

ATLANTIC COUNTY INSURANCE COMMISSION
OPEN MINUTES
MEETING – April 9, 2021 at 11:00 A.M.
MEETING HELD TELEPHONICALLY via ZOOM
*In consideration of Executive Order No. 103 declaring a
Public Health Emergency in the State of New Jersey which was extended by
Executive Orders 119, 138, 151, 162, 171, 180, 186, 200, 210, 215, 222 and 231.*

Meeting was called to order by Commissioner Woods. Open Public Meetings notice read into record.

PLEDGE OF ALLEGIANCE

ROLL CALL OF COMMISSIONERS:

Jacqueline Woods	Present
Tammi Robbins	Present
Janette Kessler	Present
Joseph Giraldo	Present
Michael Fedorko	Present

FUND PROFESSIONALS PRESENT:

Executive Director PERMA Risk Management Services	Brad Stokes
Claims Administrator	<u>Qual-Lynx</u> Karen Beatty Kathy Kissane
	<u>Conner Strong & Buckelew</u> Jennifer Conicella
CEL Underwriting Manager	Conner Strong & Buckelew Ed Cooney Joe Hrubash
Attorney	James F. Ferguson
Treasurer	Amy Stover for Bonnie Lindaw
Safety Director	J.A. Montgomery Risk Control Glenn Prince
Risk Management Consultant	Brown & Brown Insurance Bob Gemmel

ALSO PRESENT:

Rachel Chwastek, PERMA Risk Management Services
Chandra Anderson, Atlantic County
James Dugan, Atlantic County

APPROVAL OF MINUTES: OPEN MINUTES OF FEBRUARY 19, 2021.

MOTION TO APPROVE OPEN MINUTES OF FEBRUARY 19, 2021.

Motion: Commissioner Robbins
Second: Commissioner Giraldo
Vote: 5 Ayes

CORRESPONDENCE: None

Brad Stokes provided the Executive Director's report.

The Risk Management Plan was approved at the last meeting with a carve out of the self-insured retentions for POL/EPL and equipment breakdown under property damage. There have been many meetings over the past several weeks regarding this subject and the matter is turned over to Jim Ferguson.

Mr. Ferguson explained the Risk Management Plan has changes in it dealing with changing the SIR on the equipment breakdown under the property damage and the SIR for EPL/POL. The changes affect the ACUA and the ACIA as the County's SIR remained the same at \$250,000. The ACUA SIR is increased from \$35,000 to \$100,000. There was a substantial change for the ACIA SIR. It was proposed that there would be an allowance for each of those entities to make a payment developed by the actuary and allow them to stay at the level of their retentions as previously set and the difference would be made up by the Atlantic County Insurance Commission. The County questioned that proposal. During the February meeting the resolution approving the Risk Management Plan was approved on an amended basis which severed out those two SIR changes. Over the past several weeks there were several conferences with representatives of all the entities and as a result the County Administrator agreed in order to keep things moving forward smoothly the County would agree for this year only to allow the resolution to pass as originally worded. The County reserves all rights going forward going into 2022. Mr. Stokes passed this information along to Commissioner Kessler.

Commissioner Kessler indicated that she and the ACUA are very appreciative of the decision to proceed as it provides relief from the potential exposure as they did not budget for the increase. Hopefully there will be more options by the end of the year and going into 2022.

Mr. Stokes advised changes will be made to the Risk Management Plan according to the agreement and will be distributed to the members for review. Resolution 14-21 will be tabled until the May meeting.

CERTIFICATES OF INSURANCE: There were 35 certificates issued from February 1, 2021 through March 1, 2021.

MOTION TO APPROVE THE CERTIFICATE OF INSURANCE REPORT.

Motion: Commissioner Fedorko
Second: Commissioner Kessler
Vote: 5 Ayes

The CEL held the reorganization meeting on February 25, 2021 via Zoom. Ross Angilella remains the Chair and Timothy Sheehan is the Secretary. Commissioner Kessler has been appointed to the finance committee and their first meeting is this afternoon. Joe Hrubash commented that they've been reporting they are in the hardest insurance market since the mid-1980's and this has affected every line of insurance. Due to the

financial strength of the CEL, they were able to look into higher retentions and changing up the structure. At the end of the day, 2021 ended up with a significant delta between the budget approved and where they ended up. There is no immediate concern to act on anything right now. The finance committee will be talking about that this afternoon.

Senate Bill 3375 deals with the employer's right to control medical care with regard to workers' compensation claims. This Bill has a lot of opposition and it appears it will be defeated for now. It could resurface in another form in the future.

Ocean County has joined the CEL as a full member with an Insurance Commission.

The financial fast track reports for the Commission as of January 31, 2021 the surplus is \$4.6 million, an increase from the prior month.

The CEL's financial fast track report for January 31, 2021 shows the surplus to be over \$14 million. All years are in the positive.

The claims activity report shows that as of December to January there were eight less open claims from December to January. The January to February report shows there are five less open claims.

The renewal policies are posted on Egnyte. The schematics will be updated now that the retentions have been approved at today's meeting.

The MEL and the CEL educational seminar is divided into two days, May 14, 2021 and May 21, 2021 with a lot of good topics and speakers. There are 5 credits to be issued with this program.

Ed Cooney commented underwriting is tracking trends and increases appear to be slowing down. More information with regard to buildings will be required on the renewals from the entity members. Mr. Stokes commented that our Commission has been getting appraisals of properties every year since 2015 so a lot of that information has already been gathered. Bridges and dams are becoming a hot topic right now along with policy and procedures at jails. There will be a lot memos issued with regard to this subject.

The next meeting is on May 14, 2021.

Commissioner Kessler noted that since the CEL educational seminar is also scheduled for May 14 from 9:00 A.M. to 12:00 P.M., she suggested we move the time of our Commission meeting so it does not conflict with the seminar. Once a new time is agreed on we will advertise for the new time.

CLAIMS SERVICES:

Jennifer Conicella provided the report. The Claims Committee met prior to this meeting. She has nothing else to report.

TREASURER:

Amy Stover provided the monthly report. Resolution 15-21 is the dividend bill list in the amount of \$15,189 which is the payment of dividends from 2020.

The bank reconciliations for the admin account has a balance of \$7,406,984.84. The general liability account has a balance of \$5,884.68 with outstanding checks of \$5,810.00. The workers' compensation account has a balance of \$185,075.45 and outstanding checks of \$184,823.52.

There were no questions.

MOTION TO APPROVE RESOLUTION 15-21 THE DIVIDEND BILLS LIST.

Motion: Commissioner Giraldo
Second: Commissioner Robbins
Vote: 5 Ayes

CEL SAFETY DIRECTOR – JA MONTGOMERY RISK CONTROL:

Glenn Prince of JA Montgomery presented the safety report for February through April. There were a variety of safety and loss control visits. A memo is provided regarding their learning management system. All training continues to be through webinars at this time and they are looking forward to the date they can go back to in person training.

They have received a lot of requests for defensive driving, however, they have not been providing those courses as they are in person training programs. Other county insurance commissions are purchasing online codes to complete the six hour program until we can resume instructor lead programs. He has a quote of \$39.95 each for codes 1-49; 50-99 are \$37.95 each; for another 100 it drops significantly. He does not believe we need that many codes, but they are receiving requests for the agencies who operate vehicles such as the Prosecutor's Office and the Sheriff's Office. Those offices use the defensive driving course as remedial training. The code provides for the instruction and certification. Camden, Gloucester, and Burlington County are current using this method.

Mr. Prince requested approval to purchase codes in order to provide this training to the departments and member entities who have requested them. He requests approval for 49 codes at \$39.95 each for a total of \$1,957.55.

Commissioner Fedorko asked if this was just for law enforcement and Mr. Prince confirmed the course is for all employees. It is an alternative method for the DDC-6 course since we are not doing instructor lead courses at this time.

Mr. Stokes noted there is money in the miscellaneous appropriated account which handles the appraisals and wellness grant.

MOTION TO APPROVE THE PURCHASE OF 49 DDC-6 CODES FOR DEFENSIVE DRIVING COURSES IN THE TOTAL AMOUNT OF \$1,957.55.

Motion: Commissioner Robbins
Second: Commissioner Woods
Vote: 5 Ayes

April is national distracted driving month. Please use caution when operating your vehicles.

Commissioner Kessler asked if the CEU's provided for the TCH for water and wastewater are distributed by JA Montgomery to DEP. Mr. Prince explained the employee is provided with the certificate and it is up to them to handle it on their own.

MANAGED CARE – QUAL-LYNX:

Karen Beatty presented the claims services report. There were 913 bills processed so far this year with savings of \$924,305.89 or 64%. The intake reporting shows so far this year there are 64 claims, 46 for the County, 18 for the Utilities Authority, and 0 for the Improvement Authority. There were 2 COVID-19 claims reported, one in February and one in March.

CLAIMS SERVICES – QUAL-LYNX:

Kathy Kissane reported the Claims Committee met prior to the Commission meeting and reviewed 14 PARS. The PARS were recommended for approval by the Committee. Unless there are any other questions which would require a closed session, she requests a motion for approval of the PARS as reviewed and recommended by the Claims Committee.

MOTION TO APPROVE THE 14 PARS AS REVIEWED AND APPROVED DURING THE CLAIMS COMMITTEE MEETING OF APRIL 9, 2021.

Motion: Commissioner Kessler
Second: Commissioner Giraldo
Vote: 5 Ayes

RISK MANAGER'S REPORT:

Bob Gemmell provided the Risk Manager's report. The report covers all risk management actions completed in the past couple of months, including claims review, loss control and safety visits, and insurance requirement reviews. Also streamlining some standard contract language for the ACIA. He is happy to serve the Commission and appreciates the opportunity.

OLD BUSINESS: None.
NEW BUSINESS: None.

PUBLIC COMMENT: None.

Commissioner Woods opened the meeting to public comment. Having heard no public comment the public session is closed. The next meeting is scheduled for May 14, 2021 at 11:00 A.M. However, the scheduled time will change to 1:00 P.M. in light of the CEL's webinar scheduled for May 14, 2021 from 9:00 A.M. to 12:00 P.M. The change will be advertised.

MOTION TO ADJOURN THE MEETING.

Motion: Commissioner Giraldo
Second: Commissioner Robbins
Vote: 5 Ayes

MEETING ADJOURNED: 11:36 A.M.

Minutes prepared by: Chandra Anderson, Secretary