

WASHINGTON COUNTIES RISK POOL
Roundtable for County Claims Administrators and Risk Managers

NOTES

Thursday, November 5, 2009
Red Lion Columbia Center, Kennewick, Washington

ATTENDANCE:

Adams County: Linda Reimer, Claims Administrator / Risk Manager
Benton County: Bryan Perry, Safety Officer
Chelan County: Keith Goehner, Commissioner
Clallam County: Marjorie Upham, Risk Manager
Melissa Turner, Safety Officer
Clark County: Mark Wilsdon, Claims Administrator / Risk Manager
Columbia County: Drew Woods, –Risk Manager
Cowlitz County: Clyde Carpenter, Claims Administrator / Risk Manager / Safety Officer
Douglas County: Steve Clem, –Claims Administrator / Risk Manager
Franklin County: Ryan Verhulp, Claims Administrator / Risk Manager
Garfield County: Karl “Butch” Low, Claims Administrator / Risk Manager / Safety Officer
Grays Harbor County: Rose Elway, Claims Administrator / Risk Manager
Dale Gowan, Central Services Director
Joy Carossino, Safety Officer
Island County: *Not represented at Roundtable*
Jefferson County: David Alvarez, Chief Civil Deputy Prosecuting Attorney
Kitsap County: Mark Abernathy, Risk Manager
Tim Perez, Risk Management Specialist
Kittitas County: Lisa Young, Safety Officer
Lewis County: Lee Grose, Commissioner
Harry Green, Risk Manager
Paulette Young, Safety Officer
Mason County: Lynda Ring Erickson, Commissioner
Ross Gallagher, Commissioner
Okanogan County: Andrew Lampe, Commissioner
Nanette Kallunki, Risk Manager
Pacific County: Bryan Harrison, –Risk Manager
Pend Oreille County: Don Ramsey, Risk Manager
San Juan County: Adina Cunningham, Claims Administrator / Risk Manager / Safety Officer
Skagit County: *Not represented at Roundtable*
Skamania County: Marilyn Butler, Claims Administrator / Risk Manager
Spokane County: Steve Bartel, Claims Administrator / Risk Manager
Thurston County: Tammy Devlin, Claims Administrator / Risk Manager / Safety Officer
Walla Walla County: Jay Winter, Claims Administrator / Risk Manager / Safety Officer
Whatcom County: Randy Watts, –Claims Administrator / Risk Manager
Yakima County: Larry Peterson, Claims Administrator / Risk Manager
Washington OFM: Shannon Stuber, LGSI Program Administrator
Broker Services: Mike Croke, Senior Area Vice President – AJGRMS, Inc.
Liz Miser, Area Vice President – AJGRMS, Inc.
Speakers: Garry Anderson, WASPC
Tonia Sugarman, CTI
WCRP Staff: Vyrle Hill, Executive Director
David Goldsmith, Member Services Manager

Jill Lowe, Loss Control Coordinator
Sue Colbo, Accounting/Auditing Officer
Claire Thompson, Administrative Assistant
Susan Looker, Claims Manager
Mike Cook, Claims Analyst
Candy Drews, Sr. Claims Analyst
Tammy Cahill, Claims Representative
Lisa Daly, Claims Assistant

Welcome: Loss Control Coordinator Jill Lowe called the Roundtable to order at 8:30 am and welcomed all attendees.

Programs:

Jill introduced Bryan Perry from Benton County who presented information on inspecting park and recreation facilities with examples from a recent inspection of Vista Park. The goal of inspection is to identify hazards and place priorities based on possibility, probability and consequences of injuries. Once the inspection has been completed, a plan can be formulated to correct deficiencies and develop regular maintenance. Bryan also addressed funding issues and public responses to park programs. Ross Gallagher noted there is a powder coating process that can be used to take care of lead paint problems. Bryan Perry also responded to Clyde Carpenter's question about preferred surfacing materials with a short discussion about engineered wood fiber, rubber pellets, sand, and pea gravel and the advantages and disadvantages of each of these surface choices. Steve Bartel noted there are playground standards, but no statute that requires the standards be applied.

Garry Anderson, a former police officer and sheriff, spoke about WASPC's accreditation program. WASPC began their Standards Project in 1976, providing its system to CALEA. In 2000, WASPC agreed to join an alliance program and formed the Accreditation Task Force in 2006 to begin coordination to implement an independent system. They accredited their first agency under the new program in 2007. Accreditation is voluntary, but all 140 standards are mandatory, covering administrative and operational standards. Garry indicated the two most challenging standards involve evidence and records management. WASPC believes the standards need to add value and not be prohibitive. The cost of accreditation is low, approximately \$100. Risk Pool members Sheriff's Offices that have been accredited include Benton, Clark, Franklin and Grays Harbor, with Douglas, Mason, Skagit, Spokane, Whatcom and Yakima receiving continuances during a transition period.

Ryan Verhulp of Franklin County discussed two bills, HB1924-the Zack Lystedt Law, and ESSB 5967-Sex Discrimination in Community Athletic Programs, and the effects on county government. HB1924 mandates concussion precautions in youth sports programs and requires education of coaches, parents and athletes with a signed information sheet, removal of athletes showing signs of possible concussions, and clearance by a health care provider before re-entry into practices or competition. Counties will need to require compliance statements from those using county athletic facilities and make sure county sponsored programs comply with the same requirements as other youth sports programs. The second bill, ESSB 5967, prohibits sexual discrimination in community athletic programs or by a third party that may lease county property. The counties should adopt a policy prohibiting sex discrimination in community athletic programs, publish the policy and notify user groups, make the policy available on its website, and identify employees responsible for compliance. Both bills are scheduled to take effect on January 1, 2010.

Tonia Sugarman from the County Training Institute asked the attendees about training they would like to see offered. Suggestions included courses on policies (what is fluff and what is mandated?), conflict resolution, communications, and best practices for budgeting.

Announcements:

A card for Lorna Delaney was passed around for signature. Randy Watts celebrated his 60th birthday; all the attendees sang "Happy Birthday" to Randy!

Susan Looker announced as part of the Strategic Management Objectives the counties are all urged to enter their claims information on-line. Also, claims forms used by the counties need to be on their websites, or provide a link to the state claim form. She asked all present to please submit all claims to the Risk Pool, and this is especially important with the upcoming Medicare reporting requirements. If a county makes payments, it is responsible for reporting; if the Pool makes payments, it is responsible for reporting. **NOTE: A recent teleconference revealed that the Pool is the Responsible Reporting Entity whether payments at least in part for bodily injuries are made by the Pool or by the member counties.** The Medicare reporting program has been further extended, but it will be implemented.

Susan also announced a favorable settlement regarding a Spokane County booking fees case. Regarding Certificates of Insurance, please contact Tammy Cahill if a certificate is needed. Susan also asked that all proposed settlement agreements be referred to the Pool claims staff for review of completeness.

Roundtable Items:

1. Brian Perry (Benton) asked if anyone had any ideas or policies about indoor air quality.
2. Tonia Sugarman (CTI) noted they are looking for class instructors and asked those who were interested to contact her.
3. Ross Gallagher (Mason) noted his county is spending a lot of time and resources on Public Records requests.
4. Tammy Devlin (Thurston) commented Thurston County was cited by L&I; she recommended the members look more closely at contracts to be sure the conditions of the contract can be met.
5. Lynda Ring-Erickson (Mason) recently got some grant money to make repairs at a county park. She is concerned about jail conditions.
6. Harry Green (Lewis) reported a claim surrounding conditions at a gravel pit and commented it could have been averted if county personnel had looked beyond their own jobs in a more integrated fashion. He also noted the unemployment costs for this last year was greater than for the previous four years.
7. Adina Cunningham (San Juan) also noted the increase in unemployment costs. She also noted they are experiencing difficulties managing public defender program costs.
8. Nan Kallunki (Okanogan) is also experiencing public defender program cost issues; they changed contracts. They also had an L&I claim for lack of respirators. Lastly, layoffs and unemployment have created budget concerns related to arbitrations.
9. Rose Elway (Grays Harbor) charmed the attendees with the "Watusi" claim, an animal that got loose at the fair and scraped a motor home, for which they have retained an adjuster.
10. Bryan Harrison (Pacific) thanked Jill for the review of programs. He indicated "report cards" are important to get the attention and responses of some departments.
11. Lee Grose (Lewis) recommended the City of Lakewood's "e-verify" model to verify employee information; his IT department made a presentation to the commission about how the county can comply with the PRA; he would like to see the Risk Pool appear at a county steering committee meeting.
12. Jay Winter (Walla Walla) discussed several items. (1) Walla Walla County is experiencing several driving accident problems. He feels that on-line training helps, especially with law enforcement personnel. (2) A crop spraying incident that appeared to have little to do with the county generated a claim against the Weed Control Board, that allegedly made comments about which chemicals to use for spraying. (3) Walla Walla County is developing PRA software RFP's with costs ranging from \$130K to \$800K. (4) The county is deciding if they need to designate a Public Records Officer.
13. Vyrle Hill (Executive Director) asked Jill Lowe to stay involved with the counties that are receiving the public records requests. He also noted the need for formal designation of

- county (WCRP) representatives, i.e., Directors, Alternates, Risk Managers, Safety Officers, and Claims Administrators. He urged county members to participate in the Standing Committees.
14. Mark Abernathy (Kitsap) discussed mandatory vaccinations for corrections officers, and a claim received from a developer alleging "permit delays."
 15. Marjorie Upham (Clallam) introduced Melissa Turner, who has moved into Toni Gilbert's position. She also is experiencing L&I reviews and wondered if a severance package with a waiver might be a good solution for people leaving employment.
 16. Melissa Turner (Clallam) has air quality issues, too. The complaints are mostly for mold.
 17. Randy Watts (Whatcom) reported on a joint and several liability matter. The State Patrol released a person who then called a taxi and went back to her parked vehicle, drove again and got in an accident. He commented there appears to be almost strict liability for interlock devices, even when the person has several cars. He is also dealing with a slide at Swift Creek where asbestos naturally occurs.
 18. Steve Clem (Douglas) commented they are dealing with a confrontational newspaper reporter who wants records, but who is not willing to meet with the Commissioners in open session!
 19. Mark Wilsdon (Clark) reports the county is in their fourth round of layoffs. They are paying an extra \$1M for unemployment, and got fined for lateness of payments, as well as paying staff to make the findings.
 20. Larry Peterson (Yakima) has recognized how important it is to get contractors to name the county as an additional insured. He advises everyone to get a copy of the certificate to be sure the county's name is on the certificate.
 21. Linda Reimer (Adams) warns the eastern counties that she is dealing with a hearing impaired person who is making requests and may soon do the same in other counties.
 22. Clyde Carpenter (Cowlitz) needs training for people handling security for courts and fairgrounds related to ADA service animals. Questions cannot be asked about the disability, but questions can be asked about the task the animal performs. It is anticipated that "psychological service animals" will be added as a category, and this will be reviewed by the Obama administration. Clyde also discussed insurance for children who attend 4H events. They do not have insurance through 4H, and he urged everyone to encourage the parents to get the inexpensive insurance offered through the state; to require helmets during all events, and to work with the 4H leaders to send reports of all incidents to the Risk Managers.

During the lunch hour, Eric Johnson, Executive Director of WSAC, recapped the major issues WSAC has been working on during the year and talked about their direction for the future. They still need to find new revenues or have more flexibility in using existing revenues. They want to identify expenditures and see what can be suspended or curtailed. They are hoping to make more inroads regarding the Public Records Act. King County is seriously considering dropping their WSAC membership. Commerce (was CTED) has taken over grant dollars passed on to cities and counties – will they pass on to DSHS? There are some roles Commerce has taken that don't fit very well, and these roles will be reviewed.

The Roundtable concluded at 12:45 pm.