

State Laboratory Advisory Committee Meeting Minutes
August 14, 2019 1pm – 3pm
Marsh Lab, Bozeman, Montana

Members Present: Representative Kerry White, Representative Brad Hamlett, Senator Gordon Vance, Senator Pat Flowers, Dr. Greg Juda, Mike Volesky, Christy Clark, Tracy Ellig, Anton Bekkerman

Members Excused: None

DOA Staff: Garrett Bacon, Mike Manion, Russ Katherman, Steve Baiamonte, Belinda Adams

Other Participants: Mike Honeycutt, Dr. Jennifer Ramsey, Jon Verreth, Jay Fischer

I. Call to Order

- a. Steve Baiamonte called the meeting to order at 1:00pm

II. Administrative Matters

- a. Committee members and meeting attendees introduced themselves.
- b. Steve Baiamonte asked for Committee chairperson nominations.
 - i. **MOTION:** Gordon Vance nominated Kerry White. Brad Hamlett seconded the motion. The motion passed unanimously.
 1. Representative Kerry White is now the Chair for the State Laboratory Committee.
- c. Steve Baiamonte asked for Committee Vice Chairperson nominations.
 - i. **Motion:** Senator Gordon Vance nominated Brad Hamlett. Representative Pat Flowers seconded the motion. The motion passed unanimously.
 1. Representative Brad Hamlett is the Vice Chair for the State Laboratory Committee.
- d. Steve Baiamonte turned the meeting over to Chair Kerry White. Chair White thanked the members of the committee for their participation. He also stated that he will work with the Department of Administration (DOA) for future meeting agendas, notes and accommodations.

III. Committee and DOA Objectives

- a. Chair White gave a brief overview of why the committee has been formed. The passing of HB661 in the 2017 Legislature authorized a study of Montana state laboratory infrastructure. He then asked the Vice Chair to discuss HB 586 from the 2019 Legislature.
 - i. Vice Chair Hamlett states that he brought HB 586 to the legislature to have flexibility in funding to help get the co-located labs built in a timely manner. He stressed his concerns about brucellosis, chronic wasting disease, the importance of agriculture and the overall need to keep our environment healthy.
 - ii. Senator Gordon Vance stated he's been on the economic affairs interim committee since 2009 and the issue has been present throughout that time. He referenced a report that was prepared by Hope Stockwell in 2010 that supports the need for the lab being built as an example for how it's been a need for a long time and the time is now to get it done.
- b. Chair White asked for the Department of Administration (DOA) to share its objectives and responsibilities.
 - i. Mike Manion states that DOA is here to do what is asked of it by the committee in an administrative capacity. DOA has brought drafts of an RFP that has previously been done to use as a model and DOA is here to help as needed. Garrett Bacon says that he will speak more to the RFP when the Committee gets to the "Long Range Building Program" portion of the agenda.

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- c. There was a request for more information on the legislative history and where the project is at today.
 - i. Chair White states that HB 661 authorized an interim study of Montana state laboratory infrastructure. There was a study done of the long-term future of and possible efficiencies to be gained from co-locating the state-supported labs that are currently located on the MSU campus. The study evaluated the function, condition, and needs of the six labs located on the campus and recommend a proposal to the subcommittee. The labs included were the Montana Department of Livestock Veterinary Diagnostic Lab, the Montana Agricultural Experiment Station's (MAES) wool lab, the Department of Agriculture Seed Lab, the Montana Department of Fish, Wildlife, & Parks (FWP) Wildlife Lab, the MSU Pulse Crops Diagnostic Lab, and the Montana Department of Agriculture Analytical Lab. This report also listed different options for how to proceed. In the 2019 Legislature, HB 586 was passed, which created this Committee. This Committee is tasked with developing a plan for co-located labs that conduct animal testing for pathogens that could affect public health. Chair White brought HB 316 last session, which increased the amount of square footage to be leased from 40,000 square feet to 45,000 square feet without Legislative approval.
 - ii. Chair White explains the three possible solutions that came from HB 661 lab study.
 - 1. *Option One*: Construct a new building for the Department of Livestock Veterinary Diagnostic Lab, Department of Agriculture Analytical Lab, the vacated space and Marsh Lab would be renovated for the seed lab, pulse lab, and that the MAES wool lab. The Fish Wildlife and Parks (FWP) lab would remain in its current location.
 - a. Chair White expresses concerns to chronic wasting disease containment (CDW). Currently, CDW samples are collected by FWP and sent to Colorado State University because the current lab doesn't have BSL 3 containment capabilities for the HVAC or in waste treatment. FWP is conducting necropsies in a facility which does not have sufficient containment and samples are generally transported to the VDL lab across a busy street increasing the risk to human health.
 - 2. *Option two*: Construct a new VDL only; vacated space in Marsh lab would be renovated for Department of Agriculture analytical lab, seed lab, and pulse lab. The MAES wool lab and FWP lab would remain in their current location. The MAES wool lab currently has insufficient HVAC system which is critical in protecting the safety of workers.
 - 3. *Option three*: Construct new lab for Department of Livestock only. Pulse lab would move into unrenovated space of Marsh Lab. Seed lab, MAES wool lab, and FWP lab would remain in their current locations.
 - iii. Chair White then states that the HB 661 subcommittee wasn't happy with those options, so they come up with two more options, option 1a and 3a.
 - 1. *Option 1a*: Construct new building for analytical lab, livestock veterinary lab, and FWP lab. Vacated Marsh Lab space would be renovated for seed, pulse, and MAES wool labs.
 - 2. Chair White then mentions a letter from Clayton Christian, Commissioner of Higher Education, and MSU President Crusado from August 2019. The letter says that they are in favor of the report's recommendation that the analytical lab be moved into the potential new complex.

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3. Chair White encouraged new Committee members to take a tour of the current labs.
4. *Options 3a*: Construct new veterinary lab and FWP lab. Pulse lab would move into unrenovated space in Marsh Lab. All other labs will remain in current location.
 - iv. Chair White states that the subcommittee on HB 661 voted to endorse option 1a as the best option to protect human health and safety.
- d. Representative Hamlett stated that MSU would like to have the space back that is currently occupied by the analytical and MAES wool labs. He also talked about the importance of the incinerator for disposing of pathogens and the need for the incinerator to be available throughout the process.
- e. Christy Clark asked if having the human pathogen lab for Department of Health and Human Services (DPHHS) was considered as being part of the Helena Capitol Campus. Chair White responded that it was not discussed.
- f. Senator Pat Flowers asked what the goal of the Committee was. Chair White answered that the goal was construction. He also stated that the Committee would need assurance from MSU that it can build the complex and plan for the completion of option 1a. Representative Hamlett stated that they could start construction without having to go through the legislature again since the funding was written into the bill.
- g. Representative Hamlett stressed the importance of having an incinerator and refrigeration continuously in place throughout this process.

IV. **Agency Reports**

- a. Department Livestock by Mike Honeycutt and Dr. Greg Juda - handout
 - i. A handout was shared about the Department's needs. It contained details about CDW. Dr. Greg Juda referenced page 2 of the handout, which referenced the 2018 study; page three recapped the facility deficiencies and detailed the differences between BSL 3 and BSL 2 spaces.
- b. Department of Fish, Wildlife, and Parks by Mike Volesky and Dr. Jennifer Ramsey
 - i. Chair White raised concerns about the handling of test samples for CWD, including the fact that the samples are transported across 19th avenue in Bozeman, MT for testing. Vice Chair Hamlett echoed those concerns.
 - ii. Mike Volesky brought up that the Department didn't need to be apart of potential co-located labs since they had recently updated their facilities. However, they are supportive of the project and the Committee. Chair White brought to the attention of Mr. Volesky that even with the recent upgrades to the FWP lab, additional deficiencies in waste containment still exist.
- c. Department of Agriculture by Christy Clark and Jon Verreth
 - i. Agriculture's lab is located on MSU campus, accredited, has an MOU with MSU, and is directly associated with the Department of Agriculture. Seed and pulse labs are located on the Marsh Lab property but are not directly affiliated with Department.
 - ii. Currently, their lab is not in an urgent situation, although MSU has expressed an interest in getting the land back. The main concern is for the potential future is a possible marijuana initiative which would fall on the analytic lab for testing. Another concern is chemical containment. Right now, it is handled well, but they could use an area with better ventilation.
- d. Montana State University by Tracy Ellig

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- i. University system is invested and at the table for the future development. MSU supports building of a building in this location, whereas the Board of Regents needs exact plan information for approval.
- ii. Vice Chair Hamlett asked if the 3.5 acres of space used now is adequate for what the co-located labs plan. Tracy Ellig said that it is enough, although, if the current space is renovated, we will need some swing space while the new lab is built.
- iii. Senator Vance asked when the next Board of Regents meeting was. Tracy Ellig replied that it was September 11 and 12 in Butte MT. The following one was in November in Bozeman, MT. Senator Vance stated that he wanted to confirm with the Board of Regents and MSU that they are supportive of what the Committee is trying to accomplish. Tracy Ellig replies that the Board of Regents is the final authority and MSU can't state anymore without overstepping their role.
- e. Senator Vance motions that the committee vote to send a letter to get this on the Board of Regents agenda before this Committee's next meeting. Tracy Ellig asked for clarification on what the letter will be asking for and what the Committee will be doing. Chair White states it is to move forward with the plan and study that has previously been done. Senator Pat Flowers states that he understands the urgency and need for commitment from the Board of Regents but feels that the plan right now might set us back and isn't fully formed. He agrees with Tracy Ellig that the board may need more details before supporting the plan. Chair White references the two-year study that's previously been done, that the MSU president has written letter in support, thinks that, due to urgency, the Committee should send a letter asking for support. He then states that if the Board wants more information then we can do that or if they say no then that can inform our future planning as well.
- f. Senator Flowers asks what exactly would be sent, for example would the Committee describe option 1a and then say we'd like approval for that option to take next step of doing an RFP? Chair White answers that yes, that is his intention. Overall, he would like to hear what they have to say. Tracy Ellig replies that Anton Bekkerman and himself will have to abstain from the vote due to conflict of interest.
- g. Vice Chair Hamlett says that it's a matter of protocol to write a letter to ask the Board of Regents to consider this while it's important to keep in mind that the Board and MSU are not financially liable or required to participate in the building project. Mike Volesky states that he understands the sentiment and motion but thinks that it will be returned with more questions. He then asks what are we will really be asking for? Chair White references the study, stays that there has been a struggle getting commitment from University and Board. He also suggests putting five acres in the motion as recommended by Russ Katherman earlier.
 - i. **MOTION:** Chair Kerry White calls for a vote to send a letter to the Board of Regents asking for its support of option 1A. Belinda Adams reads a roll call for all Committee members: Representative Kerry White: Yes; Representative Brad Hamlett: Yes; Senator Gordon Vance: Yes; Senator Pat Flowers: Yes; Dr. Greg Juda: Yes; Mike Volesky: Yes; Christy Clark: Yes; Tracy Ellig: Abstain; Anton Bekkerman: Abstain. The motion passes.
 1. Chair White requests that DOA draft a letter to the Board of Regents, as well as, request to be on their meeting agenda.

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V. **Long Range Building Program**

- a. Russ Katherman states, that in his opinion, the land is a big consideration in the total cost. Considering the land, the size of options available in comparison to what the Committee wants to do, 3.5 acres seems tight and 5 acres might be a better fit. He is currently working on a scope of services for the state-owned VDL in HB 5, and that effort might be available for consideration when working with a developer for the RFP and the process as a whole. He also states that any leased building must meet the High-Performance Building Standard and building longevity requirements per state statute.
- b. Mike Honeycutt spoke about his Department's need for facility upgrades and funding. Vice Chair Hamlett states that they would have the option to lease-to-own because of the bill passed last legislative session.
- c. Garrett Bacon states that he has successfully done RFP's that are site specific like this and sited some examples. He will have Belinda Adams send out an example RFP to the group after the meeting. Once they are ready with the RFP process, he will also work with Russ Katherman's group and the State Purchasing and Procurement Bureau. He states that the process will take time and that he will need as much detail as possible to get started.
- d. Vice Chair Hamlett asks if the building could be multiple floors. Garrett Bacon replies that the building must be built within city and university building codes.
- e. Tracy Ellig states that the seed and pulse labs might not be in the RFP. He says that the MAES wool lab is attached to location only, but the building is owned by MSU and falls under MSU extension/the ag research lab. Mike Volesky states that FWP might not be in the RFP either. All of this would change the footprint and the future RFP. Anton Bekkerman states that all space issues need to be considered, as well as, cost efficiencies of the space for the entire MSU campus. Chair White states the health and safety of workers is also an important concern.

VI. **Public Comment**

- a. None

VII. **Next Steps**

- a. Chair White states that the Committee should review HB 661, that scope of work, as well as look at what has been proposed per your agency and area.

VIII. **Next Meeting**

- a. Chair White states that the next meeting the Committee will discuss the Board of Regents results, come up with a scope of work and get going on the RFP process.
- b. Next meeting will be the week of January 13, 2020 in Helena, Montana. It will be scheduled around the other meetings during "Legislative Week".

IX. **Adjournment**

- a. Chair White adjourned the meeting at 4:37 pm