

TRINDEL INSURANCE FUND BOARD OF DIRECTORS AGENDA

Alpine~Colusa~Del Norte~Lassen~Modoc~Mono~Plumas~San Benito~Sierra~Sutter~Trinity
A Joint Powers Authority Established in 1980
www.trindel.org

PRESIDENT
Nate Black

VICE-PRESIDENT
Vacant

SECRETARY
Van Maddox

Location: The Village Lodge - Emerald Room 1111 Forest Trail Mammoth Lakes, CA

Date: Thursday, May 19, 2022

Time: 1:00 PM – 5:00 PM

Date: Friday, May 20, 2022

Time: 9:00 AM – 12:00 PM

ORDER OF BUSINESS

As to each agenda item, the Board may take action, give direction and/or receive informational reports.

Call to Order and establishment of a quorum

Time Meeting Called To Order: 1:02 PM on Thursday, May 19th, 2022. President Nathan Black presided over the meeting.

I. Roll Call

Alpine County	Nichole Williamson; Klaus Leitenbauer
Colusa	Todd Manouse
Del Norte	Neil Lopez
Lassen	Richard Egan
Modoc	Chester Robertson
Mono	Jay Sloane
Plumas	Julie White
San Benito	Absent
Sierra	Van Maddox; Judi Behlke
Sutter	Nathan Black
Trinity	Suzie Hawkins; Becca Cooper
Trindel Staff	David Nelson, Andrew Fischer, Katie Twitchell, Penny Jones

Other's Present Gina Dean (Prism CEO), Gabriel Hydrick (Tehama CAO), Sean Houghty

Day 2 – Friday, May 20, 2022 ~ 9:00 AM – 12:00 PM

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

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Call to Order and establishment of a quorum

I. Roll Call

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Lassen	Richard Egan
Modoc	Chester Robertson
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Sutter	Nathan Black
Trinity	Suzie Hawkins; Becca Cooper
Trindel Staff	David Nelson, Andrew Fischer, Katie Twitchell, Penny Jones

Other's Present Gina Dean (Prism), Gabriel Hydrick (Tehama), Sean Houghty (Tehama)

II. Public Comment

No public Comment.

III. Consent Calendar Page#: 6

- a. Approval of Minutes, January 20th and 21st, 2022
- b. Approval of check register & invoices for third quarter of the 2021-22 fiscal year pursuant to Bylaws Article XIV, Section 2.

An action to approve the minutes of January 20th and 21st, 2022, meeting as well as the check register and activity from January 2022 to April 2022. David Nelson, Executive Director, announced that the minutes from the January 2022 Board of Directors meeting were previously distributed by email to board members for review.

Motion by Richard Egan of Lassen County to approve the minutes and check register, Seconded by Jay Sloane of Mono County.

Motion carried with 10 Ayes, 0 Noes, and 1 absent.

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

IV. Reports

a. Committee Reports

i. *Workers' Compensation and Liability Pool Claims Review Committee.*

David Nelson, Executive Director, presented an update of activity for Pools Claims Review Committee.

Jay Sloane, of Mono County, inquired when the Board should review fund balances, fund targets, etc. David Nelson, Executive Director, suggested to present this information annually. The Board of Directors affirmed this suggestion by requesting an annual pool fund review.

b. Staff Reports

i. *Loss prevention Department*

David Nelson, Executive Director, presented for Risk Control Department with updates since last board meeting.

Chester Robertson of Modoc County recommends a re-evaluation of the model of required management trainings of County Members' risk control audit matrix. It was noted of this recommendation that seasoned staff are currently over-burdened and should perhaps be provided leniency in regards to repeat-training events, while suggesting more focused or curtailed trainings for these individuals. It was mentioned that there are concerns of these trainings contributing to employee burnout. Additionally it was suggested that new management staff will need more specialized, earlier supervisor trainings – further suggesting that these can occur during on-boarding/orientation.

Finally, Todd Manouse of Colusa County brought specific attention and appreciation to the in-person trainings and attention that Trindel has brought to the member counties since the decline of COVID-19 restrictions.

ii. *Workers' Compensation Department*

Katie Twitchell, Director of Workers' Compensation, presented staff report for Workers' Compensation Department with updates since the last board meeting.

iii. *Liability Property Department*

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Andrew Fischer, Director of Liability and Property, presented staff report for Liability and Property Department with updates since the last board meeting.

Nathan Black, Sutter County, inquired into IBNR (Incurred but not realized) issues based on the increased Statute of Limitations Durations referenced in the Liability Property Department staff report. Andrew Fischer, Director of Property & Liability, recommended extending record retention policies at the County level, and noted the belief that funding levels will be increasing in the future citing concern about liability increasing due to older events and issues.

The board requested that Trindel follow-up with Bickmore Actuarial for additional insight and opinions.

iv. *Administration Department*

David Nelson, Executive Director, presented staff report for Administration Department with updates since the last board meeting.

c. Treasurers Report

David Nelson, Executive Director, presented the highlights from the Treasurer's Report, as well as the Chandler Asset Management Investment Report.

Jay Sloane of Mono County inquired regarding benchmarks, ratios, or metrics with which to compare our investment earnings against. Gina Dean of PRISM recommended joining AGRIP (Association of Government Risk Pools) and contributing our data in order to obtain an informational database which is useful in comparing metrics and ratios against other organizations with similar sizes, pooling layers, or other intricacies to which Trindel's portfolio is subject to.

V. **Programs**

a. V.a. Property Memorandum of Coverage

Andrew Fischer, Director of Property and Liability, presented the Property Memorandum of Coverage.

Chester Roberston of Modoc inquired regarding additional property considerations specifically stated for Del Norte within the proposed MOC, and if lacking specific endorsements would have other member counties lacking in coverage by omission. Gina Dean, PRISM CEO, explained that the coverage extends to any county's interest in a property, beyond those specifically stated in the MOC.

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A motion was made to approve the Property Memorandum of Coverage as written by Chester Robertson of Modoc County. The motion was seconded by Nichole Williamson of Alpine County.

Motion carried unanimously with one absence.

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

NOES: None.

ABSENT: San Benito

b. V.b. Liability & WC 2022 / 2023 MOC's Liability:

Andrew Fischer, Director of Property and Liability, presented the Liability Memorandum of Coverage. Chester Robertson, Modoc County, inquired regarding the language of "Additional separate legal entities" as well as the process of informing county partners, review of the MOC, and acquiring their consent.

Gina Dean, PRISM CEO, noted that the MOC is historically included as an attachment to contracts with additional external JPAs, partners, etc.

Katie Twitchell, Director of Workers' Compensation, presented the Workers' Compensation Memorandum of Coverage.

Nathan Black, Sutter County, inquired into the order of recovery of funds for large claims, and David Nelson advised that recovery would function from the top down – i.e. recovery would first be applied to the PRISM Excess Insurance Layer, then the Pooling Layer, and finally the banking layer.

Van Maddox of Sierra County moved to approve both the Liability Memorandum of Coverage, and the Workers' Compensation Memorandum of coverage as written. Seconded by Todd Manouse of Colusa County.

The motion passed unanimously with one absence.

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

NOES: None

ABSENT: San Benito

c. V.c. Budget and Salary Schedule for all Programs

David Nelson, Executive Director, presented the new organizational chart which allots one position for the Transitional Executive Director, as well as an adjustment within the Property and Liability Department to replace 1 allotment for Claims Technician with 1 allotment for Claims Adjuster.

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David Nelson, Executive Director, presented the proposed 2022-2023 budgets for the Administration (10) and Risk Control Accounts (20). Andrew Fischer, Director of Property and Liability, presented the Claims Administration – Liability/Property (25) proposed budget. Katie Twitchell, Director of Worker Compensation, presented the Claims Administration – Workers’ Compensation (30) proposed budget. Additionally, David Nelson presented the proposed budgets for the pool (35, 37) and program accounts (40, 50, 55, 60, 70, and 80).

Chester Robertson, Modoc County, inquired regarding the increasing premiums for the WC Pool, and it was noted that the proposed budgets included the premiums for Tehama County. It was requested that Item V.c. be tabled until after item V.g. New Membership has been discussed and voted.

After the adoption of Tehama County, Chester Robertson, Modoc County, moved to adopt budgets for all programs and salary-schedule for fiscal year 2022-2023, Seconded by Todd Manouse, Colusa County.

The motion passed unanimously with one absence.

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

NOES: None

ABSENT: San Benito

d. V.d. Resolution 22-02 setting deductible funding for Medical Malpractice and Pollution programs

David Nelson, Executive Director, introduced the funding deductibles and claim repayment plan for the Medical Malpractice and Pollution Programs. Resolution 22-02 was introduced and proposed to replace Resolution 17-05. Direction given to explore a pollution pooling program to help with deductible funding.

Chester Robertson, Modoc County, motioned to approve resolution 22-02 as presented, Seconded by Van Maddox, Sierra County.

The motion passed unanimously with one absence.

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

NOES: None

Absent: San Benito

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e. V.e. Captive Feasibility Study

David Nelson, Executive Director, presented a proposal for Bickmore Actuarial to do a Captive Feasibility study with the intention of discovering the positive and negative consequences of such as venture, as well as instruction and advice on how to proceed if later directed by the Board of Directors.

David continued to explain what a captive is to the Board of Directors, and thoughts on how it could be designed to operate. Jay Sloane of Mono County inquired about the Board Structure of such an investment vehicle, and it was noted by Nathan Black, Sutter County, that PRISM has a functioning captive – PRISM Arc – and noted some requirements of the new board would be imposed by the state in which the captive is housed, and by key positions in the Trindel Insurance Fund Board. Furthermore, it was cautioned to carefully review regulations such as the Brown Act before considering Board Placements.

Gina Dean, PRISM CEO, noted that by the end of the proposed feasibility study, PRISM will also likely be offering this investment vehicle as a service to their members through the PRISM ARC program.

It was requested by the Board of Directors to remove the \$20,000 of implementation costs as presented in the Bickmore Actuarial Proposal of Services, and instead vote solely on performing a feasibility study for \$25,000.

Additional discussion involved the political pressure and nature of creating a captive, as well as consideration of the unwinding or dissolving process.

Chester Robertson, Modoc County, requested that the actuary's services be amended to also investigate the prospect of capital preservation within a captive.

Jay Sloane of Mono County motioned to approve engaging Bickmore Actuarial's Proposed Services with the aforementioned changes restricting services to solely a feasibility study and not implementation, as well as requesting investigation regarding preservation of capital. Seconded by Neal Lopez, Del Norte County.

The motion passed unanimously with one absence.

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

NOES: None

ABSENT: San Benito

f. V.f. Program Premiums

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An action item to approve the proposed FY 2022-2023 Premiums. Reviewed the proposed budgets as instructed in the January 2022 Board Meeting.

Richard Egan of Lassen County made a motion to approve the Program Premiums as presented, seconded by Jay Sloane of Mono County.

The Motion passed unanimously with one absence.

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

NOES: None

ABSENT: San Benito

g. V.g. Potential Membership

David Nelson, Executive Director, presented Tehama County's request for membership to Trindel Insurance Fund, as well as Bickmore Actuarial's report, and explained the frequency and severity of Tehama's claims compared to Trindel's averages since 2012.

A discussion was held where various counties inquired directly with Tehama representatives regarding managerial approaches, approaches to risk, and inter/intra county communication strategies.

Nathan Black, Sutter County, suggested a future discussion to formalize the approach of Trindel in establishing first impressions with new member counties, as well as newly appointed key-personnel in established member counties.

Jay Sloane, Mono County, motioned to approve the membership of Tehama County with Trindel Joint Powers Authority and add them to all programs and MOCs as covered parties for the policy year 2022-23. Seconded by Van Maddox, Sierra County.

The Motion Passed Unanimously. Note that San Benito County expected to be absent, but sent prior written authorization in the affirmative, as is required by Trindel's JPA agreement.

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

Noes: None

ABSENT: San Benito (with written prior authorization in the affirmative)

h. V.h. CAJPA Accreditation

An action to review and approve CAJPA Accreditation.

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David Nelson, Executive Director, gave a presentation on the CAJPA accreditation process, as well as the increasingly rigorous requirements. Additionally, provided a brief history of Trindel's association with the program.

It was noted that the CAJPA Accreditation board has provided requests and mandates in order to receive accreditation this year:

1. Adoption of MOC's for the banking layers approved on items V.a., b. and d.
2. The Chandler Investment Report must be provided to the governing body each month. These have been presented in each board meeting, and posting directly onto the Trindel.org Website.
3. The Actuarial Studies must provide a confidence levels of 98%, 99%, and 99.5%
 - a. It is noted that this will be difficult to pull off for our Auditors and Actuaries, who are engaging the accreditation board to help influence this decision.
 - b. Gina Dean of PRISM has requested that David lends his voice to CAJPA as well, so more JPAs are actively campaigning against this "impossible standard".
 - c. Various counties express their concern with this standard of overfunding.
 - d. Gina advises that the standard of confidence levels discussed is mainly informational to inform members of the risk of not being fully funded, rather than the requirement that member counties participate at these confidence levels.

A motion to adopt the 2022 CAJPA Accreditation reward by Van Maddox Sierra County and Nichole Williamson Alpine County second the motion.

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

Noes: None

Absent: San Benito

Motion passes unanimously with one absence.

VI. General Business Page#: 330

- a. VI.a. Fiscal Year 2021/2022 Third Quarter Budget and Financial Statements.

An informational review of the Statement of Net Assets, Statement of Revenues Expenses and Changes in Net Assets, and Budget to Actual as of 03/31/2022.

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David Nelson, Executive Director presented the Financial Statements as of 03/31/2022 to the Board of Directors. An explanation was provided that Assets have seen a large increase due to the increase of reserves and SIRs in recent years, which grows the asset balance. Additionally advised counties to review their provided Member Financial Statement trends and perform analysis to determine if they are comfortable where they sit, or whether they might want to employ a higher confidence level going forward.

b. VI.b. Authorize Treasurer Duties

A motion to authorize the Treasurer to invest, reinvest, sell or exchange securities for the 2022-2023 fiscal year per Government Code Section 53607. This item must be re-approved each year.

A motion to approve is provided by Neal Lopez, Del Norte County. It is seconded by Van Maddox, Sierra County.

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

NOES: None

ABSENTS: San Benito

Motion passes unanimously with one absence.

c. VI.c. Investment Policy

An item to review our Investment Policy pursuant to Government Code Section 53646(a). There have been no changes to the policy since the last review.

Jay Sloane, Mono County, moves to approve the investment policy as presented. Seconded by Van Maddox of Sierra County.

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

NOES: None

ABSENTS: San Benito

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d. VI.d. Conflict of Interest Code

An item to review our Conflict of Interest Code as required by Government Code 87303. David Nelson, Executive Director, gives a brief overview of the Conflict of Interest Code.

Motion by Van Maddox Sierra County, to approve Conflict of Interest Code. Second by Nichole Williamson Alpine County.

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

Motion passes unanimously with one absence.

e. VI.e. Resolution 22-03, Allocation of Positive Cash in Admin Funds

David Nelson, Executive Director, presented a plan for the allocation of Positive Cash in Admin Funds to the attending Board. Further explained that the cost of the fixed assets created a negative balance in all Admin Fund accounts. Due to unspent budget allocations from Member Counties, the admin funds are slowly accumulating positive cash balances which can be redistributed back to the Member Counties in the form of premium reductions.

Van Maddox, Sierra County, motioned to approve the Resolution 22-03 as presented, seconded by Chester Robertson, Modoc County.

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

Motion passes unanimously with one absence.

f. VI.f. Credit Card Policy

An action to review and adopt updated Credit Card Policy, specifically to correct language which contradicts Resolution 02-10 in regards to gratuities.

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David Nelson, Executive Director, presented this topic and the noted discrepancy between the travel policy and the credit card policy.

It was noted that "tobacco" is also spelled incorrectly and should be updated with this amendment.

Motion by Jay Sloane, Mono County, to approve the Credit Card Policy as presented seconded by Neal Lopez, Del Norte County.

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

NOES: None

ABSENTS: San Benito

Motion passes unanimously with one absence.

- g. This item has been removed.
- h. VI.h. Strategic Planning Agreement

An action to authorize the Strategic Planning Services of Rick Brush of PRISM in September 2022 in the amount of \$2,250. David Nelson, Executive Director, briefly introduced the strategic planning services to be provided.

It is noted that Rick Brush will reach out to Staff and Board prior to the meeting to begin dialogue and discuss expectations and concerns.

Inquiries were made regarding the pricing of similar engagements, and it was noted that they can range anywhere from \$2,000 to more than \$20,000.

Motioned to Approve by Van Maddox, Sierra County, Seconded by Todd Manouse, Colusa.

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

NOES: None

ABSENTS: San Benito

Motion passes unanimously with one absence.

- i. VI.i. Contractors Evaluation

A discussion with the intention of evaluation of contracted services by the Board of Directors, to assist the Executive Director in managing contractors and aiding in negotiations.

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David Nelson, Executive Director, walked through the list of currently-in use services and contractors, and the members offered their opinions.

j. VI.j. Election of Officers

The Annual Election of Officers, President, Vice President, and Secretary for the 2022-2023 fiscal year.

David Nelson, Executive Director, gave a brief overview of our current appointments, and led the discussion on nominations for the upcoming year.

A nomination was received for Nate Black, Sutter County to continue to be the President.

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

NOES: None

ABSENTS: San Benito

Vote passes unanimously with one absence.

A nomination was received for Nichole Williamson, Alpine County, to fulfill the role of Vice President.

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

NOES: None

ABSENTS: San Benito

Vote passes unanimously with one absence.

A nomination was received for Van Maddox, Sierra County, to fulfill the role of Secretary.

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

NOES: None

ABSENTS: San Benito

Vote passes unanimously with one absence.

The 2022-2023 Board of Director's Officers will be Nate Black, President; Nichole Williamson, Vice President; and Van Maddox, Secretary.

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k. VI.k. Election of Executive Committee

The Annual Appointing of two members to the Executive Committee for the 2022-2023 fiscal year.

Chester Robertson, Modoc County; Richard Egan, Lassen County; have received nominations.

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

NOES: None

ABSENTS: San Benito

Vote passes unanimously with one absence.

a. VI.I. Future Meetings

David Nelson, Executive Director, gave an overview on the upcoming September Board Meeting and Strategic Plan session, and explained the current difficulties finding lodging in Trinity County.

Nate Black, Sutter County, recommended that we welcome our new County Member by holding the September meeting in Tehama County. We are aiming to have the Board Meeting the last week of September, on the 29th and 30th.

It was further noted that the January 2023 Board Meeting is intended to be virtual.

Time Report into Closed Session: 10:50 AM

VII. Closed Session Page#: 424

a. Executive Director Evaluation

Government Code Section 54957. David Nelson

VIII. Reconvene in Open session Page#: 425

a. Report out of Closed session

Time Report Out of Closed Session: 12:30 PM

No reportable Action of out Closed Session

IX. Adjournment Page#: 426

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

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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.

Time Meeting Adjourned: 12:31 PM