

# Trindel

## Insurance Fund

*Alpine - Colusa - Del Norte - Lassen - Modoc - Mono - Plumas - San Benito - Sierra - Trinity*

A Joint Powers Authority Established in 1980

[www.trindel.org](http://www.trindel.org)

### MINUTES BOARD OF DIRECTORS

September 12 & 13, 2012

San Benito County

3825 Union Road, Hollister, CA 95023

Wednesday, September 12, 2012, 1:28 P.M.

#### Call to Order

##### A. Roll Call

##### **Voting Members & Alternates Present:**

Wendy Tyler – Trinity (Vice-President)  
Shelly Pourian – Trinity  
Peter Huebner – Sierra  
Peggy Scroggins – Colusa  
Richard Egan – Lassen (Thursday only)  
Chester Robertson – Modoc  
Rich Inman – San Benito  
Jacki Credico – San Benito  
Lori Simpson – Plumas (arrived 1:51 PM on Wednesday)

##### **Members Absent:**

Alpine County  
Del Norte County  
Mono County

##### **Others Present:**

David Nelson – Staff  
Gene Herndon – Staff (Wednesday Only)  
Lisa Mitchell – Staff (Wednesday Only)  
Lacy Cusmano – Staff  
Rich Reza – George Hills Company (arrived Wednesday at 1:38 PM left at 2:15 PM)  
Rodger Hayton – George Hills Company (arrived Wednesday at 1:38 PM left at 2:15 PM)  
Mike Kielty – George Hills Company (arrived Wednesday at 1:38 PM left at 2:15 PM)  
Randy Rendig – George Hills Company (arrived Wednesday at 1:38 PM left at 2:15 PM)

##### B. Approval of Minutes of May 16 & 17, 2012.

**Tabled for later in the meeting when a quorum was met.**

**Motion by Peter Huebner and Second by Chester Robertson, to approve the May 16 & 17, 2012 minutes with changes, unanimously approved.**

##### C. Staff report on activities since the May 2012 Board meeting.

**Executive Director, David Nelson talked about:**

*P.O. Box 2069 Weaverville, Calif. 96093 Phone: (530) 623-2322*

**CSAC Board Meeting**

Went to Mono County and met with Brian, Jim and Rita regarding safety concerns

Lisa and Lacy attended Trinity County's Health Fair

Adjusted PERS rates

Presented at the Plumas County Board Meeting

Attended a Finance Committee Meeting at EIA

Gathering information for the Cajpa Accreditation and working with James Marta

Website design

Worked with the Galina Auditors for the Trindel Audit

Met with Rich, Jacki and their auditor in San Benito County

Visited George Hills due to Rich Reza retiring and their transition plan

State Controller Report

Tehama County called yesterday and said they have lost enthusiasm in Trindel

Bob Marshburn is providing Trindel with sample service contracts unfortunately there was a death in the family so he will get them to us as soon as possible

Conflict of Interest Code has to be submitted so we are waiting for them to contact us

Just a reminder that Workers' Compensation and Liability renewal applications are due

Ordered new internet and come to find out what they hooked up won't work and there has been a charge for set up and cancellation

Issues on Claims Connect for the Workers' Compensation side due to HIPPA Regulations

George Vondrak was let go last week so we will be recruiting

Director of Loss Prevention Program, Gene Herndon talked about:

Focus on ergonomic assessments and training DSR's

Workplace security issues

Will be in Alpine on Tuesday

Incident Hazard Reports

Analysis of cell phone cost and save \$50 a month

Search and Rescue guidelines for San Benito County

Director of Worker's Compensation Program, Lisa Mitchell talked about:

Lots of phone calls from bill collectors

Getting use to the Claims Connect Software and manipulate letters from York

Reviewing claims

Discussion was held on claims

Compromise and Release

Excess recovery

Medical bills

Loss Prevention Specialist Meeting Lisa presented with a power point

Working on the Annual SIP Report

Pharmacy benefit program

Attended an CSAC Claims Review Committee Meeting

First file review with San Benito County today

D. Introduction by Executive Director & George Hills.

Executive Director, David Nelson and Mike KIELTY introduced Randy, Rich and Roger from George Hills. Mike and Randy talked about the transition for Rich's retirement. David presented Rich Reza with an appreciation plack.

E. Discussion/Direction: Service agreement with Gould and Lamb for Medicare secondary payer (MSP) services.

Executive Director, David Nelson talked about the Service Agreement. The Board gave David Direction to engage in a contract for up to \$500 motion Peggy Scroggins second Rich Inman. Discussion was held on the contract. Peggy Scroggins and Rich Inman resend their motion.

**Motion by Peggy Scroggins and Second by Rich Inman, is to sign the contract at \$850 and try to bring it down if you are able to, unanimously approved.**

F. Discussion/Approval: Resolution 13-01 Changes in the EAP Program

**Executive Director, David Nelson talked about the legislation regarding the EAP Program. Discussion was held on the three visits in any six month period. All obligations will be paid prior to October 1. The Board would like the following changes for the brochure and the resolution: three (3) visits in six (6) months per county employee defined as employee, spouse and dependent minor children.**

**Motion by Chester Robertson and Second by Peter Huebner, to adopt Resolution No. 13-01 changes in the EAP Program with changes, unanimously approved.**

**AYES: Modoc, Sierra, Trinity, Colusa, San Benito, Plumas**

**NOES: None**

**ABSENT: Del Norte, Alpine, Mono, Lassen**

G. Informational Only; Pre Employment Drug Testing

**Director of Loss Prevention Programs, Gene Herndon gave a brief history on Pre-Employment Drug Testing. Shaw Valenza worked with Gene on a legal opinion.**

H. Informational Only; New Web Design

**Executive Director, David Nelson showed the new website to the Board. There was a request for a search option.**

**Adjourn Open Session (3:58pm)**

**MEETING IN CLOSED SESSION:**

- I. Discussion/Action: Executive Director's, Contract Renewal.

**Adjourn Closed Session (4:52pm)**

**Vice-President, Wendy Tyler reported that in closed session it was decided that this agenda item will be continued tomorrow morning for further discussion.**

Thursday, September 13, 2012, 8:42 A.M.

**Adjourn open session (8:42am) for Item letter "I"**

**MEETING IN CLOSED SESSION:**

**Employee Contract, Executive Director**

**Adjourn Closed Session (9:42am)**

**Vice-President, Wendy Tyler reported that in closed session the motion is as follows:**

**Motion by Chester Robertson and second by Richard Egan, to approve an employment agreement with David Nelson subject to Counsel review, unanimously approved.**

- J. Direction/Action: Reconsider Agenda item R on the May 17th meeting regarding changes to the Loss Prevention Evaluation.

Executive Director, David Nelson talked about concerns that have been brought up since this item was passed at the last meeting. The evaluation was revisited by the board and changes we made to Item 4 and Item 10. Item 4 the department head requirement was reduced to 6 safety meetings a year per department head. Furthermore if the information is not readily available the evaluator will complete the calculation of meeting attended. Item 10 was changed as well by leaving communication to the board up to the individual county. The report can be a presentation in front of the board in a regular board meeting or as minimal as consent agenda item or a memo / email on safety accomplishments or any loss prevention related projects, promotions, recognitions, or awards.

**Motion by Peggy Scroggins and Second by Lori Simpson to accept with changes, unanimously approved.**

- K. Discussion/Action: Establishing Workers' Compensation Clerical Assistant position

Executive Director, David Nelson talked about the need for this position. Discussion was held on changing the title name. Make this a general clerical position not a Workers' Compensation position the Board wants this position to be able to assist everyone in the office not just Workers' Compensation.

**Motion by Richard Egan and Second by Chester Robertson to accept the Workers' Compensation Clerical Assistant position with changes, unanimously approved.**

- L. Discussion/Action: Budget adjustment for 2012/13 fiscal year.

Executive Director, David Nelson was directed to keep the salary under the w/c budget. And if changes are needed it would be on a subsequent budget adjustment.

**Motion by Rich Inman and Second by Peter Huebner, to approve budget adjustment for 2012/13 fiscal year, unanimously approved.**

- M. Discussion/Action: Misc - Health plans with EIA.

Executive Director, David Nelson talked about the dental pool with EIA.

**Motion by Peter Huebner and Second by Lori Simpson, to approve the Trindel Dental Pool, unanimously approved.**

- N. Discussion/Direction: Review the Statement of Net Assets and Statement of Revenues, Expenses and changes in net assets as of 6/30/2012.

Executive Director, David Nelson walked the board through the Statement of Net Assets and Statement of Revenues, Expenses and changes in net assets as of 6/30/2012. David talked about a new law passed through the legislature regarding Workers' Compensation SB863.

- O. Discussion/Approval: Register, checks & invoices for the fourth quarter of 2011-2012 fiscal year and the general account between the dates of 9/01/2011 and 12/31/2011 pursuant to Bylaws Article XIV, Section 2.

Executive Director, David Nelson mentioned that the dates 9/01/2011 and 12/31/2011 above are incorrect they should be 01/01/2012 and 03/31/2012. Discussion was held on Gene flying compared to driving. Direction was given to David to bring a cost analysis regarding Gene flying compared to driving to the next board meeting.

**Motion by Chester Robertson and Second by Peter Huebner, to Approve Register, checks & invoices for the fourth quarter of 2011-2012 fiscal year and the general account between the dates of 01/01/2012 and 03/31/2012 pursuant to Bylaws Article XIV, Section 2., unanimously approved.**

**AYES: Modoc, Sierra, Trinity, Colusa, San Benito, Plumas**

**NOES: None**

**ABSENT: Del Norte, Alpine, Mono, Lassen**

- P. Discussion/Approval: Resolution 13-02 Approving Trindel Enrollment in State Disability Insurance Program as an employee paid benefit.

**Executive Director, David Nelson talked about the SDI Program and that the majority of employees are in agreement with the benefit but not all.**

**Motion by Peggy Scroggins and Second by Chester Robertson, to adopt Resolution No. 13-02 Approving Trindel Enrollment in State Disability Insurance Program as an employee paid benefit, unanimously approved.**

**AYES: Alpine, Modoc, Mono, Sierra, Trinity, Colusa, Lassen, San Benito, Plumas**

**NOES: None**

**ABSENT: Del Norte County**

- Q. Public Comment 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.

**Discussion was held by the board on County Fair Grounds, return of funds, whistleblowers claim and jails.**

- R. Future meetings:

**January 23, 24 & 25, 2013 in Colusa County, May 2013 will be in Sacramento, California, October 2013 will be held in Modoc County**

Adjourn.

Date: September 13, 2012

Time: 12:10PM

Respectfully Submitted by, Executive Director, David Nelson.