

WASHINGTON COUNTIES RISK POOL
Roundtable Notes
Thursday, November 3, 2011
Campbell's Lake Resort, Chelan, WA

ATTENDANCE:

* denotes Executive Committeeperson

Adams County: *Not represented*
Benton County: Bryan Perry, Safety/Training Coordinator – Alt. Director
Chelan County: * Keith Goehner, Commissioner – Director
Cathy Mulhall, County Administrator – Alt. Director
Cindy Dietz, Admin Supervisor
Clallam County: Marge Upham, Human Resources Director – Director
Rich Sill, Sheriff's Dept, Code Enforcement
Clark County: * Mark Wilsdon, Risk Manager – Director, Secretary/Treasurer
Columbia County: Drew Woods, Public Works Director - Director
Cowlitz County: *Not represented*
Douglas County: * Steve Clem, Prosecuting Attorney - Director
Franklin County: Robert Koch, Commissioner – Director
Garfield County: Dean Burton, Commissioner – Director
Butch Low, Risk Manager
Grays Harbor County: Dale Gowan, Central Services Director – Alt. Director
Joy Carossino, Safety Officer/RM Assistant
Island County: Angie Homola, Commissioner – Director
Bruce Rohm – Safety Officer
Jefferson County: Philip Morley, County Administrator - Director
Kittitas County: Lisa Young, Human Resources Manager/Safety Officer – Director
Lewis County: * Lee Grose, Commissioner – Director
Mason County: Steve Bloomfield, Commissioner – Director
Dawn Twiddy, Risk Manager
Karen Jackson, Dir. Human Resources
Okanogan County: * Andrew Lampe, Commissioner – Director
Nanette Kallunki, Risk Manager – Alt. Director
Pacific County: Kathy Spoor, Administrative Officer – Director
Lisa Ayers, Commissioner – Alt. Director
Pend Oreille County: * Laura Merrill, Commissioner – Director
Don Ramsey, County Engineer/Risk Manager
Teresa Brooks, Claims Administrator
San Juan County: David Kelly, Deputy Director – Alt. Director
Skagit County: *Not represented*
Skamania County: * Marilyn Butler, Risk Manager – Alt. Director
Spokane County: * Steve Bartel, Risk Manager – Director, President
Lauren Williams, Liability Adjuster
Thurston County: * Tammy Devlin, Risk Manager – Alt. Director
Walla Walla County: Mark Spinks, Public Records Officer
Whatcom County: * Randy Watts, Chief Civil DPA – Director
Karen Goens, Human Resources Manager – Alt. Director
Yakima County: Larry Peterson, Sr. DPA - Director
Washington OFM: Shannon Stuber, LGSIP Program Administrator
Broker Services: Darin Puryear, Area President – AJGRMS, Inc.
Others: Mike Bolasina, Attorney at Law, Summit Law Group

Will Ashbaugh, Attorney at Law, Hackett, Beecher & Hart
Eric Johnson, Executive Director, WSAC

WCRP Staff: Vyrle Hill, Executive Director
David Goldsmith, Member Services Manager
Jill Lowe, Loss Control Coordinator
Susan Looker, Claims Manager
Mike Cook, Sr Claims Analyst
Tammy Cahill, Claims Analyst
Lisa Daly, Claims Representative
Claire Thompson, Administrative Assistant

Welcome: Claims Manager Susan Looker welcomed all attendees to the November 3, 2011 Claims Administration and Risk Management Roundtable at 8:30 a.m. She presented the agenda and deferred introductions until later in the meeting. (There were 51 meeting attendees, staff and others, with all member counties but Adams, Cowlitz and Skagit represented.)

Programs: Susan Looker introduced Will Ashbaugh, an attorney with the firm of Hackett, Beecher & Hart. Mr. Ashbaugh provides coverage counsel for the Risk Pool. He provided a short presentation on "Contracts and Your Joint Self-Insurance Liability Coverage." His presentation included two major topics, 1) What is covered and not covered under the JSILP, and 2) Contractual Provisions that protect the counties and the Pool. As Larry Peterson stated, "Very boring stuff, but you can get in a lot of trouble if you don't get it right!"

Jill Lowe, Loss Control Coordinator introduced the second speaker, Mike Bolasina, an attorney with Summit Law Group. Jill noted that copies of Summit Law's "Employee Discipline: How to Discipline Employees in a Collective Bargaining Environment" were available to attendees. Mike has been conducting employment law training for the Pool for about three years, along with Connie Poulsen; their classes have been "sold out" and attendees are highly appreciative of his ability to teach with stories and his knowledge of the law. Mike spoke about "The Employment Investigation." He followed up the lecture with a short practicum where half of the attendees posed as "interviewees" and the other half posed as "interviewers" following a supposed sexual allegation complaint in the workplace. (Note: Attendees earned 1 Core CPO Credit.)

At 10:35 a.m., President Steve Bartel spoke about two jail cases. In the first, Prison Legal News, a publication regarding jail civil rights issues, Spokane County rejected their publication for dissemination to the jail population. Prison Legal News argued the county did not give notice the county was rejecting their publication and lack of notice was a violation of due process. Chelan County noted Prison Legal News does not provide notice prior to filing a claim. The second case, Campbell, was about inmate discipline. An inmate complained about a body search after working in the kitchen. He was removed to another floor, which effectively removed his ability to work in the kitchen, and was effectively a disciplinary action. He alleged the county could not take the action without an appeal, again, a due process issue. Mr. Bartel cautioned the attendees to be aware of appeal requirements.

Mike Cook, Sr Claims Analyst reviewed a Public Duty Doctrine case. A homeowner installed a propane tank on the outside of his home, connected to an outside bib. Yakima County inspected only the outside work. The home exploded and the homeowner was severely hurt. He sued the county, alleging a special relationship existed. The claim was denied. On appeal, it was denied. The WA State Supreme Court refused to hear the case. The case is published.

At 10:55 a.m., Susan Looker spoke about Case Reserves. She noted reserving is an art, it's hard to teach, and it takes experience. She reviewed the various ways cases can be reserved and talked about how the Pool reserves.

During the around-the-table introductions, the following comments were made by attendees:

Larry Peterson, Yakima County – he would like to see what other counties are doing in the area of contracts.

Lee Grose, Lewis County, wanted to know if any of the member counties had a credit card policy.

Tammy Devlin, Thurston County, cautioned that in regard to contracts, one size does not fit all.

Steve Bartel, Spokane County, noted a very favorable review of the skid car program by the *Spokesman Review*. He also thought some effort should be put into contracts review to help all members.

Karen Sterling Goens, Whatcom County, commented Whatcom County is using a program called “Contract Creator,” a proprietary program that they are unable to copy and replicate, but she would be happy to share the information.

Marge Upham, Clallam County, who is retiring October 2012, introduced Rich Sill who is interning with Marge.

Angie Homola, Island County, asked for some help with mental illness and drug and alcohol addiction liability.

Kathy Spoor, Pacific County, introduced herself to the members. She replaced Bryan Harrison and her background is in nursing.

Lisa Ayers, Pacific County, also introduced herself to the members. She is a new Commissioner.

Steve Bloomfield, Mason County, was appointed Commissioner after the passing of Jerry Lingle. He is on a sharp learning curve and appreciates everyone’s assistance as he gets to know the Pool.

The Roundtable concluded at 11:30 a.m.

During lunch, Eric Johnson, Executive Director of WSAC, gave a legislative update. More state budget cuts will be made that directly and indirectly affect counties.