

The special meeting of the Spokane Regional Health District Board of Health held on Thursday, **November 5, 2020** virtually due to the COVID-19 pandemic was called to order by Mayor Ben Wick, Chair, at 3:00 p.m.

PRESENT

Mayor Ben Wick, Chair
Commissioner Mary Kuney, Vice Chair
Commissioner Al French
Commissioner Josh Kerns
Council President Breean Beggs
Councilmember Karen Stratton
Councilmember Betsy Wilkerson
Councilmember Linda Thompson
Mayor Kevin Freeman
Board Member Andrea Frostad
Board Member Chuck Hafner
Board Member Jason Kinley, ND

ABSENT

All members were present.

OPENING REMARKS – *Michelle Fossum, General Counsel for Spokane Regional Health District*

Any written comment provided to the Board of Health at public_comments.org prior to 11:00 a.m. today was provided to Board members and made part of the meeting record.

Legal counsel stated that the administrative process would include thirty (30) minutes for the SRHD Administrative Officer to present to the Board. Following, Health Officer, Dr. Bob Lutz, would have thirty (30) minutes to present to the Board. The Board would then have an opportunity to ask questions of the Administrative Officer or Health Officer. The Administrative Officer and Health Officer would not be able to ask questions of the Board or each other. The Board would have an opportunity to enter executive session. Reasons and timeframe for an executive session would be announced. No decisions or votes would be made in executive session. In open session, the Chair would entertain a motion. The same process would be used for other potential action items on the Board agenda if appropriate.

ADMINISTRATIVE OFFICER REMARKS – *Amelia Clark, SRHD Administrative Officer*

The SRHD Administrative Officer asked the Board to approve her request to terminate the Health Officer, Dr. Bob Lutz. The request was made based upon Dr. Lutz's performance issues and because the termination is deemed in the best interest of the Health District and community. The SRHD Administrative Officer proceeded to present reasons for her decision to seek termination of Dr. Bob Lutz.

HEALTH OFFICER REMARKS – *Health Officer, Dr. Bob Lutz, and Bryce Wilcox, Legal Counsel for Dr. Bob Lutz*

Bryce Wilcox noted that prior to the hearing, the Board had been advised that the protections afforded under Washington's Administrative Procedure Act applied to the hearing and that the hearing was not in compliance. Dr. Lutz elected to proceed with the hearing without waiving his rights under the Administrative Procedures Act. A detailed, written statement had been provided to the Board regarding each of the Administrative Officer's allegations.

Dr. Lutz proceeded to present his background and history with the Board of Health.

Mr. Wilcox urged the Board to reject Ms. Clark's attempt to oust Dr. Lutz and allow him to continue working for the health and safety of all.

Mayor Freeman made a point of clarification that the SRHD Board of Health called the hearing and not the SRHD Administrative Officer and that the meeting date and time was determined by the Board.

BOARD QUESTIONS

Councilmember Stratton asked legal counsel if mediation between the Administrative Officer and Health Officer was possible. Legal counsel stated there had been numerous attempts for the Administrative Officer and the Health Officer to work together and it would be challenging to try and mediate and move forward at this time.

Commissioner French provided comment. Council President Beggs made a point of order noting interest in Board member comments and that it was time for the Board to ask questions.

Board members proceeded to ask questions of the Administrative Officer and Health Officer.

Motion: *To move the Board of Health meeting into executive session for 15 minutes.*

Motion/Second: *Beggs/Kinley*

Approved: *9 Yea/3 Nay (French, Kerns, Wick)*

EXECUTIVE SESSION

The Board adjourned at 4:57 p.m. for 15 minutes for an executive session pursuant to RCW 42.30.110(1)(f), RCW 42.30.110(1)(g) and RCW 42.30.110(1)(i). Legal counsel, Michelle Fossum and Heather Yakely were asked to join the session. At 5:12 p.m., legal counsel requested an extension for an additional ten minutes. At 5:22 p.m., legal counsel requested an extension for an additional 20 minutes. At 5:44 p.m., legal counsel requested an extension for an additional 20 minutes. At 6:04 p.m., legal counsel requested an extension for an additional five minutes.

MEETING RECONVENED

The meeting reconvened at 6:09 p.m.

ACTION ITEMS

Potential SRHD Board of Health Action Regarding Approval of the Termination of Dr. Bob Lutz, Health Officer – Mayor Ben Wick, Chair

Motion: *To terminate employment with Dr. Bob Lutz effective immediately.*

Motion/Second: *French/Kerns*

Approved: *8 Yea/4 Nay (Beggs, Stratton, Wilkerson, Kinley)*

Potential SRHD Board of Health Action Regarding Approval of the Appointment of an Acting Health Officer – Mayor Ben Wick, Chair

Motion: *To appoint Dr. Frank Velázquez as interim health officer for Spokane Regional Health District.*

Motion/Second: *French/Thompson*

Approved: *Unanimously*

Motion: *To amend the original motion to end the interim health officer appointment at the next regular Board of Health meeting subject to reauthorization.*

Motion/Second: *Beggs/Wilkerson*

Approved: *Unanimously*

NEXT BOARD OF HEALTH MEETING

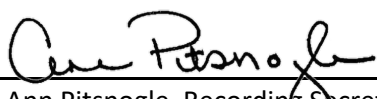
The next Board of Health meeting is scheduled at 12:30 p.m. on December 3, 2020.

ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 7:17 p.m.

APPROVED: Ben Wick
Ben Wick, Board of Health Chair

Date: 12/8/2020


Ann Pitsnogle, Recording Secretary

Signature: 
Ben Wick (Dec 8, 2020 09:22 PST)

Email: bwick@spokanevalley.org






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Final Audit Report

2020-12-08

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