

TRINDEL INSURANCE FUND

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TRINDEL INSURANCE FUND MINUTES

BOARD OF DIRECTORS

November 1 & 2, 2007

At CSAC-EIA Office, 3017 Gold Canal Drive, Rancho Cordova, CA 95670, Phone 916-631-7363

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Thursday, November 1, 2007, 9:08AM

1. Roll Call
Members & Alternates Present:
Randi Makley – Alpine (arrived after Items 1-4)
Peggy Scroggins – Colusa
Joey Young – Del Norte
Karen Fouch – Lassen (arrived after Items 1-4)
Ron Vossler - Lassen
Mike Maxwell – Modoc
Rita Sherman - Mono
Van Maddox – Sierra
Peter Huebner - Sierra

Members & Alternates Absent:
San Benito
Trinity

Others Present:
Don Hemphill – Staff
Gene Herndon - Staff
2. Approval of Minutes of May 9, 10 & 11, 2007 and June 27, 2007 meetings.

Motion by Modoc, second by Colusa to approve the May 9, 10 & 11, 2007 and June 27, 2007 minutes as presented, unanimous approval.
3. Informational Item: Register, checks & invoices between the dates of 5-1-07 and 10-24-07 are available for review pursuant to Bylaws Article XIV, Section 2.

The Certifications by the Assistant Treasurer were also presented. **No action taken**, information only.

4. Discussion/Adoption of Resolution No. 07-08 amending the budget for the 06-07 fiscal year to reflect actuals for the Liability/Property, Med Mal, Workers Comp, Undistributed Loss Prevention Subsidy Funds, Pollution Program, Administration and Safety Officer budgets.

Staff presented the item as set forth in the Resolution and backup material. **Motion by Modoc, second by Lassen** to adopt Resolution No. 07-08 as presented, unanimous vote.

5. Discussion/Direction to staff on the continuing analysis of the EIA Primary Workers Comp (PWC) program, report on the National Expansion of EIA.

Staff presented the item as set forth in the backup material. Discussion once again centered on if individual members should have the ability to leave the PWC or stay as they choose. The draft actuarial was presented, but showed little difference from the total premium currently being paid. There was an **advisory motion by Modoc, seconded by Alpine** that if it is determine to withdraw from the PWC that it be everyone leaving at the same time with Alpine, Del Norte, Lassen, Modoc & Sierra agreeing and Colusa & Mono disagreeing. There was a **second advisory motion by Modoc, seconded by Alpine** to direct staff to place on the March 5, 2007 agenda the action to withdraw from the PWC, unanimous vote.

6. Discussion/Direction/Action on proposed revisions to the Trindel Joint Powers Agreement and plans for the future.

Staff presented the item. There were many minor language changes/clarifications, which I will not specifically address here. I have attempted to detail out those items for which there was significant discussion only. There was discussion on to include or not include Special Districts as members of Trindel; staff was directed to delete all references to special districts being eligible to join Trindel. There was also discussion as to adding authority for members to appoint 2 alternates, Article VII, and that one of the alternates be a fiscal person, eventually it was decided to not include a provision to allow 2 alternates. There were several items that need additional clarification from Counsel, staff will get answers, i.e. Article II (f) does this remain, Article VIII E, appoint or employ, What does this mean?. Discussion also took place on Article VII as to who can be a Director or alternate, expand or delete allowable Board of Sups, department head and/or person responsible for risk management, decided to leave as is. Article XI A change or to and, D eliminate "...at least 75% of all...", address this in the Bylaws, K eliminate "Maintain an active safety program, and, K will now read as "Shall consider and respond to all recommendations of Trindel concerning the reduction of risk.". For Article XV since Gov't Code Section 6505.5 is referenced then sections A through E can be deleted, staff will verify language in 6505.5 and change Article XV accordingly. The term Program Year in Article XV was discussed, along with the definition in Article 1 and it was decided that all references to this term would be deleted here and in the Bylaws. Program Year serves no purpose related to how Trindel handles funds, we are a bank, if at some point we determine to operate as a pool we may need to add language relating to each year being accounted for separately. Article XVI was almost entirely reworded. For Article XXI the decision was to just let a member appeal to the Board and then buy default if they are not satisfied with the Board's decision they have the right to go to court, but to not say that in the document.

A revised draft of the JPA will be discussed at the March 5, 2007 Board meeting along with the first review of the draft Bylaws, we ran out of time to review the Bylaws at this meeting.

7. Staff report on activities since the May 2007 Board meeting. Review of and direction to staff on projects and other miscellaneous reports by staff and/or members. Some of these items may be included as action items else where on the agenda.

Staff gave very brief reports.

8. Discussion/Adoption of Resolution No. 07-12 for implementation of employer paid member contributions to CalPERS and Resolution No. 07-13 for paying/reporting the value of employer paid member contributions to CalPERS, as required by the previously adopted Resolution No. 07-07 establishing the Trindel Insurance Fund employee benefits.

Staff presented the items as set forth in Resolution Nos. 07-12 and 07-13 and backup material. **Motion by Colusa, second by Modoc** to adopt Resolution Nos. 07-12 and 07-13 as presented, unanimous vote.

9. Discussion/Direction: staff report on deficit balances, if any, as requested in Item #6 at the 11-2/3-06 Board meeting, and review the Balance Sheet & Income Statement detail spreadsheets as of June 30, 2007, if time permits.

Staff briefly discussed the deficit balances, training on the Balance Sheet & Income Statement did not take place due to a lack of time. **No action taken**, information only.

10. Discussion/Direction to staff on presentations by Company Nurse, on Nov 2, 2007 at 9:30am, Norm Peterson(OUR System), on Nov 2, 2007 at 10:00am and EIA on the MPN, informational item related to workers comp claims. Also Gina Dean, EIA Chief Operating Officer, will go over the changes to the calculation of the med mal premiums (on Nov 2, 2007 at 1:00pm).

Presentations by Company Nurse and OUR System were made. It was noted that both these services are charged to the file and there is no up front or direct cost to the member. Kathy McLean, EIA, gave a brief update on the MPN. There was not time to review the calculation of the med mal premiums. EIA staff was amenable to doing the presentation at the March 5, 2007 meeting.

No action taken, information only.

11. Discussion/Adoption of Resolution No. 07-09 amending the budget for the 07-08 fiscal year to reflect changes to the original budget, including funds for the CAJPA accreditation, for the Liability/Property, Med Mal, Workers Comp, Undistributed Loss Prevention Subsidy Funds, Pollution Program, Administration and Safety Officer budgets.

Staff presented the item as set forth in the narrative. **Motion by Alpine, second by Lassen** to adopt Resolution No. 07-09 as presented, unanimous vote.

12. Discussion/Adoption of Resolution No. 07-10 Replacing Resolution No. 98-02R, adopted 3-19-1998, by increasing the value in the definition of a fixed asset from \$500 to \$5,000, all other items remain as originally adopted/defined.

Staff presented the item as set forth in the narrative. **Motion by Lassen, second by Mono** to adopt Resolution No. 07-10 as presented, unanimous vote.

13. Discussion/Adoption of Resolution No. 07-11 Terminating the California Public Entity Insurance Authority Joint Powers Agreement.

Staff presented the item as set forth in the narrative. **Motion by Colusa, second by Modoc** to adopt Resolution No. 07-09 as presented, unanimous vote.

14. 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.

No public input.

12. Future meetings – The spring meeting, tentative date of March 5, 2008, will be held in conjunction with the March 6 & 7, 2008 CSAC-EIA Board meeting at the Hilton Hotel in Sacramento or set a different date. (PARMA is Feb 11-13). The annual meeting is scheduled for May 14, 15 & 16, 2008 in Trinity County. The fall meeting would be November 6 & 7, 2008 at the EIA office In Rancho Cordova.

Adjourn. Date: 11-2-07 Time: 12:20pm

Approved:

Submitted by _____