

**BOARD OF HEALTH
MEETING MINUTES
August 17, 2011**

Call to Order

Chairman James Beaver called the meeting to order at 1:30 p.m.

Roll Call

Present: Chairman James Beaver, Board Members Leo Bowman, Rick Miller, Brad Peck, Shon Small, Bob Koch and Executive Secretary Larry Jecha

Staff Present: Jason Zaccaria, Administrator; Cody Lewis, IT Manager; Amy Serven, Administrative Services; Jim Coleman, Representing Local 17; Sandy Owen, Preventive Health Director; Bruce Perkins, Environmental Health Director; Bonnie Hall, Client Services Manager; Lisa Wight, Human Resources, Danielle Koelzer, Representing WSNA

Visitors: Michelle Dupler, Tri City Herald

Approval of Agenda

Commissioner Bowman moved, seconded by Commissioner Koch to approve the agenda. Motion carried unanimously.

Approval of July 20, 2011 Minutes

Commissioner Bowman moved, seconded by Commissioner Miller to approve the minutes of July 20, 2011. Motion carried unanimously.

Unfinished Business

Canal Building Update

Jason Zaccaria announced that so far we have had three interested perspective buyers for the Canal Street building. The first is a bible college. There are no zoning issues with this buyer and a written offer should be coming within 1-2 weeks. The second prospective buyer is Composite Consulting Group. This is a local investment group with broker Greg Viera with NEI Tri Cities as a partner. CCG has a significant tenant in tow and the tenant is ready to lease the space as soon as possible. We have received a letter of intent with most of the associated costs being split between us and CCG. It has not yet been determined if there are any zoning issues with this prospective buyer. The third prospective buyer is Grace Clinic. Commissioner Bowman questioned why is it a purchase for the bible college but a lease for CCG? Jason

clarified that it is a letter of intent to purchase the building that we have received from CCG. The bible college has not yet submitted a written offer. Commissioner Peck stated that he believed Grace Clinic had requested a special meeting from the Administrator. He asked the status of that meeting and why it had not been communicated to the Board. Chairman Beaver stated that he did have a discussion with Jason about it. He stated that we have two offers on the table with letters of intent to purchase and he is not opposed to another meeting outside of that. He asked Jason to notify that group that if they have a letter of intent or a purchase price agreement, they are welcome to put it on the table with the two we already have. Commissioner Peck stated that was inconsistent with the discussion he had previously had with Chairman Beaver but since it didn't represent a quorum he would not hold him to it professionally, only personally. Commissioner Peck stated that when they came to an appropriate time in the agenda, he would bring it before the Board for discussion.

Health Officer Discussion

Jason stated he believed that the Board had a chance to review the initial memorandum which came out within the time frame set by the Board. It listed two recommendations. The first was a request for a .6 FTE for the Health Officer position with some initial justification for that request, with a reevaluation period within one year for appropriateness and possible adjustment. The second recommendation is to permit Dr. Jecha to stay on until the end of this calendar year in an effort to allow sufficient timing for a replacement Health Officer, preferably a permanent part time Health Officer. There was an additional addendum that came out (see attached). It states the basic Health Officer functions as required by RCW. It also outlines in further detail Dr. Jecha's retirement situation. Commissioner Koch questioned what efforts have been put forth to find a replacement Health Officer. Jason stated that he has made contact with several of the other Health Officers across the state and they are willing to fill in on a temporary basis and are willing to entertain a longer term permanent part time position. He stated that it will take some time to get them through the credentialing process as they are credentialed with Medicare and Medicaid but not through third party insurance companies and we could see a significant loss in revenue through the transition. Commissioner Peck questioned if Dr. Jecha was interested in staying on part time. Dr. Jecha stated that he was not interested in staying on. Commissioner Peck stated he felt an executive session of up to 20 minutes was appropriate to discuss potential negotiations on a personnel matter. Michelle Dupler of the Tri City Herald questioned what exemption the Board would be using to call an executive session. Commissioner Peck stated that he would be happy to find an RCW before the session. Ms. Dupler stated that she didn't believe there is an exemption that justifies the executive session as the personnel exemption is typically for performance review or evaluating qualifications of an applicant. Commissioner Peck stated that if no appropriate RCW could be found, he would withdraw his request for executive session. He then asked the Chair for a five minute recess so that the Board could research the RCW to find out if it is an appropriate discussion under executive session. The Board recessed for 5 minutes to discuss the matter. Commissioner Peck rescinded his previous request for executive

session and now moved for the executive session of up to 20 minutes be under RCW 42.3110G, specifically for the portion that authorizes executive session to review the performance of a public employee. Commissioner Bowman seconded the motion. The motion was approved with a 4-2 vote, with Commissioners Peck, Bowman, Miller and Koch in favor and Commissioner Small and Chairman Beaver voting against it. Ms. Dupler objected to the Board going into executive session for that purpose. The Board went into executive session at 2:16 p.m. for up to 20 minutes. At 2:22 the Board reconvened with no action taken. Commissioner Peck stated that the Board was careful to comply with the letter and intent of the RCW and they confined their discussion specifically to the stated purpose. Commissioner Bowman moved, seconded by Commissioner Small, to approve Dr. Jecha stay on at a .6 FTE until the end of the year to help us through the transition of finding another Health Officer. Commissioner Peck questioned what the Board's action would be at the first of the year if we find ourselves still without a new Health Officer. Commissioner Bowman stated that the intent of his motion was for us to retain Dr. Jecha's services at full salary until the end of the year or until a replacement Health Officer can be found. Commissioner Peck stated that he feels like there is no motion necessary since this is setup we currently have in place. Commissioner Small moved, seconded by Commissioner Bowman, to give Jason Zaccaria direction to seek and hire a Health Officer who has all the requirements necessary to be able to keep the Benton Franklin Health Department financially secure at a .6 FTE by the end of the year. Commissioner Koch restated Commissioner Peck's previous concern about what will happen if we have not located a replacement by January 1st. Jason Zaccaria stated that his expectation is that by January 1st, he will have brought a Health Officer to the Board for acceptance. Commissioner Peck offered a friendly amendment to the motion that it be stipulated not later than January 1st to encourage the Administrator to do this expidiously. Commissioner Bowman accepted the friendly amendment. Motion passed unanimously.

Announcements

Dr. Jecha announced that he attended a Public Health Funding Meeting at SeaTac on July 28th. Washington State Public Health Association invited key legislators, Board of Health members, and key Health Officers and Administrators throughout the state. They gave a funding overview.

Dr Jecha announced that all the hospitals are on board for the health assessment with the MOU and Group Health. We have a stellar steering committee assigned to it from the community with about 24 members. He stated that if there is any interest from a Board Member volunteer, it would be appreciated. The first meeting for the steering committee will be August 29th.

Dr. Jecha announced that he approached all three hospital CEO's and they agreed that Kadlec will be the designated emergency response hospital.

Dr. Jecha announced that a new vaccine exemption law was passed on July 22nd. Under this new law, if you want to be exempt from immunizations, you must first be counseled by a physician of the pros and cons. Prior to this law, a parent could make the decision not to vaccinate their child.

Dr. Jecha announced that Benton-Franklin County has had a third case of Coccidioidomycosis, which is a fungal disease that resides in the dust. It presents itself like pneumonia. Dr. Jecha stated that he will be making this a reportable disease, which the Health Officer has the authority to do.

Jason Zaccaria announced that the Health District is currently undergoing its Washington State audit. We had the initial entrance interview. The audit has been ongoing for a couple of weeks and so far we are doing well, as in past years. The Commissioners on the Board are invited to the exit conference when that occurs, probably toward the end of the month or the beginning of September. Commissioner Bowman questioned the cost of the audit. Jason stated it was just under \$12,000.

Approval of Vouchers

Commissioner Miller moved, seconded by Commissioner Koch to approve payment of vouchers numbered 136 to 140 in the amount of \$704,087.66. Motion carried unanimously.

The date of the next meeting will be September 21, 2011.

The meeting adjourned at 2:56 p.m.

Prepared by:

Amy Serven, Administrative Assistant
Benton-Franklin Health District

Approved in regular session September 21, 2011