served thereby.

Section 4. VACANCIES. A vacancy in any office because of death, resignation, removal or otherwise may be filled by the board for the unexpired portion of the term.

Section 5. DUTIES OF OFFICERS.

Chairman

The chairman shall preside at all meetings of the board, sign the records thereof, and shall sign contracts and other papers executed on behalf of the Board and perform generally all duties performed by chairmen of like or similar boards and such further duties as may be required of him by the Board.

Vice Chairman

The vice chairman shall perform all the duties of the chairman in the event of absence or disability of the chairman. In the case both the chairman and vice chairman are absent or unable to perform their duties, the Board may appoint a chairman pro tem.

Secretary

The secretary shall keep minutes of the proceedings of the Board and make a proper record of same. He shall make periodic reports to the Board on District Department activities and in general perform such other duties as may be required of him by the Board.

ARTICLE V

MEETINGS

- Section 1. RULES OF ORDER. All business meetings of this organization will be conducted in accordance with Roberts Rules of Order.
- Section 2. FREQUENCY. The board shall hold regular meetings quarterly as required by KRS 212.230, and the chairman may call special meetings as the need arises.
- Section 3. TIME AND LOCATION. Meetings will be held in a central location and at such time that participation by members from all parts of the district will be practical.

#### ARTICLE VI

##### QUORUM

- Section 1. MAJORITY VOTE. A simple majority of the board membership shall constitute a quorum for the transaction of business. The affirmative vote of the majority of the members voting at a meeting at which a quorum is represented shall be the affirmative vote of the Board.

#### ARTICLE VII

##### REGULATIONS

- Section 1. ADVANCE NOTICE. No proposed regulation may be voted upon at a meeting unless all members have been notified of the proposal in advance of the meeting.
- Section 2. PUBLICATION. A newly adopted regulation must be published in the newspaper with the largest circulation in each county at least thirty days prior to its

effective date.

#### ARTICLE VIII

##### EXECUTIVE COMMITTEE

Section 1. COMPOSITION AND DUTIES. The chairman of the District Board shall also serve as chairman of the Executive Committee. Membership on the committee is to be composed of the chairman of the individual county boards. The Health Officer shall serve as Secretary to the Executive Committee, and shall keep minutes of all executive committee meetings.

Section 2. FUNCTION. The Executive Committee, when the Board is not in session, shall have and may exercise all of the functions of the Board with the exception of election of officers, changing the by-laws, or passing regulations. Activities of the Committee shall be reported to the Board at its next meeting for ratification.

Section 3. QUORUM. A majority of the members of the Executive Committee shall constitute a quorum for the transaction of business.

#### ARTICLE IX

##### OTHER COMMITTEES

Section 1. ADDITIONAL COMMITTEES. The chairman shall appoint such additional committees from time to time as either he or the Board sees the need for them.



ARTICLE X

BY-LAWS AMENDMENTS

The By-laws of this organization may be amended by majority vote of the total membership provided that each member has been supplied a copy of the proposed amendment at least two weeks prior to the meeting at which the amendment is adopted.

ARTICLE XI

ENACTMENT

Adopted at a meeting of the District Board of Health held on the 30 day of September, 1971, in the Wayne County Health Center to have immediate effect and to be made a part of the minutes of the meeting of that date.

Wilson L. Shearer  
Wilson L. Shearer, Chairman

Attest:

M. A. Shepherd, M.D.  
M. A. Shepherd, M.D., Secretary