

## MINUTES OF THE VETERANS MEMORIAL COMMISSION

Monday, May 16, 2016 5:15 p.m.

Roll Call: Present were Ed Adkins, Teresa McCall, Leo Lease, and Brenda Bortell. A quorum was present and McCall called the meeting to order at 5:15 p.m.

Note: Channel 13 News crew (2 reporters) were present for entire meeting. Approximately 70 audience members of the public were present.

Perfecting and Approval of the Agenda: Adkins made a motion to approve the agenda, second by Bortell. All Ayes, motion carried.

Approve Minutes from Monday, April 11, 2016 meeting: McCall read the minutes since not all commission members had the opportunity to read them before the meeting. McCall made a motion to make a correction to paragraph five to take out extra "the" and also change the final sentence of that paragraph to read: "They attended a meeting on April 7." In the fourth paragraph from the end of the minutes, the first sentence should read: "There are some repairs that need immediate attention at the building, such as a door to the outside, which is currently chained closed but can open a few inches if pulled." Adkins made a motion to approve the minutes (as corrected) of the April 11 meeting, second by Bortell. (Leo didn't vote since he was not at the April meeting.) Motion carried.

Welcome New Member: McCall welcomed new commission member, Leo Lease, and asked him to tell a bit about himself and his interest in serving on the commission. McCall then read the commission guidelines to the entire commission and asked if anyone on the commission could not abide by the guidelines. None of the commission members raised objections to abiding by the guidelines.

Communication, Bill Expenditures and Income:

Nicole Brua-Behrens reported a balance of \$11,606 in donations to the building renovation account at Greater Poweshiek Community Foundation.

McCall read an email communication from Russ Behrens regarding the volunteer workday and also an email response she sent back to Behrens. (Emails should be attached to the minutes.)

Old Business:

Grinnell Veterans Memorial Commission Building Campaign: McCall repeated the amount of donations reported by Nicole Behrens and Mike Olson reported that he and Tammy Kriegel are also still accepting pledges.

City Budget Update: A budget in the amount of \$350,000 for phase one of the building project was requested by the commission of the city in January. No action was taken by the city council, so no budget was provided for the next fiscal year. Fundraising efforts will continue.

A petition regarding a Tax Levy Vote has been prepared by Bill Lannom and has been circulated by Randy Hotchkin and other business owners and community members. 67 signatures are required to validate the petition- this represents 10% of the last city voter turnout. Only Grinnell residents may sign the petition. The signatures obtained have already surpassed the requirement. The petition will be presented to the City of Grinnell in the near future. A copy of the petition was circulated among the crowd.

#### New Business:

Small improvements were made by the volunteers on the April 30 work day. One still in the process is updating the sign that was on top of the entry way of the building. Howard McDonough has the sign with all of the insignias and will work on improving the sign.

McCall made a motion to obtain an estimate for mildew remediation, seconded by Atkins, all ayes, motion carried. McCall made a motion to get a roof repair estimate as a leak was found. Bortell seconded, all ayes, motion carried. McCall made a motion to obtain a donated door and donated services to install the door on the south west corner, lower level of the main part of the building. Seconded by Adkins. After some discussion between Lease and McCall- all ayes, motion carried. Bortell moved to table discussion on replacing sign on the front of the building. Seconded by Lease, all ayes, motion carried. Discussion regarding fans and dehumidifiers was tabled until the mildew remediation and roof repair estimates are reported.

McCall spoke about the volunteer work day at the Veteran's Memorial Building on April 30 and thanked the volunteers. 20 people, including 3 contractors, cleaned, painted, and assessed needed repairs. The event was safe and well supervised. Experts on site said it is mildew and not mold in the basement and that it can be easily solved. Ron Lily improved the sign in front of the building. Roberta See and Tammy Kriegel donated and prepared lunch for the volunteers. Beth Johnston brought in cookies.

Bortell requested administrators be put in charge of the Facebook account and edit the page as needed to keep it positive. Tammy Kriegel and Teresa McCall are already administrators of the account.

#### Upcoming Fundraising Events

Pizza Ranch night is May 26 5-8pm

Silent auction is still being considered as a possible June event.

Next commission meeting set for Monday, June, 13 2016 5:15 p.m. in the City Council Chambers.

Motion made to adjourn by Adkins, second by Bortell. All ayes, motion carried. Meeting adjourned at 6:35 p.m.

Meeting notes taken by Brenda Bortell. Edited/revise by Teresa McCall.

**From:** McCall, Teresa  
**Sent:** Wednesday, May 04, 2016 2:31 PM  
**To:** Russ Behrens <[RBehrens@grinnelliowa.gov](mailto:RBehrens@grinnelliowa.gov)>  
**Cc:** Duane Neff <[DNeff@grinnelliowa.gov](mailto:DNeff@grinnelliowa.gov)>  
**Subject:** RE: Volunteer Work on Veterans Building

Russ,

Thank you for the email. I understand some of your concerns. However, I think the commission should have been consulted immediately before any locks were changed or any action was taken regarding any decisions with the building. Our bylaws clearly state that the commission has complete control of the building and city officials seem to indicate that they want nothing to do with aiding in the preservation of the building, so I'm perplexed as to why the city would intervene without proper notification to the commission.

Can you tell me who advised you to take this action immediately? I would appreciate a copy of that correspondence if it is available electronically.

We certainly don't want to jeopardize anyone's health or well-being or create any liability on the part of the city or commission. Thanks again for the notification and information.

Please provide me with the information requested above. Thank you.

**Teresa A. McCall**

Guest Housing/Special Programming Coordinator  
Grinnell College Conference Operations & Events  
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**Planning a Big Event?** Online resources available at [Conference Operations' Website](#)

**From:** Russ Behrens [<mailto:RBehrens@grinnelliowa.gov>]  
**Sent:** Wednesday, May 04, 2016 1:53 PM  
**To:** [leaselm@me.com](mailto:leaselm@me.com); [chadrose5@gmail.com](mailto:chadrose5@gmail.com); [bbortell@gmrc.com](mailto:bbortell@gmrc.com); McCall, Teresa <[MCCALLTE@grinnell.edu](mailto:MCCALLTE@grinnell.edu)>  
**Cc:** Duane Neff <[DNeff@grinnelliowa.gov](mailto:DNeff@grinnelliowa.gov)>  
**Subject:** Volunteer Work on Veterans Building

Good Afternoon,

I have the unenviable task of raising several concerns related to the Veterans Building and the well intentioned volunteer work that was completed over the weekend.

First, Duane Neff and I inspected the property on Tuesday, May 3, 2016. We found the building unsecured, in particular a door in the lower level was being held shut with a small rope and part of a metal chair. Access was easily gained with very little effort. We also believe there are several keys floating around with people that are not Commission members or city employees. Admittedly this is

partly my fault as I had been providing keys to people such as George Fowler. I have now been instructed by elected leaders, our insurance company representatives, and the City Attorney that this is not acceptable. We have secured all doors to the building and now hold all keys that can provide access to the building. In addition, we must insist that no person climb onto the roof of the building without proper authority or permission.

There have also been concerns raised in regard to the safety of volunteers performing work on the building and the tremendous liability exposure this creates for the Commission and city of Grinnell. There were a number of photos showing volunteers on the roof of the building, climbing ladders, and several people witnessed a boom truck being used in proximity to an overhead power line without proper safety protection in place. There is also evidence to suggest the air quality in the building is poor and may be a hazard to volunteers. Before any additional work can occur we must be assured that the work will be performed by professionals with the proper training and insurance. If the work is to be done by volunteers we will need to be provided evidence that the volunteers have had the proper safety training to perform the work, have the licenses and skills to perform the work properly, and that appropriate insurance is in place to protect the volunteers and the city of Grinnell.

We also do not believe the level of renovation that is necessary with that building can safely and properly be done with a volunteer force. We understand that everyone is very well intentioned; however we believe the concern for the safety of the volunteers and the tremendous liability exposure force our hand in this case.

Both our insurance carrier and city attorney will be providing us with additional guidance on this matter. Duane and I were instructed to take this action to secure the building immediately.

Upon receipt of additional guidance from our insurance representatives and the City Attorney, I would suggest that we discuss this matter in person.

Even though I suspect this message may be a little upsetting, in the end I am just as certain that we would all agree that one serious injury would haunt us all for a very long time. These injuries are almost always preventable and that is what we are doing – trying to prevent a serious injury.

Thank you.

*Russ Behrens*  
*City Manager*  
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From: [RBehrens@grinnelliowa.gov](mailto:RBehrens@grinnelliowa.gov)  
To: [teresamccall@hotmail.com](mailto:teresamccall@hotmail.com)  
Subject: Key to Veterans Memorial Commission  
Date: Thu, 12 May 2016 16:19:09 +0000

Hello Teresa:

Thank you for stopping in today and for your understanding on the issue of security and safety at the Veterans Memorial Building. I know you are passionate about this and also a little frustrated.

You asked how this decision to secure the building came about and what role the City Council had in that decision process.

At the Monday, May 2, 2016 7:00 a.m. Finance Committee meeting under inquires several of the City Council members asked staff about the volunteer work day that was held at the Veterans Memorial Commission the previous weekend. For the most part the staff had little knowledge of the event except for the paint donation issue that we discussed with you April 28<sup>th</sup> and/or 29<sup>th</sup>. There was some concern from the members present about the safety of the volunteers and the liability of the city should there be an injury. No action was taken by the City Council /Committee and staff indicated they would check with our insurance carrier to get their opinion on the matter. This opinion was provided verbally that day by ICAP and has since been provided in writing (attached). Staff also contacted the City Attorney for his thoughts on the matter and he advised that we had a responsibility to keep the building secure, limit access, and minimize the risk to volunteers and liability exposure.

During the Planning Committee meeting on Monday, May 2, 2016 concerns were raised by the members of the City Council present in regard to the safety of the volunteers working on the Veterans Building during a volunteer work day from the previous weekend under inquires. They raised concerns over photos on Facebook that showed volunteers climbing ladders, climbing on the roof of the building, and working near overhead powerlines (this observation was made by city staff). There were also known conditions and concerns regarding the air quality and mold. There was no formal action taken or motions made other than to strongly suggest to staff present that we needed to take action to secure the building and limit access to those authorized to have such access. They indicated that they believed there was a significant risk to volunteers and liability to the city requiring immediate action.

I also asked Duane Neff to provide me access to the building, provide a tour of the building, provide his insight regarding the volunteer work being performed, and the issue of building access and security. It was during this tour that it became apparent the building was not secure and access could be easily obtained. I also asked Duane at this time if in his professional opinion the building could be renovated and receive an occupancy permit using volunteer labor. His response was that he did not think that was possible.

We understand your position that the Chair of the Veterans Building Commission should have a key to access the building and generally agree. I would ask that either representatives or all members of the Veterans Memorial Building Commission and the Grinnell City Council meet to discuss the overall status of this project and other specifics such as building access. In the meantime, if you need access to the building to take photos, show the building to an architect or other related reason I will personally visit the building with you and provide that access (advance notice would be appreciated).

As I stated in an earlier email I take responsibility for the liberal access practice that had been occurring over the past couple years as I had been providing access via keys to numerous people that in hind sight I should not have provided. I certainly had good intentions but this put these people at risk and exposed the city to unnecessary liability.

It appears the city will be taking action next week to bring one of our other challenging projects to a positive resolution and this may be a great chance for all of us to reset our approach to the Veterans Building challenge and direct more attention to this matter.

Thank you for your understanding and your commitment to serving on the Veterans Memorial Building Commission.

*Russ Behrens*  
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# Iowa Communities Assurance Pool

**MEMBER NAME:** City of Grinnell

**COUNTY:** Poweshiek

**MEMBER NUMBER:** 218

**DATE:** 5/11/2016

## RECOMMENDATIONS

Implementation of the following recommendations and procedures may reduce potential liability exposures:

**01 – 5/11/2016 – Prevent unauthorized individuals from entering and performing renovation on the veteran’s administration building.** ICAP was informed that the veteran’s administration building has been observed to contain mold on the ceiling and that unauthorized individuals have been working inside and on the roof of the building to conduct renovation projects. The City of Grinnell may be held liable for damages and injuries that occur as a result of individual entering and/or working on the building. Due to health and safety concerns, the following is suggested to help prevent adverse health conditions and/or injuries and reduce liability.

1. Prevent unauthorized access into the building until the mold has been properly abated or deemed not a hazard.
2. Ensure the building is maintained in a secure state (locked) to keep unauthorized individuals out.
3. Renovations such as reframing, drywall, plumbing, HVAC, electrical, roof and foundation work should be done only by those with certifications in those respective fields or under the guidance of a licensed general contractor.
4. All renovation work should be done according to written contract that outlines scope of the work to be completed and safe work measures and with liability insurance provided.