

November 2, 2023

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Primmer and Bierschenk present. The meeting was called to order at 10:00 a.m. at the Benton County Service Center. Members of the public are invited to join in during open session or watch the livestream at <https://www.youtube.com/bentoncountyiowa>. *Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor's office and at: [www.bentoncountytia.gov](http://www.bentoncountytia.gov)*

**Bierschenk moved/Primmer seconded:** To approve the of minutes for October 31, 2023 and also correction to October 24, 2023 minutes to fix the time and location of the meeting. Motion carried.

Supervisor Primmer reported on the quote regarding the white noise for privacy in the hallway at the Service Center discussed at an earlier meeting. The wiring quote was \$4,765.73.

Ray Lough, County Attorney explained that the main purpose for today's meeting was to open it up to the public to review a new proposal for health services in Benton County. The most recent contract terminated in March originated back to 1994. A new draft agreement was shared between Benton County Board of Supervisors, Benton County Board of Health and Virginia Gay Hospital. Lough referred to Iowa Code 137 and Administrative Chapter 641, which discusses the roles of each entity and how those duties are included in this draft. Lough also introduced Benton County currently has a public health director housed at the Benton County Service Center. Michele Schoonover, Virginia Gay Hospital's CEO asked to read a statement in response to the insinuations and many statements occurring on the subject matter. Following the joint meeting on February 10, 2023, The Board of Health (BOH) had wanted to change the parameters of the prior contract mainly due to the combining of the departments of Health and Human Services with the Department of Health and moving to population-based services. In order to do that, the hospital had to terminate the agreement in March and reflect some changes that are included in this new draft. Schoonover also stated that the hospital has been supporting the current public health director on a weekly basis, at no cost to taxpayers. The county still has equipment at the hospital and they have continued to provide support and interim services for back-up. They want this service to the community to be successful. Schoonover also added that they realize the new BOH would have to approve a new contract. Supervisor Seeman was assured the drafted contract was made available to the public late Wednesday.

Lough introduced Brent Hinders, attorney brought in that specializes in this area of the law.

Kurt Karr, asked for it to be on record, that originally the Board of Supervisors (BOS) denied the public to see the draft at Tuesday's meeting because Lough had advised them not to. According to Karr, the Iowa Public Information Board (IPIB) advisory says that was not correct. Lough said since there has been a complaint filed, he is not going to discuss that. Margaret Mangold then added to that, she was requesting that original copy from Tuesday's meeting before other tweaks have been made to the one today.

Former BOH members all had comments to add to the 90 minute discussion. Mangold asked the Supervisors if they ever thought to come to the Board of Health with questions before their actions? Lisa Staab referred back to the May 9, 2023 meeting where the BOH presented two structures that the Supervisors voted on which structure they wanted and that was to put Land Use under the Board of Supervisors and Public Health under the BOH.

Kaitlyn Emrich pointed out the topic of the agenda item and asked if this Board would still be entertaining this contract, if we (BOH) were not terminated? Emrich summarized the actions taken by the BOH under the direction of the BOS many times, then we were terminated after taking those actions we were told to do. Emrich also pointed out there was a similar revised drafted contract presented to them in 2018.

Morrison reminded the Board of Supervisors, they were promised some answers at today's meeting.

Ray reminded them the authority of the BOS is the funding, not the services.

Discussion continued back and forth and other members of the public also spoke up on the subject with their concerns also.

Kurt Karr stated that everyone makes mistakes. Saying they were sorry and rectifying it would be the most gratifying. Supervisor Seeman apologized to the Virginia Gay Hospital representatives but stating they would have to think about apologizing to the members of the BOH, there are a lot of factors to consider.

Due to the arguments and conflicts in the meeting, Michele Schoonover, on behalf of Virginia Gay Hospital, I withdrew the drafted contract offer that was on the table. Schoonover said, "It's not worth sullying VGH's reputation or all the stress and arguing."

It was agreed that the next step necessary to move forward is to appoint members to the Board of Health. Once that Board is in place, then they could look at different options for sub-contracting. Emrich recommended if a sub-contract is the way they want to go, that a fair and open process is used to open it up to others for the equal opportunity to bid on this.

Seeman asked that the public comments be closed at this time and that it would all be revisited. Mangold reported the five members had requested a hearing in regards to their termination and that there would also be a future agenda item requesting funding for legal counsel to represent the Board of Health. Lough provided the date of the scheduled hearing and Auditor Rippel will be sending certified letters in response.

**Primmer moved/Bierschenk seconded:** To adjourn at 11:27 p.m. Motion carried.

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Tracy Seeman, Chairman

ATTEST: \_\_\_\_\_

Hayley Rippel, Benton County Auditor