

**WASHINGTON COUNTIES RISK POOL
EXECUTIVE COMMITTEE MEETING
Friday, September 12, 2014
Red Lion Hotel, 18220 International Blvd., SeaTac, WA**

ATTENDANCE:

Name	Relationship	9/12	Comment
Tammy Devlin	President (2008-17)	<input checked="" type="checkbox"/>	
W.A. "Drew" Woods	Vice President (2012-16)	<input checked="" type="checkbox"/>	
Keith Goehner	Secretary/Treasurer (2005-17)	<input type="checkbox"/>	Excused
Thad Duvall	Member (2012-15)	<input checked="" type="checkbox"/>	
Robert Koch	Member (2013-15)	<input checked="" type="checkbox"/>	Telephonic, disconnected at 11:43 am
Dean Burton	Member (2012-14)	<input checked="" type="checkbox"/>	
David Alvarez	Member (2013-16)	<input checked="" type="checkbox"/>	
Lisa Young	Member (2012-15)	<input checked="" type="checkbox"/>	
Lee Grose	Member (2008-14)	<input checked="" type="checkbox"/>	Telephonic, disconnected 9:00 - 9:05 am
Lisa Ayers	Member (2013-16)	<input checked="" type="checkbox"/>	Telephonic
Steve Bartel	Member (2008-16)	<input checked="" type="checkbox"/>	
Vyrlie Hill	Executive Director (<i>ex-officio</i>)	<input checked="" type="checkbox"/>	

OTHERS ATTENDING:

Name	Relationship	9/12	Comment	County/Organization
Will Ashbaugh	Coverage Counsel	<input checked="" type="checkbox"/>	Left at 10:02 am	Hackett Beecher & Hart
Terry Austin	Chief Civil DPA	<input checked="" type="checkbox"/>	Left at 10:02 am	Yakima County
Haley Krug	Attorney	<input checked="" type="checkbox"/>	Left at 10:02 am	Gordon Tilden Thomas & Cordell LLP/Yakima County
Liz Miser	Producer/Area Vice President	<input checked="" type="checkbox"/>		AJGRMS
John Chino	Producer/Area Sr. Vice President	<input checked="" type="checkbox"/>		
Bryan Perry	EC-Elect/Safety & Training Coord. and WCRP RMC Chair	<input checked="" type="checkbox"/>		Benton County
David Goldsmith	Staff/Specialty Services	<input checked="" type="checkbox"/>		WCRP
Susan Looker	Staff/Claims Manager	<input checked="" type="checkbox"/>		WCRP
Sue Colbo	Staff/Accounting Officer	<input checked="" type="checkbox"/>		WCRP

Call to Order, Welcome and Roll Call: President Devlin called the meeting to order at 8:32 am and welcomed all those attending. She announced that she could confirm that a quorum existed with ten (10) of the eleven (11) Committee members participating. She then asked Mr. Duvall to act as Secretary/Treasurer in Mr. Goehner's absence.

Agenda: Mr. Bartel moved and Mr. Burton seconded to approve the agenda with changes in the order delaying the executive session to discuss status of the WCRP vs. Clark County et al until after the appeal hearing and the Officer and Committee member Reports / Action Items until after the Staff Reports; the motion passed.

Consent Agenda: Ms. Young moved and Mr. Alvarez seconded to approve the Consent Agenda; the motion passed. Included were:

1. Minutes of July 11, 2014 Executive Committee meeting.
2. Minutes of July 20-22, 2014 Executive Committee special electronic meeting.
3. Voucher Approval Request No. 14-05, i.e. check numbers 8515 through 8688 (administrative payments) and checks 38466 through 38770 (claim payments) totaling \$4,224,910.02 and transfers totaling \$109,520.43.
4. Claims Settlement Confirmation No. 2014-09-12, i.e. Estate of Hawthorne v. Kittitas County and Tapken v. Spokane County.
5. Confirmation of Py2015 JSILP (liability) with Cyber Insurance Assessments/Allocation, i.e. \$10,276,347 for JSILP with all but \$112,375 due by September 30, 2014, and \$93,697.24 for Cyber with \$3,603.74 from each member county.

6. Confirmation of Py2015 WCPP (property) Assessments/Allocation, i.e. \$2,778,452 for WCPP with all but \$4,912 due by September 30, 2014.
7. Ninth Amendment of the agreement with DRG Sound Solutions (David Goldsmith) providing another one-year extension.

Insurance Producer (Broker) Services Report: Ms. Miser reported on the status of the renewals and placements being bound with the several carriers supporting the JSILP, WCPP and Cyber coverages for Py2015. Mr. Chino then commented that it had been a very challenging year, and that the Pool should be both mindful and proud of the favorable renewals received.

Investment Committee: With Chair Goehner absent, Committee member Hill was asked to report. He noted that returns were running well ahead even with the base being close to the same as a year earlier. Committee members Duvall and Bartel also shared favorable comments.

Standing Committee Reports

- **Finance:** Chair Duvall had nothing more to report.
- **Personnel:** Chair Young reported the Committee is reviewing the Pool's Personnel Policy along with the suggestions of the counsel and consultant retained to assist and the consultant's preliminary (market) compensation study results and recommendations. She noted some concerns and possible disconnects they are pursuing and expressed her expectation to have proposals or recommendations for consideration by the Executive Committee and/or the Board by or during the Autumn Meeting.
- **Risk Management:** Chair Perry had nothing to report at this time, but noted how much he enjoyed the 4 Ways Insurance Might Respond if Godzilla Attacks article that was reprinted in the July/August 2014 County Connection newsletter.
- **Underwriting:** Chair Woods had nothing to report.

President Devlin recessed the meeting at 8:52 am and then reconvened at 9:01 am.

Coverage Determination Appeal Hearing – *Lockwood Foundation v. Yakima Air Terminal, Yakima County and City of Yakima, Yakima Superior Court Case No. 14-2-00967-3, and Yakima Air Terminal–McAllister Field v. MA West Rockies Corporation, Yakima County Superior Court Case No. 10-2-00989-1 (Langdon Family Revocable Trust's Second Amended Answer, Affirmative Defenses and Counter Claims)*. At 9:01 am with all earlier attendees present except Mr. Grose (reconnected at 9:05 am), President Devlin opened the hearing to consider Yakima County's appeal of the Executive Director's decision affirming the written denial of coverage decision of the Claims Manager with respect to the Lockwood and Langdon Foundation claims against Yakima County. Ms. Krug and Mr. Austin presented evidence, argument and legal authorities and responded to the Committee's questions on behalf of Yakima County. Ms. Looker and Mr. Hill presented the evidence and arguments serving as the basis for their (Pool staff) decisions. The Executive Committee further questioned the parties.

Mr. Bartel moved to excuse all but Committee members and members-elect and convene in an executive session under the appropriate statutory authorities to discuss the appeal with counsel for an estimated fifteen (15) minute session; Thad Duvall seconded. The motion passed.

Acting in accordance with the WCRP Bylaws and RCW's 48.62.101(1) and 42.30.110(1)(i)(iii), and recognizing that public discussion would impair the Committee's ability to conduct its business effectively, **President Devlin moved the Committee into an executive session at 9:33 am with just Committee members, members-elect and Coverage Counsel present. About 9:48 am, President Devlin announced that the executive session was being extended for an additional fifteen (15) minutes.**

At 10:00 am, President Devlin reconvened the Committee in regular session to consider and vote upon a motion determining the appeal with all earlier attendees present. Mr. Bartel moved to overturn the Claims Manager's coverage denial along with the Executive Director's affirmation of that decision and to provide a defense with a strict reservation of rights for the referenced legal claims of the Lockwood Foundation and Langdon Family Revocable Trust against Yakima County; Thad Duvall seconded. The motion passed.

President Devlin recessed the meeting at 10:02 am and then reconvened again at 10:21 am. She reported that due to counsel unavailability, there would not be an executive session to discuss status of the WCRP vs. Clark County et al legal matters during this Committee meeting.

Staff Reports

- **Member (Loss Control) Services:** As a Washington PRIMA board member, Ms. Lowe was pre-committed to participate in Washington PRIMA's Workshop and not available to attend this Committee meeting. There was no report.
- **Member (Specialty) Services:** Mr. Goldsmith reported that the annual road trips (visitations with / reporting to member counties) are completed. He noted he is currently working on the biennial Member Satisfaction Survey and plans to include questions to assist with succession planning efforts.
- **Claims Services:** Ms. Looker reported the Hawthorne case settled within authority granted earlier, but the Takpen case did not and is currently in trial.
- **Administrative Services:** Mr. Hill reported the need exists to initiate a Request for Qualifications and Proposal ("RFQ&P") for independent property appraisal services due to the Pool's policy and State regulations for "pooling" consultants. Mr. Bartel moved and Mr. Burton seconded to authorize the Executive Director to proceed with new solicitations; the motion passed. Mr. Hill also gave a brief update on the plans for and status of the renovation of the WCRP Headquarters Building.

Officer and Committee Member Reports: Mr. Woods moved and Mr. Bartel seconded to convene in executive session under appropriate statutory authorities for an estimated thirty (30) minutes to review the performance of a public employee; the motion passed.

Recognizing that public discussion would impair the Committee's ability to conduct its business effectively and acting in accordance with RCW 42.30.110(1)(g), **President Devlin moved the Committee into an estimated 30-minute Executive Session at 10:50 am. At 11:20 am, President Devlin announced a ten (10) minute extension of the executive session.**

President Devlin reconvened in regular session at 11:31. No actions were taken.

Plans, options, procedures and timeframes for the anticipated executive director recruitment and replacement were discussed. Mr. Woods moved and Mr. Bartel seconded to authorize Executive Director Hill with input from the Pool's president or officers to negotiate an agreement with Confidence Consulting for the initial tasks suggested with completion expected by or in conjunction with the Autumn Board Meeting; the motion passed.

Future Meetings: The 2015 Autumn Conference and Board Meeting plans were again discussed. After considering the holiday-related conflicts and the Skamania Lodge contractual penalties and options, David Alvarez moved and Thad Duvall seconded to postpone the Conference one week and meet at the same location during (in conjunction with) the WSAC Conference November 18 – 21, 2015; the motion passed.

President Devlin thanked everyone for their participation and adjourned the meeting at 11:56 am.

MINUTES APPROVED this 29th day of January, 2015.



President

Attest: Thad Duvall
Acting Secretary/Treasurer