

March 31, 2023 – eMeeting

Fred Counts - March 31

Good Morning, Board Members,

I hope this email finds you well. Anne emailed me on Tuesday regarding the use of the currently vacant upstairs office space of the Duncan House. Coincidentally, the proposed renter of this space is none other than our recently departed Megan Tewell, who will work with her new employer remotely for the next 12 weeks. See the attached PDF submitted to Anne by Megan.

Aside from no changes being necessary to the current office space, it would bring income into our organization (which is always welcome) and allow Megan to assist in the transition of whomever our Search Committee selects as the new Programming Coordinator. The only issue foresaw by Anne may be of liability should Megan be injured while working in the Duncan House.

Unless there are any other concerns by the board, **I am looking for a motion to accept Megan's offer of renting the upstairs office space for \$100.00 per month**, Monday, April 3 through Friday, June 30, with the possibility of an extension at that time. Should there be any concerns about liability, we can amend the motion to include a phrase such as, "Megan Tewell rents the space at her own risk", or "the temporary occupant forfeits any claim to damages that may be incurred while working on the premises", or something of that nature.

Let me know your thoughts. Thank you!

Jack Van Zandt – March 31

Couple of thoughts

I don't know enough about all the dynamics of a non profit renting space to another entity. I almost think that a donation by Megan and allowing her to use the space for transition planning HA and "other duties" might be a better approach.

Having said that,

1. Does this rental agreement impact our IRS status?
2. Does \$100.00 per month cover the additional utilities. We have seen a very cold winter. We have not conditioned the upstairs to any extent that I know of, and not to keep the area as a comfortable work space. This will increase our utilities but don't know how much. However, we are entering a temperate time of year so this should not be a problem for the 12 week period requested.

3. "At your own risk" would not be a good look for HA if anything happened. Where are we if someone going up or down the stairs (outside or inside) to meet with Megan accidentally falls and is injured? Don't know how this gets untangled but laying that risk on Megan would not look good. If she is using the room for transition planning for HA can we leave that on our insurance, there should be little cost and ...

4. Doesn't the company Megan works for provide any funding for a remote office. Ideally this would be the best approach...we just figure the added utility and maintenance costs then coordinate the insurance item, then figure a price. Knowing Anne, she has probably done this.

I am not against this idea, I just want to make sure all my insecurities are out there for consideration and HA is protected. .

Jack Van Zandt

Charlene Cleveland – March 31

I've had a few thoughts about the proposed rental of the upstairs Duncan House.

1. The utilities as Jack stated in his message.
2. Perhaps we could contact an attorney for advice. The attorney I use is James R. Wheeler in Jonesborough. Anne or Fred could call him or his associate Matthew Muskgrove to help us pro bono. He is a generous donor/sponsor of the JRT so we know he is invested in Jonesborough. His number is 423-913-0117. Maybe we could give him some free advertising in return.
3. Online there are many types of rental forms available for free. Some research could be done to find one that fits our needs.

Charlene Cleveland

Hal Hunter – March 31

Good Morning,

While I have no problem helping Anne, Jack raises some good points that I think should be addressed. Checking these out with an attorney is a good idea. Since Mark Edmonds is on the Board, he seems like a perfect choice to consult.

Hal

Dana York – March 31

I agree with all that has been said on liability and definitely a written lease. Dana

Cari Jarman – March 31

I have no problem with the lease agreement and liability waiver.

Cari

Terry Countermine – April 1

I vote yes.

Terry

Nick Andrews – April 1

Vote yes.

Nick

Meghan Kieta – April 1

I vote yes

Mark Edmonds – April 3

All:

Sorry all, I was away from my email this weekend.

I think that if we have a lease agreement in place (which we can draft) then I would not be opposed.

Would this be Megan renting or the organization she works for?

How long of an extension are they anticipating? We can draft a 12 week term and a 12 week extension? Would that work?

Mde

Mark Edmonds - April 3

Ok, let me know if we vote yes and I will draft a proposed lease agreement.

mde

Pat Wolfe – April 3

Again, if Mark is involved, I vote YES.

Pat Wolfe

Fred Counts – April 4

Mark, thank you for your input on this. Are we, as a board, in agreement that a 12 week lease, with a 12 week extension, with a provision for no liability for any injury incurred while on site for Megan Tewell is acceptable?

Cari Jarman – April 4

I am agreed

Hal Hunter –April 4

I agree.

Hal Hunter

Fred Counts - April 5

Board Members, please see the lease agreement attached drawn up by Mark Edmonds for Megan. The small rental fee, and the limited time in which the lease agreement has been drawn up for, is not significant enough to impact our 501C status, though I'm glad Jack brought up the care we should exercise in renting dedicated nonprofit space to another party. To me, I see this as a one-time rental while the Tewells transition to Washington, not a precedent for future leases to other parties.

Having heard affirmative votes from the entire board, I'm fine with giving you all the rest of the day to look over the lease agreement before closing the meeting. Please let me know if you have any questions or need any additional information.

Thank you!

Fred Counts – April 7

With no objections voiced to the new lease, the motion to allow Megan Tewell to lease the upstairs office space at the Duncan House for a total of 12 weeks, with a possible extension for no more than 12 weeks, carries. I am closing this E-Meeting. Thank you all!

