



Alpine - Colusa - Del Norte - Lassen - Modoc - Mono - Plumas - San Benito - Sierra - Sutter - Trinity
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**MINUTES
BOARD OF DIRECTORS**

May 16th & 17th, 2019
Alpine County
99 Water St, Markleeville, CA. 96120

PRESIDENT
Chester Robertson

VICE PRESIDENT
Nate Black

SECRETARY
Van Maddox

May 16th & 17th, 2019 9:10 AM

Call to Order

A. Roll Call.

Board Members Present:
Sarah Simis-Alpine
Wendy Tyler-Colusa
Cathy Hafterson-Del Norte
Tony Shaw-Lassen
Chester Robertson-Modoc
Tex Dowdy-Modoc
Jay Sloane-Mono (10:30am)
Nathan Black-Sutter
Jason Claunch-Sutter
Richard Kuhns-Trinity

Board Members Absent:
San Benito
Plumas
Sierra

Other Present:
David Nelson-Executive Director
Melissa Robinson-Administrative Assistant
Brian Ralph-Financial Analyst
Gabriel Hydrick

B. Public Comment: None

Matters under the jurisdiction of the Board, whether or not on the posted Final Agenda, may be addressed by the general public at this time. The total amount of time for public comment shall be no more than fifteen minutes. The Chair, with consensus of the Board, may establish reasonable regulations including, but not limited to, limiting the amount of time allocated for a particular issue and for each speaker. No action is to be taken or substantive discussion pursued on matters not on the posted Final Agenda.

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C. Consent Agenda:

1. Approval of Minutes of January 2019 meeting.

Motion by Wendy Tyler, and Second by Nate Black to approve the January 2019 minutes pursuant to the Bylaws Article XIV, Section 2. Richard Kuhns abstains. Motion Carries.

2. Approval of Register, Checks & Invoices for the third quarter of the 2018-19 fiscal year pursuant to Bylaws Article XIV, Section 2.

Motion by Sarah Simis, and Second by Cathy Hafterson to approve the register, checks, and invoices for the third quarter of the 2018-2019 fiscal year pursuant to Bylaws Article XIV, Section 2.

AYES: Alpine, Colusa, Del Norte, Lassen, Modoc, Sutter, Trinity

NOES: None

ABSTAIN: None

ABSENT: Mono, Plumas, San Benito, Sierra

D. Election of President, Vice-President and Secretary for the 2019-20 fiscal year.

Motion by Wendy Tyler, and Second by Sarah Simis to appoint the existing slate of officer's. Chester Robertson-President, Nate Black-Vice President, Van Maddox-Secretary. Motion carries.

AYES: Alpine, Colusa, Del Norte, Lassen, Modoc, Sutter, Trinity

NOES: None

ABSTAIN: None

ABSENT: Mono, Plumas, San Benito, Sierra

E. Appointment of two members to the Executive Committee for the 2019-20 fiscal year.

(Jay Sloane arrived)

Motion by Wendy Tyler, and Second by Nate Black to appoint existing slate Richard Egan and Richard Kuhns to the Executive Committee. Motion carries.

F. Discussion/ Direction: Staff reports and activities since the January 31st & February 1st, 2019 Board Meeting.

Executive Director, David Nelson presented staff reports for all departments. David had a discussion with Shawn Kraatz regarding the CIMI policy. Edgar Nolasco and Stewart Patri have been appointed as the new Trindel board and alternative board members for San Benito. David asked the board their thoughts on Trindel incorporating a role as Risk Managers to float to different counties during transition times such as, when hiring for new positions. Comments were made to check with EIA, consider governmental agency groups and also possibly updating the resolution for Loss Prevention to use training funds for temporary services. David has been working with the claims software company JDI negotiating a new contract. Currently JDI is unable to keep up with the state

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Medicare requirements, FROI (first report of injury) and SROI (subsequent reporting of injury) so there may be a need to hire an outside vendor to input these claims. David provided and reviewed target funding charts for Workers' Comp and Liability & Property for all the members. Loss Prevention completed 49 county visits, 37 workshops, 4 counties canceled (due to weather), 4 inspections, and 2 law enforcement visits. All 11 counties were represented at the Department Safety Representative meeting in March, with a total of 90 attendees. 9 out of 11 counties participated in the Loss Prevention/Human Resources meeting. Sutter participated in Trindel orientation in Weaverville, CA. Loss Prevention has a new training catalog showing what is offered and it can be found on our website. Workers' Comp contracted to clean up data in Claims Manager. Vicki and Jordan both passed the Self Insurance Administrators exam to become adjusters. All departments have been working on procedure manuals. Jennifer Loomis was hired in May as our new claims assistant. The Workers' Comp claims audit score was higher than last year. The areas of improvement noted were, ensuring counties are inputting data right away and return to work efforts are happening. David reported that Liability and Property had 97 open claims, 89 closed claims and the departments with the most liability claims were Public Works at 31 and the Sheriff and Jail departments with 30. David also reported that Andrew has a case load of 112 claims and Shawn at York has 21. In addition, Andrew's liability and property audit scored well this year and we are planning for the next County Council Risk Management Summit.

- G. Discussion/Review: Conflict of Interest Code as required by Gov. Code section 87303.

Executive Director David Nelson reviewed the Conflict of Interest Code. Motion by Tony Shaw, and Second by Cathy Hafterson to accept as is. Motion carries.

- H. Discussion/Review: Statement of Net Position, Statement of Revenues & Expenses and changes in Net Position, Budget, Treasurers Report, as of March 31, 2019.

(Jay Sloane from Mono County Present)

Executive Director, David Nelson reviewed the financial statements starting with Statement of Net Position. First set of funds are enterprise funds or Trindel administration funds. The next set of funds are fiduciary funds or Trindel program funds. Discussion was held regarding use of the leadership training funds. The Statement of Revenues and Expenditures report shows Workers' Comp Pool revenue coming in and booking the claims liability.

Financial Analyst, Brian Ralph reviewed the budget summary. All programs are coming in under budget. Brian mentions that participation is a key factor with Loss Prevention and trainings and expenses can fluctuate based on how many people participate. Workers' Comp 75% under budget. President, Chester Robertson wants to know what happens as we grow the Workers' Comp Pool, will the depreciation expense only remain charged to the enterprise funds or does it get separated into the program or fiduciary funds. Executive Director, David Nelson states there is now a fixed asset schedule for items to be broken out to member funds. David reviewed Treasures' report and Chandler portfolio, mentioning interest earnings are at 3 percent.

- I. Discussion/Review: Investment Policy pursuant to Government Code Section 53646(a).

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Executive Director, David Nelson reviewed the Investment Policy, no changes made.

J. Discussion / Adoption: Creation of Property Fund.

Executive Director, David Nelson reviewed the proposal of separating the liability and property funds to keep a more accurate accounting of the two programs. Discussion was held regarding making it a major fund. Jay Sloane was concerned if it will be less attractive when it comes to growth with new members. Nate Black moves to start program, and second by Wendy Tyler. Nate Black moves to amend his previous motion to make the property fund a major fund and allocate admin costs and include the two budget adjustments to move the cash balance transfer and liability transfer.

Motion by Nate Black, and Second by Wendy Tyler to make the property fund a major fund, allocate administrative costs and include the two budget adjustments to move the cash balance transfer and liability transfer. Motion carries.

AYES: Alpine, Colusa, Del Norte, Lassen, Modoc, Mono, Sutter, Trinity

NOES: None

ABSTAIN: None

ABSENT: Plumas, San Benito, Sierra

Adjourned for Lunch

Call to Order 1:05pm reconvene

K. Discussion/Review: Liability Program Self-Insured Retention Options.

Executive Director, David Nelson provided the board background information regarding the increase in premiums for liability. Notice of intent was given to CSAC EIA that Trindell is looking at different SIR options. CSAC EIA underwriting committee approved changing of SIR options. David provided 3 different SIR options from the actuary and provided a loss data graph. Discussion was held on types of claims impacting CSAC pool and cost saving of different SIR options. Indication of increases due to general losses that we have experienced. (Tex Dowdy enters room 1:48pm)

Motion by Jay Sloane to increase the SIR to \$250,000.

Motion by Jay Sloane to amend his previous motion to increase the SIR to \$250,000 with 75% confidence level, and Second by Nate Black. Motion carries.

AYES: Alpine, Colusa, Del Norte, Lassen, Modoc, Mono, Sutter

NOES: Trinity

ABSTAIN: None

ABSENT: Plumas, San Benito, Sierra

(Break 2:45pm-3:03pm)

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- L. Authorize and Approve: Treasurer to invest, reinvest, sell or exchange securities for the 2019-2020 fiscal year as required by Government Code Section 53607.

Motion by Wendy Tyler, and Second by Nate Black to authorize Executive Director, David Nelson to invest, reinvest, sell or exchange securities for the 2019-2020 fiscal year. Motion carries.

AYES: Alpine, Colusa, Del Norte, Lassen, Modoc, Mono, Sutter

NOES: Trinity

ABSTAIN: None

ABSENT: Plumas, San Benito, Sierra

- M. Discussion/Action: Award Audit Proposals.

Executive Director, David Nelson informs the board only two audit proposals were sent back to Trindel, Clifton Allen Larson and James Marta. He recommends changing Auditor to James Marta because we have had the same auditor for 12 years.

Motion by Richard Kuhns, and Second by Sarah Simis to authorize Executive Director to award audit contract as recommended by staff.

Opposed by Nate Black. Motion carries.

AYES: Alpine, Colusa, Del Norte, Lassen, Modoc, Mono, Trinity

NOES: Sutter

ABSTAIN: None

ABSENT: Plumas, San Benito, Sierra

- N. Discussion/Direction: Review Trindel, ESJPA, and EIA Pollution Policies.

Executive Director, David Nelson reviewed policies and advised members of the five main exposures for landfills and the need for corrective action coverage or funding. He mentions Trindel has general liability coverage. There are 29 million exposures in closer projects, 33 million in post closer monitoring air/water and is not covered by insurance. The Water Quality Control Board requires board members to pledge money for those monitoring fees. A separate pledge is required for corrective action that is not available in the insurance market. Third party corrective action is covered. David is still waiting on San Benito's application to negotiate costs and bind agreements.

- O. Discussion/Adoption: Setting premiums for the 2019-20 fiscal year for all programs.

Motion by Wendy Tyler, and Second by Nate Black to accept the premiums for the 2019-20 fiscal year with clarification that liability is changed to 75% and David is able to get members the new costs by next week. Motion carries.

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AYES: Alpine, Colusa, Del Norte, Lassen, Modoc, Mono, Sutter, Trinity
NOES: None
ABSTAIN: None
ABSENT: Plumas, San Benito, Sierra

- P. Discussion/Adoption: Approving the return of funds option for 2019-2020 fiscal year.

Executive Director, David Nelson reviewed the return of funds chart for the board.
Motion by Tony Shaw, and Second by Cathy Hafterson to approve the return of funds option for 2019-2020 fiscal year. Motion carries.

AYES: Alpine, Colusa, Del Norte, Lassen, Modoc, Mono, Sutter, Trinity
NOES: None
ABSTAIN: None
ABSENT: Plumas, San Benito, Sierra

- Q. Discussion/Review: Performance evaluations of contractors.

Executive Director, David Nelson reviewed list of contractors available on the website and asked board to give feedback. Tony Shaw from Lassen suggest evaluating CSAC crisis line, as they were not helpful during the cyber security incident they had. Several other members agreed.

- R. Discussion/Adoption: Replacing Resolution No.18-03 Compensation policy with 19-04

Executive Director, David Nelson reviewed Compensation Policy with amended changes. Discussion was held regarding exempt and non-exempt employees. Chester Robertson suggests adding verbiage to state, "for hourly employee's the make-up work must be performed in the same week the work time was lost." Nate Black suggests having Patricia Ayers review the amend changes.

Motion by Tony Shaw, and Second by Nate Black to table item until Patricia Ayers can review policy give opinion on changes. Motion approved to table item to future meeting.

AYES: Alpine, Colusa, Del Norte, Lassen, Modoc, Mono, Sutter, Trinity
NOES: None
ABSTAIN: None
ABSENT: Plumas, San Benito, Sierra

- S. Discussion/Adoption: Workers Compensation Pool MOC.

Executive Director, David Nelson reviewed the Memorandum of Coverage he created for the Workers Compensation Pool. Wendy Tyler comments changing the word covered/coverage on the header also there is no county named on the declaration page. It refers to covered parties and members. Suggestion by Wendy Tyler to change verbiage to state, "It is understood that the named covered members of the declaration is amended to include the following".

Tony Shaw also recommends changing verbiage on the policy to state, (does hereby agree to provide coverage to the covered member "County" named in Endorsement No. etc.).

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Motion by Wendy Tyler, and Second by Sarah Simis to Adopt MOC with changes to be made to the word "covered" on #2 of the declaration page, "herby agree to provide coverage to the county named" on page 4 and change members to county.

AYES: Alpine, Colusa, Del Norte, Lassen, Modoc, Mono, Sutter, Trinity

NOES: None

ABSTAIN: None

ABSENT: Plumas, San Benito, Sierra

T. Discussion/Direction: Corrections & Law Enforcement Program.

Executive Director, David Nelson presented a three part Corrections and Law Enforcement Program. The program included law enforcement audit, training, and EAP services. Mr. Nelson offered to use Risk Management Subsidy dollars to help create a corrections and law enforcement program. Discussion was held and direction to move forward with the project was not given for fear of impacts of losing the Risk Management Subsidy.

Adjourned 5:14pm

Call to Order 8:55am May 17th

U. Discussion/Adoption: Adopting budgets & Salary Schedule for all programs and activities for the 2019-20 fiscal year.

Financial Analyst, Brian Ralph reviewed salary schedule and budget. Line items for health fair was moved to safety funds. Increase in Loss Prevention budget due to more participation at trainings and meetings. Discussion was held and Nate Black would like to see another line added or variance column for over under amounts for the year 18-19 and 19-20.

Purposed changes to the budget to include:

Fund 20 Loss Prevention:

5900 Training requested \$30,000 reduced by \$10,000.

5910 Loss Prevention Specialist requested \$32,000 reduced by \$6,000.

5920 DSR Meeting requested \$40,000 reduced by \$5,000.

9150 Transfers out Admin \$-640,106 reduced by \$21,000.

Fund 40 Worker's Comp

5800 Risk Management requested \$448,074 reduced by \$15,050.

5805 Safety Funds requested \$42,500 reduced by \$15,000.

5810 Risk Management Subsidy requested \$0 increased by \$55,000.

5815 Loss Prevention Subsidy requested \$483,500 reduced by \$27,500

5820 Employee Assistance Program requested \$61,500 reduced by \$40,000

Fund 50 Liability

4100 Member Contributions requested \$7,878,088 reduced by \$523,000

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Insurance Fund

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5800 Risk Management requested \$192,032 reduced by \$67,150.
5810 Risk Management Subsidy requested \$0 increased by \$27,500.
5815 Loss Prevention Subsidy requested \$265,100 reduced by \$146,300.
7000 General Admin requested \$155,116 reduced by \$52,000

Fund 55 Property

4100 Member Contributions requested \$1,252,173 increased by \$247,827
5800 Risk Management requested \$0 increased by \$60,500.
5810 Risk Management Subsidy requested \$0 increased by \$27,500.
5815 Loss Prevention Subsidy requested \$0 increased by \$118,800.
7000 General Admin requested \$0 increased by \$52,000.

Liability and property approved as presented with increase due to County Council Risk Management Summit participation. The Workers' Comp budget reflects IRS penalty, and claims manager upgrade required for SROI (subsequent reporting of injury). Nate Black would like to know the object level for the budget or if the board can grant David permission to move objects in the overall budget. Executive Director, David Nelson reviewed salary schedule with request to move allocations for Worker's Comp positions to 4 examiners, 1 claims technician, and 1 claims assistant. Loss Prevention positions to include 1 Director of Loss Prevention, 1 Senior Human Resources Consultant, 1 Loss Prevention Analyst, 1 Loss Prevention Coordinator & IT and ability to under fill positions. Mention is made to change year at top of page to current year 19-20.

Motion by Nate Black, and Second by Wendy Tyler to adopt budgets and salary schedule for all programs and activities as identified throughout the discussion process. Motion carries.

AYES: Alpine, Colusa, Del Norte, Lassen, Modoc, Mono, Sutter, Trinity

NOES: None

ABSTAIN: None

ABSENT: Plumas, San Benito, Sierra

V. Discussion/Adoption: Replacing Resolution 98-06R with 19-05 Agenda Policy

Executive Director, David Nelson asked board to replace Resolution 98-06R with 19-05. Mention was made to change spelling of preparation in section #1. Teleconferencing in section #9. Change verbiage in section #3 Agenda posting to say, "shall be posted on the web page and on a public bulletin board and at the meeting location." Change verbiage in section #2 Agenda Publication to say, "the agenda shall be mailed, emailed, or faxed." Take out extra verbiage, "emailing or faxing" in following line. Consent agenda section #2 Approval of Register to be moved out of Consent Agenda. Review section #8 Special meetings and possibly add, "in accordance with rules for special districts with correct government code."

Motion by Nate Black, and Second by Tony Shaw to adopt resolution 19-05 with amended changes Motion carries.

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AYES: Alpine, Colusa, Del Norte, Lassen, Modoc, Mono, Sutter, Trinity

NOES: None

ABSTAIN: None

ABSENT: Plumas, San Benito, Sierra

- W. Future Meetings: Set dates for September 2019 Board Meeting in Del Norte County and discuss future location for January 2020 meeting.

September 19- 20th in Del Norte County

January 2020 in San Benito County

Adjourned into closed session

- X. Closed Session: Executive Director Evaluation.

Returned from closed session 11:09am. President, Chester Robertston reports evaluation was conducted in closed session. Motion from Nate Black, and Second by Cathy Hafterson to adjourn meeting. Motion carries.

Adjourn: Thursday

Date: 5/17

Time: 11:09am

Disability Access: The meeting room is wheelchair accessible and disabled parking is available at the meeting location. If you are a person with a disability and you need disability-related modification or accommodations to participate in this meeting, please contact the Executive Director at phone (530) 623-2322, fax (530) 623-5019 or email dnelson@trindel.org. Requests for such modifications or accommodations must be made at least two full business days before the start of the meeting.

Article IV- Meetings of the board Section 3. of the Bylaws

Quorum- A majority of the Directors holding office shall constitute a quorum for the transaction of business at any meeting. All actions of the Board shall requires the affirmative vote of a majority of the members at a meeting duly held at which a quorum is present.