

WASHINGTON COUNTIES RISK POOL
ROUNDTABLE NOTES
Thursday July 26, 2012
Shilo Inn & Suites, Ocean Shores, Washington

ATTENDANCE:

* denotes Executive Committeeperson

Adams County: *Not Represented*
Benton County: Bryan Perry, Safety/Training Coordinator – Alt. Director
Chelan County: * Keith Goehner, Commissioner – Director
Cindy Dietz, Legal Administrative Supervisor – Claims Adm.
Cathy Mulhall, County Administrator – Risk Mgr./Alt. Director
Clallam County: Marge Upham, Risk Mgr./Claims Adm./Director
Rich Sill, Code Enforcement Manager – Alt. Director
Clark County: * Mark Wilsdon, Risk Mgr./Claims Adm./Director, Secretary/Treasurer
Mark McCauley, Director General Services
Columbia County: * Drew Woods, Public Works Director – Risk Mgr./Claims Adm./Director
Cowlitz County: Claire Hauge, OFM Director – Alt. Director
Kim Hort, Accounting Clerk
Douglas County: Thad Duvall, Auditor – Alt. Director
Franklin County: Robert Koch, Commissioner – Director
Shawn Sant, Prosecuting Attorney – Alt. Director
Garfield County: Dean Burton, Commissioner – Director
Butch Low, Risk Manager/Claims Adm.
Grays Harbor County: Dale Gowan, Central Services Director – Risk Mgr./Alt. Director
Joy Carossino, Claims Adm./Safety & Claims
Don Warnock, Deputy Sheriff
Island County: Angie Homola, Commissioner – Director
Elaine Marlow, Budget Director – Risk Mgr./Claims Adm./Alt. Director
Jefferson County: David Alvarez, Chief Civil DPA – Alt. Director
Kittitas County: Lisa Young, Human Resources Manager – Risk Mgr./Director
Lewis County: * Lee Grose, Commissioner – Director
Paulette Young, Safety Officer – Risk Mgr./Claims Adm./Alt. Director
Mason County: Dawn Twiddy, Risk Manager
Shannon Goudy, Claims Adm./Clerk of the Board
Okanogan County: * Andrew Lampe, Commissioner – Director
Pacific County: Lisa Ayers, Commissioner – Alt. Director
Pend Oreille County: * Laura Merrill, Commissioner – Director
Don Ramsey, Risk Mgr./County Engineer
Teresa Brooks, Claims Administrator
San Juan County: *Not Represented*
Skagit County: Jessica Neill Hoyson, Human Resources/RM – Risk Mgr./Claims Adm./Director
Arne Denny, Civil Deputy PA – Alt. Director
Charlie Wend, Chief Corrections Deputy
Skamania County: * Marilyn Butler - Risk Mgr./Claims Adm./Alt. Director
Scott Pineo, General Services Director
Spokane County: * Steve Bartel, Risk Manager – Risk Mgr./Claims Adm./Director, President
Rob Binger, Deputy PA – Alt. Director
Lauren Williams, Liability Adjustor
Thurston County: Sandra Romero, Commissioner – Director
* Tammy Devlin, Risk Manager – Risk Mgr./Claims Adm./Alt. Director
Jon Tunheim, Prosecuting Attorney
Walla Walla County: Jesse Nolte, Deputy PA - Director
Jay Winter, Personnel/Risk Manager – Risk Mgr./Claims Adm.

Whatcom County: * Randy Watts, Chief Civil DPA – Risk Mgr./Claims Adm./Director
Karen Goens, Human Resources Manager – Alt. Director
Dan Gibson, Sr. DPA

Yakima County: Larry Peterson, Sr. DPA – Risk Mgr./Claims Adm./Director

Washington DES: Shannon Stuber, LGSIP Program Administrator

Broker Services: John Chino, Area Sr. Vice President – AJGRMS, Inc.

Others: Tracey Christianson, WSTIP
Eric Johnson, 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
Candy Drews, Sr. Claims Analyst
Tammy Cahill, Claims Analyst
Lisa Daly, Claims Representative
Carli Gochnour, Claims Assistant
Sue Colbo, Accounting Officer
Stacey Spears, Administrative Assistant

WELCOME: Claims Manager Susan Looker welcomed all attendees to the July 26, 2012 Claims Administration and Risk Management Roundtable at 8:33 a.m. She announced that this would be a true roundtable format and that some speakers were included in the group that would present information as part of the roundtable. The microphone was passed around the table for introductions. Executive Director Vyrle Hill welcomed all new and returning attendees to the roundtable.

Don Warnock, a deputy sheriff with Grays Harbor County presented information on the shooting that took place at the Grays Harbor County Courthouse on March 9, 2012. Deputy Warnock described the incident and spoke about the changes that have occurred including the installation of cameras, a metal detector and the addition of security bailiffs. Deputy Warnock addressed the issue of balancing safety versus public access. He announced that the Grays Harbor Sheriff's Office will be conducting training for their county and he highly recommended Avade Violence Prevention Training (www.avadetraining.com). (The Pool paid the registration fees for the deputy to attend an Avade training session through the scholarship program). Deputy Warnock also spoke about lockdown procedures and recommended that every department and office should have lockdown procedures and a "code" to alert fellow staff members if there is a threat.

Dawn Twiddy, Mason County asked if any counties are facing medical marijuana issues. Mason County had a person arrested with medical marijuana and the sheriff's office wouldn't return the marijuana with the person's belongings. Pacific County added that community gardens also raise the issue of medical marijuana. A comment was made that gardens can be zoned. In Thurston County, they won't return medical marijuana because it can be considered a federal offense, Clark County and Spokane County have the same policy as Thurston County. Eric Johnson with WSAC noted that most counties have a moratorium on returning medical marijuana.

Carli Gochnour, Claims Assistant announced the risk pool is going “green” and using less paper by switching to email correspondence. Ms. Gochnour told the group she is doing certificates of insurance now.

David Alvarez, Jefferson County noted the county has a medical marijuana collective garden dispensary they can't shut down.

Shawn Sant, Franklin County noted they have a court case stay in place regarding Mr. Parmalee.

Jay Winter, Walla Walla County reported a big rain storm in the area affected 11 roads, there were slides and rock damage to bridges as well, the damage will be in the millions.

Mike Cook, Senior Claims Analyst presented information on jail litigation regarding mail at county jails. There have been 18 federal lawsuits filed regarding mail and the different counties have had different responses. There is a memo in the conference notebook written by Milt Rowland regarding jail mail policy litigation. Mike has copies of the case law available if anyone wants to review the complete information.

Cathy Mulhall, Chelan County stated they are looking at noise and alcohol issues for outside events held at the fairgrounds.

Tracey Christianson, Washington State Transit Insurance Pool presented information on a driver record monitoring program available through their pool. She said they are a fellow pool, not trying to market to the counties. WSTIP has worked with the State Department of Licensing to develop this program for monthly driver monitoring. It is different than pulling an abstract on a driver. Drivers in the program are monitored on a monthly basis, if anything has changed in a driver's record, an updated abstract is provided. All WSTIP members will be using this new program by January and Shannon Stuber, the State Risk Manager has allowed WSTIP to offer this program to counties. The cost is \$1 per person per month, which is less than going to D.O.L. directly for a yearly abstract. WSTIP has a contract with D.O.L. and the company Data Driven Safety (DDS). DDS monitors court records for DUI information, this premium service is an additional \$2.50 per month per driver. Bryan Perry with Benton County confirmed they will be using the driver monitoring system starting in September for CDL employees and probably other drivers as well. Mr. Perry noted that Benton County already has a policy in place to monitor driver abstracts but he noted this new service from WSTIP seems like it will be easier for the county. Tracey provided handouts and her contact information.

Laura Merrill, Pend Oreille County, brought up the topic of handcuffing mentally ill people for transportation to mental health facilities. Ms. Merrill asked if there were issues or liabilities regarding handcuffing policies. Steve Bartel from Spokane County noted that they require the sheriff's department to handle the handcuffing if it is necessary.

Thad Duvall, Douglas County, noted that Steve Clem has been negotiating packages with laid-off employees. They have found if you have to lay-off employees, having a fair package is better than litigation later. Susan Looker added that Steve Clem has put together effective severance packages and the Pool can connect counties with an employment law attorney to discuss severance issues.

Eric Johnson, WSAC said his organization is looking at public records laws the upcoming elections will have an impact on this issue. He noted that joint & several liability issues are always on-going and that WSAC is looking into credit card identity theft issues.

Mark Wilsdon, Clark County said they are still looking into jail inmate suicide prevention.

Tammy Devlin, Thurston County responded to some of the issues that had been raised during the roundtable session. She noted for special events at the fairgrounds, Thurston County requires a separate liability policy. For public records requests they are using a software program they purchased called

Sharepoint that helps manage the huge workload with regard to public records and this program tracks requests across all the different departments. She informed the group that after a shooting in 2007 at the Thurston County courthouse a lockdown policy was put in place and the county conducts training for all offices on lockdown procedures including practice drills. She added they are looking at conducting defensive driving refresher training online to cut down on time away from the office. Eric Johnson with WSAC added that CTI has online open public records training available.

Charlie Wend, Chief Corrections Deputy with Skagit County presented information on inmate classification within jails. He attended training earlier this year regarding legal issues in jails with help from a scholarship provided by WCRP.

- When putting inmates into groups, the basis is on safety and security, program needs for the inmate as well as financial implications.
- There are steps to follow for classification.
- Jails have higher incidence of suicide than prisons.
- The initial screening and placement is critical.
- Within 48 hours, a more intensive screening should take place including an interview with the prisoner.
- Classification should lead to a meaningful assignment, but implementation can be a challenge.
- Periodically re-assess your classification procedures and policies.
- Have discussions with the chief law enforcement officers – how is the classification system working?

Drew Woods, Columbia County spoke about working with a problem employee. When attempting to let the employee go, the employee claimed a hostile workplace environment. A work improvement plan was created, it didn't work and the employee was let go. Columbia County used the pre-defense review program. Mr. Woods also shared information about a recent crop damage claim and he said the county engaged in discussion with the farmer early in the process and that lab testing was an effective tool.

Rich Sill, Clallam County reported a mid-year budget review was recently completed in Clallam County and they have five capital/murder cases.

Sandra Romero, Thurston County gave an update on the new jail. Plans for the new jail have been in the making for a long time, an occupancy permit was granted in November. The county is working on moving into the new facility but it was designed in phases and it is too costly to run two different jail facilities.

Jon Tunheim, Thurston County stated they have high washout rate for corrections officers during the application process. Jill Lowe asked why that is happening – Jon responded it is related to issues of dishonesty and failure to disclose information during the application process. Cathy Mulhall, Chelan County stated they use the civil service procedure in Chelan County and they are upfront about automatic disqualifications.

Randy Watts, Whatcom County reported on a case involving medical care issues for a former inmate.

Bryan Perry, Benton County shared information regarding an incident where media coverage of a protest showed a suspicious device in the background behind the protesters. It was a canister packed with nails and it was properly disposed of by the bomb squad. Lack of cameras outside county facilities became an issue and now the county is looking at cameras and facing video storage issues. Storage is expensive and he asked for input from others regarding how long to store footage. Rob Binger from Spokane County asked if public records requirements would be applicable to this topic. Drew Woods said in Columbia County they store video for 90 days unless there is an incident in which case the specific footage is stored longer in case it is needed. Steve Bartel from Spokane County recommended having a written policy regarding video storage that identifies exactly what you have and where it is stored.

Linda Peters, Benton County spoke regarding PREA (Prison Rape Elimination Act). Linda recently attended a seminar in Tucson, AZ on the topic. She reported that standards are available on line and that training is very important. Benton County has a written PREA policy, a copy of which was available in the conference notebook as well as a PowerPoint document that Linda uses for training.

Lisa Daly, Claims Representative presented information and examples of potential cost savings when using an Appraiser or Adjuster for claims.

Dale Gowan, Grays Harbor County added more information regarding the courthouse shooting. They are now encouraging employees to call 911 if needed, and not to call the sheriff's department directly. The county is also reminding employees the importance of staying away from windows during a lockdown situation.

Joy Carossino, Grays Harbor County said they recently had a murder case, the offender was a 16 year old being held in the juvenile facility. The county is encouraging employees at the facility to use the EAP (employee assistance program) available for county employees.

Scott Pineo, Skamania County spoke about using the pre-defense review program with an employee at the county, they found the process very helpful and he encouraged other counties to use the program. Regarding the topic of fairground use, Skamania County requires event sponsors to have liquor and liability insurance for events and security is required for events attended by over 100 people or events that extend past 8:00 p.m.

Elaine Marlow, Island County reported the Navy wants an easement for a jet fuel pipeline that will run under a county road. Discussion took place regarding issues such as road maintenance, political ramifications and federal requirements.

Larry Peterson, Yakima County asked what other counties do to place a hold and preserve all records related to a matter. Paulette Young from Lewis County sends a request form to everyone that might have records that must be filled out and signed. Steve Bartel from Spokane County said the form his county uses is available on the risk pool website. Mark Wilsdon reported that in Clark County every tort claim goes to the PA's office and they put a freeze on all possible records.

Karen Goens, Whatcom County reported that with assistance from WSAC and the Pool, the CPO program is going strong. They have 10 CPO's currently and they are offering training in the area of employment law. Leaders in the county are committed to training and Karen offered to assist other counties that want to get a strong training program started. Karen also recommended a contract management software program, Contract Creator.

Lisa Young, Kittitas County reported on a claim regarding building permit over-charges. Mark Wilsdon from Clark County added they faced the same problem and Clark County paid \$1.2 million in fees.

Jill Lowe, Loss Control Coordinator announced that Lisa Young was the latest graduate of the CPO program and Jill presented Lisa with her certificate. Laura Merrill from Pend Oreille County was also recognized as a recent graduate.

Paulette Young, Lewis County reported they have found employment claims are also turning into public records requests and claims. Attorneys and claimants are submitting broad public records requests.

Lee Grose, Lewis County said they have medical marijuana policies they would be willing to share with other counties. He also reported on a claim regarding a tree that fell on a car and someone was killed but it wasn't a county tree or on county property.

Tammy Cahill, Claims Analyst reported on the tendering of claims and the CMS process for the electronic filing of medicare claims.

John Chino with AJGRMS, Inc. introduced himself to the group and said he is learning along with the other new people. John brought up the topic of the Washington state law regarding privacy breach. If you lose unencrypted information, you must give notice to all the people whose information was lost. Mark Wilsdon told the group that Clark County solved that problem by using encrypted software on all laptops at a cost of approximately \$18,000.

Shannon Stuber, the State Risk Manager thanked the group for the opportunity to attend the meeting. Her office is tasked with making sure that self-insured programs operate in a safe and sound manner. Her office is taking input on new rules and she announced that the rules will soon be amended. WCRP is beyond the guidelines for solvency, she wants all pools in the state to be as sound as WCRP.

David Alvarez, Jefferson County added some information regarding the RCW pertaining to privacy breach. He stated that Jefferson County is working on a safety manual and asked for any input. Steve Bartel noted that Spokane County's manual is available on the risk pool website.

Eric Johnson added that the WSAC website has a webinar regarding engineering contracts and indemnification.

Charlie Wend from Skagit County thanked the group for the scholarship to attend the training seminar on jail issues. Larry Peterson asked about finding more information regarding scholarship opportunities and Jill Lowe directed those interested in learning more to the risk pool website. She stated scholarship funds are typically used to pay the registration fees for risk prevention/reduction training. All member counties have access to the scholarship program.

Mike Cook, Senior Claims Analyst added more information regarding jail mail rules and informed the group he would send out more information to those that attended the roundtable next week.

Steve Bartel adjourned the roundtable discussion at 11:31 a.m.