

TRINDEL INSURANCE FUND

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TRINDEL INSURANCE FUND MINUTES BOARD OF DIRECTORS FEBRUARY 28, 2007 Hilton Hotel, Sacramento, CA 2200 Harvard Street, Sacramento, CA 95815 Phone: 916-922-4700

Wednesday, February 28, 2007, 1:14PM

1. Roll Call

Members & Alternates Present:

Judy Molnar – Alpine

Peggy Scroggins – Colusa

Richard Inman – San Benito

Van Maddox – Sierra

Peter Huebner - Sierra

Larry Layton - Trinity

David Nelson – Trinity

Members & Alternates Absent:

Del Norte

Lassen

Modoc

Mono

Others Present:

Mike Fleming – CAJPA (Item #5 only)

Jennifer Brown-Shaw – ShawValenza LLP (Item #6 only)

Shawn Kraatz – Alliant Insurance Services (Item #7 only)

Richard Gonzales – Bartig, Basler & Ray LLP (Item #9 only)

Don Hemphill – Staff

Gene Herndon - Staff

2. Approval of Minutes of November 2 & 3, 2006 meeting.

Motion by Colusa, second by San Benito to approve the November 2/3, 2006 minutes as presented, unanimous approval.

3. Informational Item: Register, checks & invoices between the dates of 10-16-06 and 2-21-07 are available for review pursuant to Bylaws Article XIV, Section 2, with certification from Assistant Treasurer.

No action taken, information only. Staff did go over the new certification by the Assistant Treasurer; this will be done every month and posted to the web page.

4. Discussion/Adoption of Resolution No. 07-01 amending the Investment Policy & Guidelines as previously adopted by Resolution No. 02-12, this is the annual review of the policy and to update the existing policy.

EIA recently amended their policy and we have not updated our policy for 5 years. Dan Calebrese is the Investment Officer for EIA and wrote our original policy when he was our investment advisor; he was with Pillar Point Capitol Management then. The changes are minor clarifications and name/title changes. Additionally this will count as compliance with Government Code Section 53646(a) which requires that this policy be reviewed annually. We will continue to use LAIF exclusively as our cash flow needs are such that funds are needed on a very short term basis.

Motion by San Benito, second by Trinity to adopt Resolution No. 07-01 as presented, unanimous approval.

5. Presentation of CAJPA accreditation with excellence plaque by Mike Fleming, approx 1:30pm.

Mike gave a history and purpose of the accreditation process, Trindel was the 2nd JPA to request accreditation since the process began in 1984. This is the 7th time Trindel has been through the accreditation process, has been accredited 6 times and the 3rd time in a row that Trindel has been awarded the California Association of Joint Powers Agencies (CAJPA) accreditation with excellence, their highest award, each accreditation last for a period of 3 years. Of over 150 JPAs only 35 are accredited with excellence. Accreditation also gives the Trindel members a \$7,500 credit on the general liability and excess workers comp for a total credit of \$15,000 per year for 3 years (total of \$45,000) for a direct cost of \$5,000 for the accreditation fee and a week of staff time to go through the process.

No action taken, information only.

6. Staff report on activities since the November 2006 Board meeting, the Board may give direction to staff including direction on revisions to our JPA and Bylaws.

Safety Officer reviewed the Critical Incident and Fleet Safety programs. Executive Director review the transition plan (**the Executive Director informed the Board that he would like to stay on an additional year, through 6-30-2009, if the Board would be willing to extend the contract (contract will be on the May 2007 meeting agenda)**), progress on our PERS application, SIR levels, updating the web page with resolutions and EPA list, having a legal review of our JPA and Bylaws (it was suggested to contact Steve Underwood (counsel for EIA and Deputy County Counsel for Santa Barbara County) to see if he would do the review and update on our JPA and Bylaws). (**Note: At the EIA Executive Committee meeting the following day the Executive Director contacted Steve and he said he would be happy to take on the task for us at a slightly higher rate that he charges EIA, he had other things going on at the time so I said we would touch bas next week.**) Jennifer Brown-Shaw made a brief appearance to update the Board on training that is being done and that she is working on a proposal for a hot-line for HR issues. Jennifer Brown-Shaw, attorney & trainer for members, stopped by and gave the

Board an update on the training that has taken place, what is in the future and the possibility of an HR hot-line. Discussion on HR hot line mentioned by Jennifer Brown-Shaw, result was that those that want it already have it and those that do not were not interested at this time.

No action taken, information only.

7. Discussion/Action on renewal of Landfill pollution policy, current policy expires 5-16-07, approx 2:10pm.

We last renewed this policy on 5-16-04 for 3 years. It is in place solely to insure landfills/transfer stations for Modoc, Mono, San Benito & Sierra Counties. There has been a question raised as to what, if any, of the requirements from the Integrated Waste Management Board are met with this policy. Shawn Kraatz, from Alliant, explained that Gulf is no longer in the landfill pollution insurance business and that what was previously certified to on the CIWMB 106 was an unintentional benefit of the policy (coverage on closed landfills) and that the new insurer will not certify this form however they will still certify the CIWMD 107 which is for the financial assurances for open landfills. Shawn will also look at the cost and limit issue to add Colusa & Trinity to the Trindel policy and if the limits can be worked and the cost is no greater we will add them to the Trindel policy.

Staff will set up a conference call with Shawn and Nancy Jestredy (Integrated Waste Management Board). The call will relate to the pledge of revenue on the closure/post closure issue formerly the Form 106 assurance provided by the insurer, but which is not offered by the new insurer.

8. Discussion/Action on contracting with CalPERS for retirement plan for Trindel staff.

Van went through the valuations with the Board. Due to the cost it was decided that it was not fiscally possible to fund the prior service Section 21031 optional benefit. Staff did inform the Board, and had included the info in the agenda narrative, that PERS had agreed to re-run the valuations without the Section 21031 benefit at no additional cost. Unfortunately the revised valuations were not available prior to the Board meeting. PERS staff did say that the revised valuations would be the same but without the boxed comment mentioned in the agenda narrative. **Motion by Trinity, second by San Benito**, to join CalPERS at the 2.5% @ 55 full formula, 0% prior service and one-year final compensation and authorize the President and Executive Director to execute any required documents/agreements to obtain the Resolution of Intention to join CalPERS for approval by the Trindel Board, unanimous vote..

9. Acceptance/Rejection of Annual Audit for the period ended 6-30-06, Bartig, Basler & Ray, CPAs will present the audit, approx 2:00pm.

Richard Gonzalez, CPA, presented the audit and answered questions.

Motion by Colusa, second by Trinity to accept the 6-30-07 audit, unanimous approval.

10. Discussion/Direction: staff will report on any deficit balances, as requested in Item #6 at the 11-2/3-06 Board meeting, and review the Balance Sheet & Income Statement detail spreadsheets, if time permits.

Staff reviewed the deficit balances with the Board as set forth in the agenda narrative.

No action taken, information only.

11. Direction to staff on agenda items, presentations, training sessions, preparation of the 07-08 budget and 07-08 premium calculations with options for presentation at the Annual Organizational meeting on May 9,10 & 11, 2007 in Hollister.

Staff will prepare the 07-08 budget and 07-08 premiums as set forth in the agenda narrative for this meeting.

No action taken, information only.

12. Discussion/Direction on EIA programs, attendance at our May 2007 meeting, issues with programs and the future relationship.

This item was continued until the next meeting, because we ran out of time.

13. Discussion/Action on extension of the Safety Officers contract from 3-1-07 to 12-1-07 under the existing terms and conditions.

Motion by Alpine, second by Trinity to extend the Safety Officer's agreement until 12-1-07 with a re-opener for salary & benefits negotiations, unanimous vote.

14. Discussion/Direction to staff on contracting for the 6-30-2007 audit, direction may include additional years.

Staff requested the authority to contract with Bartig, Basler & Ray for audits for the years ending 6-30-07, 6-30-08, & 6-30-09. The Board also wished to have the firm do an additional amount of work analyzing and designing a set of internal controls so that they would be in place upon the hiring of new Executive Director sometime in 2009.

Motion by Alpine, second by Trinity to Authorize the Executive Director to contract with an independent auditor for the periods ending 6-30-07, 6-30-08 & 6-30-09 and to analyze and design a set of internal controls so that they would be in place upon the hiring of new Executive Director sometime in 2009.

15. 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.

16. Future meetings – The Annual Organization meeting is scheduled for May 9, 10 & 11, 2007 in Hollister. The following meeting will be held November 1/2, 2007 at the CSAC-EIA office in Rancho Cordova & followed by the March 5, 2008 meeting to be held in conjunction with the CSAC-EIA Board meeting. We do need to see who would be interested in hosting the May 2008 Annual Organizational meeting.

Future meetings confirmed, **with the addition of a telephonic meeting sometime in April 2007 to adopt a Resolution of Intention to join CalPERS.**

17. Adjourn. Date: 2-28-07 Time: 5:15pm

Approved: May 9, 2007, Item #4

Submitted by: Donald P. Hemphill, Executive Director

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