

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: SUPPORT SERVICES

DATE: DECEMBER 19, 2012

COMMITTEE MEMBERS PRESENT:

SUPERVISORS TAYLOR
STRAINER
LOEB
MCDEVITT
FRASIER
MASON

OTHERS PRESENT:

ROB METTHE, DIRECTOR, INFORMATION TECHNOLOGY
AMY CLUTE, SELF-INSURANCE ADMINISTRATOR
JACK BIENIEK, VICE PRESIDENT, COOL INSURING AGENCY, INC.
DANIEL G. STEC, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
JOAN SADY, CLERK OF THE BOARD
SUPERVISORS THOMAS
WESTCOTT
AMANDA ALLEN, DEPUTY CLERK OF THE BOARD

COMMITTEE MEMBER ABSENT:

SUPERVISOR VANSELOW

Mr. Taylor called the meeting of the Support Services Committee to order at 9:30 a.m.

Motion was made by Mrs. Frasier, seconded by Mr. Loeb and carried unanimously to approve the minutes from the prior Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Rob Metthe, Director of Information Technology, who distributed copies of his agenda to the Committee members; a copy of same is on file with the minutes.

Mr. Metthe apprised that his agenda included one item, a request to authorize Jeremy Scime, Senior Programmer/Analyst, to enroll in two job related courses, as follows:

1. Course Title: Projects in Computer Information Systems
Institution: Florida Institute of Technology
Term: January 2013 - May 2013
Cost: \$1,650
2. Course Title: Topics in Computer Information Systems - Mobile Apps Programming
Institution: Florida Institute of Technology
Term: January 2013 - May 2013
Cost: \$1,650

Mr. Metthe noted that both courses were pertinent to Mr. Scime's position.

Mr. Taylor questioned whether the \$1,650 course cost noted was the total fee for each and Mr. Metthe responded affirmatively, explaining that reimbursement of 50% of the cost course would be due to Mr. Scime upon completion of the course with a grade of "C" or better; he added that there would be no cost to the County for the books associated with the courses as Mr. Scime intended to pay for them himself.

Motion was made by Mr. Mason and seconded by Mr. Loeb to approve the request, as outlined above.

In response to an inquiry made by Mr. Loeb as to how the courses related to Mr. Scime's position, Mr. Metthe advised that among other projects, the Projects in Computer Information Systems course would be helpful in developing the fleet management system the Department of Public Works was interested in employing to track not only the fleet inventory, but also scheduled maintenance and depreciation of County vehicles. As for the Topics in Computer Information Systems - Mobile Apps Programming, Mr. Metthe noted that current technology was moving in a direction that allowed more prevalent use of mobile devices to access web based information. He continued that many of the programming platforms used by the County could easily be applied to the mobile technology environment.

Mr. Taylor questioned whether both were online courses, and Mr. Metthe replied affirmatively.

There being no further discussion on the matter, Mr. Taylor called the question and the aforementioned

motion was carried unanimously to approve the request and forward same to the Personnel Committee. *Copies of both Application for Approval to Enroll in Job-Related Courses by Employee forms are on file with the minutes.*

Privilege of the floor was extended to Amy Clute, Self-Insurance Administrator, who distributed copies of her agenda to the Committee members; a copy of the agenda is also on file with the minutes.

Ms. Clute advised the first agenda item referred to a presentation by Jack Bieniek, Vice President of Cool Insuring Agency, Inc., relative to the 2013 renewal proposal for the County's property and casualty insurance coverage. Mr. Bieniek distributed copies of the full insurance proposal, as well as a document comparing the 2013 renewal premiums to the expiring 2012 coverage and another document outlining various exposure changes and claims information, which he proceeded to review for the Committee's benefit; *copies of all of the aforementioned documents are on file with the minutes.* In summary, Mr. Bieniek advised that the 2013 renewal premium of \$722,574.02 reflected a 3% decrease in comparison to the 2012 premium of \$745,107, and he noted he was very pleased with these results in light of the shrinking municipal insurance marketplace. He said there were not many changes in coverage limits to note, but he pointed out that the additional flood insurance coverage limits had been reduced from \$10 million to \$5 million upon renewal and he said he had decided to leave the limit as it was, rather than seek coverage through an alternate carrier because the current market for flood insurance had become very expensive following the Tropical Storm Irene and Hurricane Sandy events.

With respect to "open" claims, Mr. Bieniek advised there were currently 20 claims made against the County which NYMIR (New York Municipal Insurance Reciprocal) felt had some culpability and therefore a reserve of \$890,425 was being maintained to address them.

Mr. Bieniek reminded the Committee members that in prior years, he had traditionally delivered a return of capital check from NYMIR based on monies paid by the County to NYMIR to join their insurance pool in the 1990's which NYMIR had committed to returning to their investors once their organization became self sustaining. He stated that the final return on investment to the County had been made in January of 2011, repaying a cumulative total of \$125,342. Mr. Bieniek said there was some discussion about the possibility of NYMIR implementing a program that would return a percentage of the premium paid for good claims experience; however, he added, plans for such a program had yet to be formalized.

Referring to discussion held in December of 2011 when the 2012 renewal premiums were introduced, Mr. Bieniek recalled conversations relative to a possible need for liability insurance to cover the County's interests in the event of a cyber breach. He said since that meeting, discussions had continued between himself and Paul Dusek, County Administrator, relative to a proposal for the coverage and in order to provide the extensive information requested by insurance underwriters relative to the programs and firewall protection used by the County. Mr. Bieniek explained that businesses and governments needed to be diligent about protecting personal health and credit information; he further explained that in the event of a breach, the business or government was required to notify everyone in their system of the occurrence and offer credit monitoring services, as well as recovery services in the event of an identity theft. He advised that these services could become very expensive and that was why coverage for these exposures was preferable. Mr. Bieniek distributed a handout outlining possible risks and incidents for the Committee's review; *a copy of the handout is on file with the minutes.* He suggested that they continue to review and investigate the matter throughout 2013 to determine whether the coverage was of value to the County.

Mr. Taylor questioned whether the decrease in premium for 2013 was attributed to changes in experience modification factors and Mr. Bieniek replied affirmatively. Mr. Bieniek pointed out there was still a claim against the County in existence relating to a fairly serious automobile accident involving a plow truck that had occurred in either 2007 or 2008; however, he said, the incident had fallen outside of the current five-year claims review period and was no longer being charged against the County's claims experience.

Mr. McDevitt requested an example of a claim that could be made in the law enforcement area and Mr. Bieniek responded that they related primarily to allegations of false arrest, harassment, brutality or a violation of civil rights during incarceration. He pointed out that during 2012, 20 claims of this type had been made, incurring a total claims cost of \$192,990. Mr. Bieniek advised that although the County had won the majority of the cases brought against them, defense and deposition costs were incurred.

Ms. Clute pointed out that the proposed 2013 premium figure did not include the \$40,000 service fee charged by Cool Insuring Agency, Inc. for their broker services; therefore, she concluded, the actual total cost to the County would be \$762,574.02. Mr. Bieniek confirmed this was a correct assertion and noted that a few years ago the County had decided to change the broker fee from a percentage based amount to a flat fee. Mr. McDevitt questioned whether this change had incurred a cost savings to the County and Mr. Bieniek replied affirmatively, advising this saved about \$25,000 per year.

Motion was made by Mr. Loeb, seconded by Mrs. Frasier and carried unanimously to accept the 2013 renewal proposal for property and casualty insurance coverage as presented at a total cost of \$762,574.02, including the \$40,000 broker fee, thereby authorizing the necessary resolution for the December 21st Board meeting. *A copy of the resolution request is on file with the minutes.*

Continuing with the agenda review, Ms. Clute presented a request to authorize renewal of the Excess Workers' Compensation coverage held with Midwest Employers Casualty Company for 2013, with a deposit premium of an amount not to exceed \$143,740, to be paid to the insurance broker, USI Insurance Services LLC (*formerly known as TD Insurance*). She explained this was a statutory insurance coverage policy that applied in cases where there were multiple parties injured as part of the same event and provided coverage beyond the first \$1 million paid by the County. Ms. Clute noted that the premium for the Excess Workers' Compensation coverage was based on payroll rates reflecting an 8% increase, which was an improvement over the 15% increase projected earlier in the year. She further noted that Midwest Employers Casualty looked favorably upon the employee safety programs being implemented by the County in an effort to lower their claims experience, as reflected in the premium rates offered.

Motion was made by Mr. Loeb, seconded by Mrs. Frasier and carried unanimously to approve the request to previously mentioned request, as outlined above, and the necessary resolution was authorized for the December 21st Board meeting. *A copy of the request is on file with the minutes.*

Finally, Ms. Clute presented a request to renew the County's Employers Liability Specific Excess Insurance coverage for 2013 with Capital Indemnity Corporation for an amount not to exceed \$20,380 to be paid to the broker, USI Insurance Services LLC. She advised this insurance coverage applied to third party litigation matters; as an example she cited a situation where a County employee injured while operating a piece of heavy equipment elected to sue the equipment manufacturer, due to their inability to sue the County as their employer, and the equipment manufacturer reciprocated by suing the County to recover their loss.

Motion was made by Mr. McDevitt, seconded by Mr. Loeb and carried unanimously to approve the request, as outlined above, and the necessary resolution was authorized for the December 21st Board meeting. *A copy of the request is on file with the minutes.*

There being no further business to come before the Committee, on motion made by Mrs. Frasier and seconded by Mr. Mason, Mr. Taylor adjourned the meeting at 9:58 a.m.

Respectfully submitted,
Amanda Allen, Deputy Clerk of the Board