

BOARD OF HEALTH

Special Meeting Minutes

October 29, 2010

Call to Order

Chairman Bob Koch called the meeting to order at 1:30 p.m.

Roll Call

Dr. Jecha called the roll. The following were:

Present: Chairman Bob Koch, Board Members Max Benitz Jr., James Beaver, Leo Bowman, Rick Miller, Brad Peck, and Executive Secretary Larry Jecha, M.D.

Staff Present: Cody Lewis, IT Manager; Amy Serven and Becky Mellinger, Administrative Services; Lisa Wight, Human Resources; Sandy Owen, Preventive Health Director; Annie Goodwin and Shelley Little, Preventive Health Supervisors; Rick Dawson, Environmental Health Supervisor; Jim Coleman, Representing Local 17.

Visitors: Fred Bowen, Franklin County Administrator; Linda Ivey and Ed Thornburgh, Human Services; Ryan Brown, Benton County Deputy Chief Prosecuting Attorney; Keith Mercer, Benton County Finance Manager; Loretta Smith-Kelty, Deputy Benton County Administrator; Wes Burkhead, citizen; Michelle Dupler, Tri City Herald.

Approval of Agenda

Commissioner Beaver moved, seconded by Commissioner Miller to approve the agenda. Discussion was requested by Commissioner Peck for clarification on item number five; specifically why the Board of Health is touring the building when that seems to be more of a function for the Board of Commissioners. Chairman Koch stated that it doesn't state why they are touring; just that they are looking at unused space, without stipulating what the space might be used for. Commissioner Peck asked why they are touring the unused space. Chairman Koch replied it is an amendment to the Health District lease agreement that originally had 37,000 square feet and changing it to approximately 25,000 square feet. Commissioner Peck pointed out for the record that the objection was made in case there was a challenge to the legality of the meeting. Motion approved.

Unused/common space walkthrough

Board members took a walkthrough of the building to observe the common areas that would be shared by any other entity that leased the unused portion of the building. Commissioner Peck objected to the walkthrough. He felt anything possibly referencing Human Services occupying space in the building should be dealt with by the Board of County Commissioners, not the Board of Health. Meeting went into recess at 1:35 p.m. while the walkthrough was conducted. Meeting reconvened at 1:40 p.m.

Amended and Restated Lease Agreement

Commissioner Benitz moved, seconded by Commissioner Beaver, to amend the lease agreement made between Benton Franklin Health District and Benton County. Dr. Jecha stated that he had not seen the revised lease agreement and questioned why, if the Health District is giving up space in the building, our

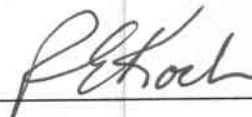
rent is not decreasing. Commissioner Bowman stated that in the original agreement the price was not determined by square footage. In 2005 Benton County put two million dollars down payment on a bond plus an additional \$500,000 on the bond that was to be repaid to the County by the Health District. Since that time Benton County has continued to make \$200,000 a year payments on the Health District building. It was originally planned that approximately \$50,000 was going to be paid by the Benton County Clean Air Authority for use of the unused and common areas. In the interim, they decided to buy their own building, leaving the areas of the building unoccupied, and Benton County to pay the approximately \$50,000 per year. Every cent that the Health District gives to Benton County they use to repay the bond. He stated that the Health District will save some money because they will share overhead cost of operations with whoever moves into the building. Commissioner Peck asked for clarification on which costs will be shared. Commissioner Bowman stated that heating and air, sewer, water will all be shared costs. Commissioner Peck also shared that he was concerned with the lack of verbiage on termination of the agreement should the need ever arise. Ryan Brown, who helped amend the clause, stated that 95% of the lease is the same as before and there was never any verbiage discussing early termination. Commissioner Peck questioned a statement in the lease that states the Bi-County Human Services now is willing to lease unoccupied space. He stated that it has been discussed and they have looked at leases but in his opinion this new lease is predicated on something which is not yet fact. Commissioner Beaver stated that the County cannot agree to lease space that they have no right to, so the first step is to tour the building and look at the space as was done in this meeting, amend the agreement with the Health District to allow the County to lease the space to someone, and then offer it. Commissioner Peck feels the way the lease is worded and the way they are going about the process, the line between the Bi-County function and the Board of Health is being blurred. Commissioners Benitz, Beaver, Bowman, Koch and Miller voted in favor. Commissioner Peck opposed. Motion carried.

The date of the next regular meeting is November 17, 2010 at 1:30 p.m.

At 1:58 p.m. the meeting adjourned.

Prepared by:

Amy Serven, Administrative Assistant
Benton-Franklin Health District



Bob Koch
Chairman of the Board



Larry Jecha, M.D.
Executive Secretary