

**ONTARIO COUNTY
INSURANCE COMMITTEE MINUTES
September 4, 2012**

MEMBERS

JEFFERY GALLAHAN
JOHN COWLEY
ROBERT LAROCCA
FREDRICK LIGHTFOOTE
DONALD NINESTINE
RICHARD RUSSELL

PRESENT: Jeffrey Gallahan, John Cowley, Rocky LaRocca, Frederick Lightfoote, Donald Ninestine, Richard Russell, John Garvey, Michael Reinhardt, John Parrott, Kris Hughes, Betsy Landre, Eileen Tiberio, Mary Krause, Julie Hoffman, Sherman Manchester and Karen Valesko

DISTRIBUTION: Committee Members, Board Chairman Ted Fafinski, John Parrott, John Park, Michael Reinhardt, Julie Hoffman, John Garvey, Sheriff Philip Povero, Karen DeMay, Sherman Manchester, Don Havens and Stephen Healy.

CALL TO ORDER

Chairman Gallahan called the meeting to order at 10:00 A.M. and announced that Eileen Tiberio would be a little late arriving.

Supervisor Russell made a motion to approve the minutes of the August 7, 2012 meeting. Supervisor Lightfoote seconded the motion. All ayes; motion carried.

WATER DAMAGE SETTLEMENTS

Mr. Hughes and Ms. Landre were present to make the Insurance Committee aware that claims for property damages in the Honeoye Lake Aquatic Vegetation Management Program were higher than usual this year, and that changes were being made to address them. Ms. Landre noted that there are typically about two claims a year, but this year there have been twice as many claims. She said the causes were partly due to differences in the new equipment and partly due to the use of a new diver to mark water lines. Ms. Landre outlined policy changes and adjustments to the program that are in progress to address the problems. The Planning Department is also adding a sonar depth finder to the harvester.

Mr. Hughes also reported that the Soil and Water Conservation District is interested in assuming responsibility for the operation of the Honeoye Lake Aquatic Vegetation Management Program. He will update the Committee as the possibility is explored.

SAFETY REPORT

Mr. Manchester reviewed the new recordable incidents within the municipalities and the county, and he updated the Committee on the Hazard Abatement Grant training. He discussed contracts that will be filed with the Board of Supervisors to cover trainings provided by Empire Safety Training and Consulting, Inc. with funds from the Hazard Abatement Grant. Additional training will be provided by FLCC and require a short-term contract. He said the Work Injury Solutions training will be covered under an existing contract with Healthworks.

Mr. Manchester asked for a waiver of insurance to contract with Anne McFarland to conduct American Heart Association AED/CPR training in 2012, 2013 and 2014. Mr. Parrott did not believe the contract would create a liability.

Supervisor Russell made a motion to approve the insurance waiver for a training contract with Anne McFarland. Supervisor Cowley seconded the motion. All ayes; motion carried.

WORKERS' COMPENSATION

Ms. Hoffman reported on two scheduled loss of use awards paid in August. The medical and compensation budget lines continue to carry positive balances. Reimbursements from Special Funds are now at 73% of budget.

Ms. Hoffman asked for a liability insurance waiver for a contract with Daniel Moore in 2013 to work as Ontario County's Physical Fitness Exam Monitor for pre-employment and post appointment fitness incentive exams for Police and Correction Officers. He has provided this service for over 20 years without incident, and the cost of insurance relative to his fees would create a hardship.

Supervisor Russell made a motion to approve a waiver of liability insurance for the contract with Daniel Moore in 2013. Supervisor LaRocca seconded the motion. All ayes; motion carried.

FOSTER PARENT TRAINER LIABILITY INSURANCE

Ms. Tiberio requested a waiver of the liability insurance requirement for a contract with a foster parent trainer for the Social Services Department. The annual training is co-led by Social Services personnel. Mr. Parrott confirmed that the county's exposure would be minimal, and the cost of insurance would be prohibitive.

Supervisor LaRocca made a motion to approve a waiver of liability insurance for the contract with a foster trainer in 2013. Supervisor Cowley seconded the motion. All ayes; motion carried.

TOWERS WATSON DRAFT REPORT

Mr. Parrott reported on an updated draft actuarial review of the property and liability self-insurance plan done by Towers Watson. He said the good news is that as of 12/31/11 the county plan was fully funded, with a redundancy of \$794,000 on a discounted basis.

LIABILITY SELF-INSURANCE

Mr. Reinhardt made a request to enter into executive session to discuss pending litigation.

At 10:26 A.M. a motion was made by Supervisor LaRocca, seconded by Supervisor Cowley, that the Insurance Committee adjourn and reconvene in executive session for the purpose of discussing information regarding proposed, pending or current litigation. All ayes; motion carried.

Supervisor Russell made a motion to leave executive session and reconvene in regular session at 10:37 A.M. Supervisor LaRocca seconded the motion. All ayes; motion carried.

Supervisor Russell made a motion to approve a \$10,000 settlement agreement for an accident involving a motor vehicle and a bicycle. Supervisor LaRocca seconded the motion. All ayes; motion carried.

OTHER BUSINESS

Mr. Garvey reminded the committee that there was a Workshop on the Health Facility Plan at 5:00 p.m. that evening in conference rooms 204/205 in Building 3019.

With no further business to come before the committee,

Supervisor Cowley made a motion to adjourn, seconded by Supervisor Lightfoote. All ayes; motion carried.

The meeting adjourned at 10:45 A.M.

Respectfully submitted,

Karen Valles