



WASHINGTON STATE TRANSIT INSURANCE POOL | RISK MANAGEMENT IN MOTION

2629 12th Court SW | Olympia, WA 98502 | 360-786-1620 | www.wstip.org

Minutes of the
Executive Committee Meeting
December 6, 2018
Great Wolf Lodge ~ Grand Mound, WA

Executive Committee Members Present	Staff Present
Paul Shinnars, President, Kitsap Transit Staci Jordan, Vice-President, Island Transit Shonda Shipman, Secretary, Whatcom Transportation Authority Suzanne Coit, Large Member Rep/Treasurer, Intercity Transit Nick Covey, Medium Member Rep, Link Transit Amy Asher, Small Member Rep, RiverCities Transit Danette Brannin, At-Large Member Rep, Mason Transit	Cedric Adams, Claims Manager Brenda Barnett, Receptionist Anna Broadhead, Board Relations Tracey Christianson, Executive Director Chris DeVoll, Transit Risk Specialist Marisa Espinoza, Finance Specialist Rick Hughes, General Counsel Laura Juell, Risk and Training Specialist Joanne Kerrigan, Member Services Manager Joel Lambert, Claims Associate Andrea Powell, Administrative Services Manager Karey Thornton, Claims and Technology Assistant
Guests Present	
Andrew Halsall, Governmental Entities Mutual, Inc. Brian White, Alliant	
Board Members Present	
Geri Beardsley, Community Transit Matthew Branson, Ben Franklin Transit Lynn Bourton, Link Transit Amy Cleveland, Pierce Transit Sara Crouch, Jefferson Transit Rich Evans, Pacific Transit Jenny George, Asotin County PTBA Brandy Heston, Grant Transit Tom Hingson, Everett Transit Jesse Kinney, Valley Transit Joe Macdonald, Skagit Transit Dunyele Mason, Clallam Transit	Ed McCaw, Valley Transit LeeAnn McNulty; Mason Transit Ken Mehin, Grays Harbor Transit Steve Mertens, Columbia County Public Transportation Dale O'Brien, Skagit Transit Agustin Ortega, Yakima Transit Aaron Rollins, Twin Transit Wayne Thompson, Pullman Transit Lynda Warren, Spokane Transit Derrick Wojcik-Damers, Twin Transit

Call to Order

President Shinnars called the meeting to order at 9:03 am. Shinnars welcomed all participants as a sign in sheet was passed around the room, Halsall was introduced. Christianson introduced the staff in attendance. He welcomed Cleveland and Branson as they are new Board members. He called for changes to the agenda, hearing no changes, he asked for a motion to approve the agenda. **Brannin moved to approve the agenda. Jordan seconded the motion and the motion passed.**

Consent Agenda

Minutes – October 25, 2018; October 2018 Administrative Vouchers/Checks; and October 2018 Claims Vouchers/Checks

Shinnars asked if there were any items to remove from the consent agenda, hearing none, he asked for a motion to approve. **Covey moved to approve the consent agenda. Shipman seconded the motion and the motion passed.**

Beardsley arrived at 9:08 am.

Discussion Items

2018 Executive Committee Work Plan, Strategic Plan

Shinners said as in customary fashion the work plan is included, it looks like staff worked through a lot of material and work items seem to be on target. Christianson said there are a couple things we want the Executive Committee to review as far as goals for the Strategic Plan which will be Executive Committee Retreat topics.

Executive Committee Retreat

Jordan said the retreat is scheduled for January 16 - 18, 2019 at the Cedarbrook Lodge at SeaTac, the facilitators name is Marilynne Beard and her resume is included in the packet. If you have suggestions for topics, please let Jordan or Christianson know.

Draft Public Officials Liability Coverage Document Matrix

Shinners explained the matrix is included for informational purposes. He added he hoped everyone reviews it and shares with your general counsel. He encouraged everyone to be involved in the discussions because everyone needs to understand this coverage document. Christianson said the overview memo covers items we are continuing to work on. Beardsley thanked the committee for getting the policy as far along as they have. Shinners said we still have a few tricky exclusions remaining and invited everyone to attend and be involved in the next Coverage Review Committee meeting (date to be determined in January). Christianson clarified that the Public Officials Liability Coverage Document in the Board packet and up for adoption at the Board meeting was the current (old) version with only date changes.

Notice Letter from Department of Licensing

Christianson said in the packet is a letter we received from Department of Licensing regarding Driver Record Monitoring. To continue our program as is, WSTIP will need a legislative fix. WSTIP hired Michael Shaw, contract lobbyist (for WSTA) to work this issue. Shaw met with the Department of Licensing lobbyist and although they do not like our language, they said they are not opposed to our changes. Shaw will now start looking for a bill sponsor.

The problem is if we do not get the legislative changes, our program could substantially change or stop completely. Do we want to do some contingency planning at a governance level about what to do if it doesn't work out? This is a potential topic for the Executive Committee Retreat.

Governance Policy: Purchasing Policy

Christianson said the governance policy committee tasked staff with writing a new purchasing policy, which is why there is no red-line version. This policy repeals the purchasing policy and the contractors and suppliers policy. **Shipman moved to adopt the Purchasing Policy. Jordan seconded the motion and the motion passed.**

Governance Policy: Property Inventory and Surplus Policy

Christianson said this policy was also written from scratch. It repeals previous property management and surplus policies. **Brannin moved to adopt the Property Inventory and Surplus Policy. Asher seconded the motion and the motion passed.**

Governance Policy: Records Management Policy

Powell said our previous policy only addressed retention and this policy now includes public records.

Jordan moved to adopt the Records Management Policy. Shipman seconded the motion and the motion passed.

Annual Report of Paid Losses Over \$100,000

Kerrigan reminded everyone this is an annual report out, it reviews 10 years of events/claims, as a reminder you can't have a claim without an event. [Click here](#) to view the presentation. Of the 34,747 events that have occurred in the last 10 years, 111 events (each of which are over \$100,000) make up 64% of the losses, two of them are catastrophic losses. Rear-enders are a high area of concern, as are pedestrian, motorcycle and bicycle strikes. Ramp events seem to be on the rise. Kerrigan encouraged everyone to send their trainers to the trainer academy. She fielded questions from Board members as to whether data could be sorted by urban and rural, and if it could be sorted by type of bus (low floor or not). She reminded everyone to be sure the information they are putting into Origami is complete, in order to get a better picture of what is driving the losses. Powell said data clean-up has been completed for 2016 and most of 2017, she now sends a monthly report to each Members' claims person to fill in missing data fields in 2018. Shinnars asked if the trainers academy is ready. Kerrigan said the outline has been formalized and is with the consultant, the academy is scheduled for June 2 - 4, 2019.

Presentation

Governmental Entities Mutual, Inc. (GEM) Update

Christianson introduced Andrew Halsall the Executive Director of Governmental Entities Mutual, Inc. GEM is our layer of liability coverage from \$2.5 million to \$5 million. GEM's annual report was handed out earlier today and was included electronically in the September Board packet. Halsall thanked everyone for inviting him to attend and explained that it helps him be more helpful to WSTIP when he understands our priorities. He thanked Shinnars for sending topics prior to the meeting. Halsall went through his slides ([click here](#)). He said GEM is a pool of pools domiciled in Washington, DC, there are currently 16 members, three of those members are from Washington State, GEM's members own GEM and GEM provides reinsurance for their members. GEM can provide limits up to 10 million, he went through various quota share options and attachment point options, their financial strength, loss exposures and experience. Attendees had a discussion as to the optimal self-insured retention level and surplus levels. McCaw pointed out you cannot reserve enough, when times are tough you will be thankful for the cushion, rather than sliding backwards or towards our goal, we are treading water. Shinnars thanked McCaw and prior Board members who advocated building the Pool's reserves/surplus and thanked Halsall for the presentation. Halsall thanked everyone for their hospitality.

The committee recessed at 10:50 am until 11:07 am. Shinnars added a discussion item before the Executive Session regarding Everett Transit and the US Department of Labor.

Action Items

AGRiP Advisory Standards

Kerrigan reminded the Executive Committee the Pool applies for AGRiP Advisory Standards every three years and the application was included in the packet. The application is an assessment to see if our policies and practices meet AGRiP standards, this application is peer reviewed. Our governance policies state that the Secretary is responsible for reviewing the application. Shipman said she did review the application and staff did an amazing job, thanking Kerrigan. Shinnars said it is a great task for the Secretary to do as it prepares them and give them a better appreciation of the overall Pool's work and the staff. Kerrigan noted the application process changed in 2018 and will be changing again in 2019. Kerrigan asked for questions. Hearing no questions Shinnars asked for a motion to approve the AGRiP

Advisory Standards Application. **Brannin moved to approve the AGRiP Advisory Standards Application as presented. Jordan seconded the motion and the motion passed.**

Discussion Items

Everett Transit US Department of Labor (US DOL)

Shinners said the US Department of Labor is bringing action against Everett Transit which could possibly affect all members. Hingson said an hourly employee filed a complaint with the US DOL. The complaint was "I don't have enough time to (fill in the blank) and am not being paid for (fill in the blank)." The US DOL investigator came and interviewed employees (operators, administrative staff, customer service, and security). The investigator felt employees needed more time for pre-trip inspections (we allowed for 10 minutes, US DOL is suggesting 17 minutes). He is waiting for a letter to arrive which will likely say there was supervisory negligence. He shared lessons learned and actions they are taking. In the interest of time, Shinners suspended this discussion and said he would add it to the agenda of the Board meeting.

Executive Session

The Executive Committee went into Executive Session at 11:30 am for 10 minutes pursuant to RCW 42.30.110 (1) (i) to discuss with legal counsel representing the agency litigation in which a member acting in an official capacity is a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. President Shinners extended the session for an additional 27 minutes. Executive Session ended at 12:07 pm. No action was taken.

Sub-Committee Reports

Governance Policy Committee

No report (policies approved during discussion).

Board Development Committee

The Board Development Committee met and has planned the Work Session for March, strategic plan goals were all met (out of state Board Development goal, attendance goal, and *Behind the Curtain* completion), and reviewed the September Board meeting feedback survey results. Committee members are the member representatives.

Emerging Risks and Opportunities Committee Report

Jordan reported the committee had met on November 7th they began working on a 2019 work plan, technology grant is part of the 2019 WSTIP Budget, drug and alcohol compliance training, fitness for duty/pre-employment fitness and where do those topics live, also discussed vanpool technologies, the Pierce projects, and a Passenger Assistance Sensitivity and Safety (PASS) Certification class that goes beyond just PASS and is relevant to transit safety. This committee is looking for members. Current committee members are Jordan, Asher, Covey, Mehin, and Quintana.

Data Governance Committee

No report.

Coverage Review Committee

Shinners said the committee will try to reconvene in January and will send an invitation to attend to Board members or counsel who would like to attend. Shinners, Brannin, and Covey are the committee members.

Audit and Finance Committee

Next meeting scheduled for 9:00 am on February 28, 2019, at the WSTIP office. All Executive Committee members are on this committee.

Nominations and Elections Committee

Shinners said elections are tomorrow, secretary is a four-year commitment.

Recap and Adjournment

Shinners said he would not recap the meeting, he will try to make time on the Board meeting agenda to continue the US DOL discussion. Shinners noted the Member Representative Meetings will begin at 1:00 pm and the Work Session would begin at 2:00 pm. **Shinners adjourned the meeting at 12:13 pm.**

Submitted this 28th day of February 2019.

Approved:  Danette Brannin, Secretary