



GREATER HAMPTON ROADS
HIV HEALTH SERVICES
**PLANNING
COUNCIL**

THE RYAN WHITE HIV/AIDS PROGRAM

NORFOLK TGA PLANNING COUNCIL TRAINING SERIES
SEPTEMBER 2017 | 2017 APPROVED BY-LAWS



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NORFOLK TGA PLANNING COUNCIL TRAINING SERIES

Month	Topic	Presenters
April 2017	Activities of Recipients and Planning Councils	Gwendolyn Ellis-Wilson May Francis Baskerville
May 2017	Planning Council Structure and Governance	Rachael Artise Gwendolyn Ellis-Wilson
June 2017	Cultural Competency Skills for Planning Councils	Tony Boston Michael Singleton
July 2017	Priority Setting and Resource Allocation Training	Jerome Cuffee Gwendolyn Ellis-Wilson
August 2017	Planning Council Structure and Governance	Pierre Diaz Robert Bailey

Month	Topic	Presenters
September 2017	2017 Approved By-Laws	Thomas Schucker Michael Koran
October 2017	Membership Recruitment	Beverly Franklin Earl Hamlet
January 2018	Funding Opportunities Announcement (FOA)	Doris McNeil Kanedra Nwajei
February 2018	Parliamentary Procedures	Rachael Artise Darrell Brisbane
March 2018	Skills for Effective Planning and Decision Making	Gregory Fordham Todd England

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Objectives

- To understand and be able to explain the purposes and use of by-laws.
- To familiarize everyone on the planning body with the by-laws and how they are implemented.
- To learn the Mission of the Planning Council.
- To understand all of the intricacies of Membership on the Planning Council.
- To familiarize ourselves with the structure of the meetings of the Planning Council.
- To be able to identify the planning body's various committees and define their purpose and duties.
- To cover the policies (Conflict of Interest, Grievance, Attendance and etc.) of the Planning Council.

THE MISSION OF THE PLANNING COUNCIL

- The mission of the Council is to ensure the effective and efficient delivery of medical and support services to persons affected and infected by HIV/AIDS in the Norfolk Transitional Grant Area (TGA).

MEMBERSHIP ON THE PLANNING COUNCIL

- Non-Discrimination Statement
- Composition
- Nominations
- Terms of Membership
- Attendance
- Voluntary Resignation
- Removal of Member for Cause
- Vacancies
- Code of Conduct

DUTIES OF MEMBERS ON THE PLANNING COUNCIL

- EXPECTATIONS OF THE MEMBERS OF THE PLANNING COUNCIL
 - Attend and actively participate in all Council regularly scheduled, special, emergency, committee meetings, trainings, and retreats;
 - Participate in New Member Orientation Training within three (3) months of approved membership on the Planning Council;
 - Be an appointed member on, at least, one (1) Standing Committee;
 - Participate in the annual Priority Setting and Resource Allocations training. This training is mandatory to participate in the Priority Setting and Resource Allocations session;
 - Participate in the annual Priority Setting and Resource Allocations session;
 - Review materials of Council/ and or committee discussion/action prior to the scheduled meetings;
 - Persons serving as Planning Council members shall not receive any salary and/or other compensation for their services;
 - The Health Resources and Services Administration (HRSA), Ryan White Planning Council, and the Grantee may reimburse Council members allowable expenses as approved and stipulated in Council Policies Article V. Officers of the Planning Council

RESPONSIBILITIES OF THE PLANNING COUNCIL

- Determine the size and demographics of the population of individuals with HIV/AIDS;
- Establish priorities for the allocation of funds within the TGA including how best to meet these priorities and additional factors that the Grantee should consider in allocating funds under a grant.
- Develop a Comprehensive Plan for the organization and delivery of health and support services as described in Section 2604 .
- Assess the efficiency of the Administrative Mechanism in rapidly allocating funds to the areas of greatest need within the Transitional Grant area; and at the discretion of the Planning Council, assess the effectiveness, either directly or through contractual arrangements, of the services offered in meeting the identified needs.
- Establish methods for obtaining input on community needs and priorities, which may include public meetings, conducting focus groups, and convening Ad Hoc panels.
- Coordinate with Federal, State, and Local Grantees that provide HIV- related services within the Transitional Grant Area.
 - Provide for facilitation and collaboration among all funded AIDS programs within the
 - TGA, including, but not limited to the CARE Act Part A, B, C, D, and F, Housing Opportunities for People with AIDS (HOPWA) funds and Centers for Disease Control and Prevention (CDC) funds.
 - Participate in the development of the Statewide Coordinated Statement of Need (SCSN) initiated by the State Public Health agency responsible for administering grants under Part B (Title II)

OFFICERS OF THE PLANNING COUNCIL

- Eligibility
- The eligibility requirements for Planning Council Co-Chairs are as follows:
 - Currently serve as a Planning Council Member;
 - Have served on the Planning Council for at least 12 consecutive months;
 - Have attended at least 75% of Planning Council and Committee meetings in the last 12 months;
 - Currently reside in the Norfolk TGA or represent a HRSA mandated membership category;
 - Have served as an appointed Standing Committee Co-Chair for at least six (6) consecutive months;
- At least one Planning Council Co-Chair must be a consumer of Ryan White Part A services. The term of office for Planning Council Co-Chairs shall be two years, staggered so that their terms end in different years, Planning Council Co-Chairs are elected by a majority vote of the membership of the Planning Council and serve at the pleasure of the Mayor of the City of Norfolk. In the event that Co-Chair terms cannot be staggered, the Council will request that the Co-Chair with the latest termination date have his or her term extended by one year. If terms end on the same date, the Planning Council shall vote to decide which Co-Chair's term should be extended.

OFFICERS OF THE PLANNING COUNCIL (CONTINUED)

- **Officers and Their Duties**

- The Co-Chairs shall preside at all Planning Council meetings and certify the accuracy of all Council meeting minutes:
- Co-Chairs shall appoint Planning Council Members to Standing and Ad-Hoc Committees
- Co-Chairs shall appoint Co-Chairs of all Standing Committees and Ad-Hoc Committees at the advice and recommendation of the committee;
- The Co-Chairs are ex-officio, non-voting member of every committee and shall attend standing committee meetings;
- The Co-Chairs are responsible for correspondence to members regarding attendance and participation.
- While presiding, the Co-Chairs only vote to break a tie, except in Planning Council elections, or if the vote is required to achieve a quorum

- **Removal of Officers**

- Officers may be removed for cause by a majority vote of a quorum at any regularly scheduled meeting of the Planning Council with prior notice of such consideration given at the preceding Council meeting.

MEETINGS

- **Compliance with the Virginia Freedom of Information Act**
 - The Planning Council and its committees shall conduct their meetings as prescribed in the Virginia Code (Code), 1950, as amended, in Chapter 37, Virginia Freedom of Information Act. All meetings of the Planning Council shall be open to the public, no closed session shall be conducted except as permitted by the Code. Record keeping and access shall also comply with the Code requirements.
- **Conduct of Meetings**
 - The Planning Council shall conduct its meetings in an orderly manner, governed by these Bylaws and Roberts Rules of Order, as revised. The Co-Chairs shall manage public comments and participation.
- **Frequency**
 - The Planning Council shall hold no less than four scheduled meetings annually. Other meetings may be added as necessary. Special meetings shall be held at the discretion of a Council CoChair

MEETINGS (CONTINUED)

- **Notices**

- Membership Notification - All Planning Council members will be notified at least three days in advance of a regularly scheduled Planning Council meeting or Committee meeting. A copy of the agenda, minutes of the previous meeting, and all other documentation needed to be considered at a meeting will be sent simultaneously with the announcement of Council and Committee meetings. Should a special meeting be called/ members will be notified at least two business days in advance.
- Public Notification - The public shall be afforded adequate notice through publication in accordance with the Virginia Freedom of Information Act. The Council will make every effort to ensure that the notice is available by the most convenient means and shall include the date, time, place and agenda of the scheduled meeting. All Council and Committee schedules, agendas, and minutes will be published on the Council website.

- **Quorum**

- Quorum is achieved with the attendance of at least 50% plus 1 Planning Council member.

- **Voting**

- All official actions adopted by the Council require a majority vote. All actions other than the election of officers, which requires ballots, will be either by show of hands, voice, or standing vote. Electronic mail balloting between regularly scheduled Council meetings is permissible if the issue must be decided immediately and cannot wait until the next scheduled meeting, and the Council is not able to convene a special meeting. The need and appropriateness of electronic balloting is determined by the Council Co-Chairs.

COMMITTEES

- The Planning Council may create standing committees and the Co-Chairs may create ad-hoc committees of the Planning Council to meet the operational needs of the Council, Committees shall have duties assigned to them or as established in these Bylaws, Every Council member will be appointed to serve on at least one standing Committee,
 - **Committee Co-Chairs**
 - Each Standing Committee, or Ad-Hoc Committee, shall be headed by Co-Chairs elected by simple majority vote of current committee members.
 - A Committee Co-Chair must be a Planning Council member.
 - Committee Co-Chairs shall serve for a two-year term. In the absence of a committee co-chair, the Planning Council Co-Chairs may assume the role and duties of the committee co-chair until a new co-chair is elected.
 - **Committee Membership**
 - The Council Co-Chairs will appoint Council members to serve on at least one standing committee.
 - Membership of all committees, except the Executive Committee, is open to individuals who are not Planning Council members, but whose qualifications, skills, life experiences, and commitment provide added resources, data, and needed information to the work of the Committees and the Planning Council.
 - All non-Council members shall be appointed to standing and ad-hoc committee by Council Co-Chairs,
 - Non-Council Committee members have a full vote on all Committee business, but may not serve in a leadership capacity, nor vote on Planning Council business.
 - **Committee Meetings**
 - Committees shall schedule meetings as necessary to fulfill their assigned roles. All meetings, except for the Executive Committee, shall be open to the public and notice should be given as specified in Section 7.04.

COMMITTEES (CONTINUED)

- **STANDING COMMITTEES**

- Executive Committee
- Priorities, Allocations, and Policies (PAP) Committee
- Membership and Nominations Committee
- Quality Improvement and Strategic Planning Committee
- Community Access Committee

- **AD-HOC COMMITTEES**

- The Council Co-Chairs may create Ad-Hoc Committees at their discretion to address specific needs of the Council. Ad-Hoc committees will meet at the discretion of the Council Co-Chairs. Membership on Ad-Hoc committees will be determined by the Council Co-Chairs, on a voluntary basis, and will serve until the committee is dismissed. An Ad-Hoc Committee must be dismissed upon the completion of its assigned task.

CONFLICT OF INTEREST

This policy shall not be construed as preventing any member of the Planning Council from full participation in discussion and debate about community needs, service priorities, and allocation of funds to broad categories, and from participating in the evaluation of service effectiveness. Rather, individual members are expected to draw upon their professional experiences and knowledge in such discussions, as intended by the CARE Act.

All members of the Planning Council are expected to keep their focus on directing grant funds to meet the needs of individuals affected by the HIV virus, in the most expeditious manner possible.

As mandated by the Ryan White Treatment Extension Act of 2009, a Planning Council member who serves as a director, trustee or salaried employee, or who derives a financial or economic benefit from association with an agency that currently receives or is a current applicant for funds by the Council, is deemed to have an interest in said agency. Conflict of interest does not apply to PLWH/A whose relationship to a grant funded service provider is only as a client receiving services, Therefore:

CONFLICT OF INTEREST (CONTINUED)

- In order to prevent the appearance of a conflict of interest, each Planning Council member and each non-member serving on a committee shall complete a Disclosure Affidavit annually, which shall be kept on file in the office of the Planning Council. The affidavit will be updated whenever the affiant changes his/her affiliation.
- A member with a conflict of interest with an agenda item must so declare prior to the discussion of the item when it is brought before the Council/Committee for action. The declaration must be recorded in the minutes of the meeting. Any unresolved complaints will be referred to the Executive Committee for further discussion and resolution;
- A member with a conflict of interest, or whose spouse or domestic partner has an interest as described above shall not vote on matters that come before the Council or a Committee regarding the allocation of funds to service categories in which the agency with which the conflicted member, or spouse, or domestic partner is associated or has obtained funds.

GRIEVANCE POLICY

- Open, honest communications result in fewer disputes, Respect for the opinion of others and civility, as well as the promotion of a public dialogue create good will and prevent ill will. Planning Council members shall encourage discussions and public input so as to foster an inclusive decision-making culture. However, the Planning Council provides a grievance process for disputes that remain unresolved.

PLANNING COUNCIL SUPPORT

- Planning Council Support may be provided by a Request for Proposal (RFP) process, led by the Recipients Office, and approved by the Council; upon the availability of funds from the Ryan White Part A Grant Award. The Part A Recipient may provide for the services of professional and clerical personnel to support the work of the full Council and all its Committees in meeting their legislatively mandated responsibilities. Council Support staff serve as experts on the Legislation and Council Bylaws and policies, This expertise serves to ensure that the Council understands and follows its policies and meets its legislated responsibilities. Duties and responsibilities of support personnel may include, but are not limited to:
 - Conducting research to assist the Council in developing mandated plans, priorities and allocations;
 - Collecting and assessing data necessary for the work of the council;
 - Posting and publishing notices of all Council and Committee meetings as prescribed by the Bylaws;
 - Notifying Council members of the date, time and place of Council and Committee meetings, in a timely fashion;

PLANNING COUNCIL SUPPORT (CONTINUED)

- Keeping records of members' attendance and alerting the Council Co-Chairs and the Membership and Nominations Committee Co-Chairs to any absences;
- Assisting the Council in keeping minutes of all scheduled Council meetings;
- Ensuring that the Council Co-Chairs and the Committee Co-Chairs certify the minutes of the meetings in a timely fashion and distributing copies to the members prior to the next scheduled meeting;
- Maintaining a file for each Council member with all documents relating to that member, including the Disclosure Affidavit, Code of Conduct, contact information sheet, etc.;
- Providing clerical and secretarial services to members of the Council in the performance of their duties and tasks as Council members; and
- Maintaining the appropriate and required records, minutes, correspondence and other official documentation. Public documents shall be supplied upon request pursuant to the Virginia Freedom of Information Act. The record retention policies of the Commonwealth and HRSA shall be followed.

GENERAL PROVISIONS

- **Memorandum of Understanding**

- The relationship between the Planning Council and the Grantee's Office shall be governed by a memorandum of understanding (MOU); the MOU shall delineate their respective roles and the duties and responsibilities they share.

- **Contractual Obligations**

- Neither the Planning Council nor any of its members shall have the power or authority to bind the City of Norfolk or the CEO by any contract or agreement. All contracts shall be administered by the City of Norfolk on behalf of the Council. Any contract shall be exclusively with the CARE Act grant funds according to terms and prices consistent with the City of Norfolk Procurement Ordinance.

- **Severability**

- In the event that any provision in these Bylaws is unlawful, it shall be severed and deemed null and void and shall not impair the validity of the remaining provisions of the Bylaws.

AMENDMENTS AND RATIFICATION

- **Amendments**

- A written notice of any alteration, amendment, or the repeal of the Bylaws shall be given to the Planning Council members, at least fourteen (14) working days in advance of the meeting at which the alteration, amendment, or repeal will be put to a vote, A two-third (2/3) vote of the quorum shall be required to pass any alteration, amendment, or repeal. Any amendments shall be subject to the approval of legal form and correctness by the Norfolk City Attorney's Office. Any such change shall be with the approval of the CEO, which should not be unreasonably withheld.

- **Ratifications**

- These Bylaws shall go into effect upon a two-third majority vote of the quorum of the Council and approval by the CEO.

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Greater Hampton Roads HIV Health Services Planning Council

September 2017 Training

Presented by:



Specializing in Consulting Services for Ryan White CARE Act Entities