

**P.O. Box J, Prague, Oklahoma 74864**  
1023 North Jim Thorpe Boulevard

## **ASSOCIATION OF GOVERNMENTAL RISK POOLS**

### **Minutes**

#### **Board of Directors Meeting**

**August 15, 2010**

#### **Boardroom**

**Semiahmoo Resort**

**Blaine, WA**

(Note: Consistent with Board Governance Policy 5.6, votes that are unanimous among those voting are recorded as “carried” or “failed. If there is a “split vote” it is recorded by noting the number of votes “for”, “against”, “abstained” or “absent” among those otherwise reflected as “present”; unless a roll call vote is taken, wherein the vote of each Board member is recorded the same as in a “split vote”.)

President Mangels called the meeting to order at 3:04 p.m. on Sunday, August 15, 2010.

Directors present were:

President Cheryle Mangels, Colorado School Districts Self Insurance Pool;  
Vice President Shawn Bubb, Montana Schools Group Insurance Authority;  
Donna Abersman, Alliance of Schools for Cooperative Insurance Programs (CA);  
David Brooks, County Commissioners Association of Ohio;  
Steven James, Maryland Association of Boards of Education;  
Terry Norwood, Midwest Public Risk (MO);  
Robyn Sykes, Minnesota County Intergovernmental Trust, and  
Jonathan Woods, Oklahoma Municipal Assurance Group

Director Michael Rhyner of the Michigan Municipal Risk Management Authority was unable to attend due to a conflict with a MMRMA meeting being held this week.

Also present was AGRiP CEO Harold Pumford.

Directors welcomed Ms. Sykes to the meeting as the successor to Lester Nixon for a term to expire on December 31.

### **Approval of Agenda**

Mr. James, seconded by Mr. Woods, moved to approve the Agenda as presented. The motion carried.

### **Consent Docket**

Mr. Bubb, seconded by Mr. Norwood, moved to approve the Consent Docket as follows:

- a. Approve Minutes of the March 21, 2010 meeting;
- b. Approve Minutes of the March 22, 2010 Linkage Discussion Luncheon with pool staff other than administrators, and
- c. Receive the Financial Statements as of July 31, 2010.

The motion carried.

### **CEO Organizational Report**

Mr. Pumford distributed and reviewed his CEO Organizational Report. His report also reviewed the registration and program details for the concurrent 2010 AGRiP Institute for Leadership and Management which is expected to see more than 50 pools represented among 87 registrants.

### **Report of the Model CEO Succession Planning Committee**

Committee Chairman Mr. Bubb advised that the committee would continue to refine the steps previously identified. He and Director Woods briefly discussed the application for employment and release form for background checks that are being modeled on documents used by the Oklahoma Municipal Assurance Group.

After further review and extensive discussion of the proposed “Vacancy Announcement” it was the consensus of the board to amend the announcement as follows:

#### **QUALIFICATIONS**

- “2. Experience
- a. Ten or more years of high level experience in the management of a complex organization, Association Management or Public Entity Pooling ~~required~~.
  - b. Five or more years of supervisory experience required.
  - c. Public entity pooling experience highly desired.

#### **HOW TO APPLY**

“All material will be accepted and treated as confidentially by AGRIP.”

President Mangels appointed a committee to make recommendations regarding criteria to determine suitability of the location of the AGRiP office should it be moved from its central Oklahoma. She appointed Director Norwood as Chairman, with Directors Abersman and Brooks as members. The committee is to report at the October meeting, at which time it will be dissolved.

Mr. James reported that based on conversations with educators and other association professionals that he was recommending that the Board plan to use testing instruments and services from Caliper ([www.caliperonline.com](http://www.caliperonline.com)) with finalists candidates selected for in-person interviews with the board. (NOTE, my records do not reflect any specific action on this recommendation)

There was discussion but no specific action regarding which publications and electronic “job boards” to use in which to publish/post the job announcement.

### **Evaluation of CEO Monitoring Reports**

The board next took up the evaluation of the CEO, pursuant to BSR-4 Monitoring Method and Frequency, as to Monitoring Reports filed for:

1. Executive Limitation Policy 4 – *Staff Treatment*
2. Executive Limitation Policy 5 – *Staff Compensation*
3. Executive Limitation Policy 6– *Staff Evaluation*

4. Ends Policy 1 –*Vision Statement and Organization Mission* and Board/Staff Relations  
Policy 5 – *Annual Summative Evaluation of the CEO*.

Mr. Pumford noted that at the February meeting the board decided that this year they would review the reporting frequency and provisions of each Executive Limitations and Ends policy when they are considering the CEO monitoring reports. Mr. Pumford also advised that he continues to modify the format of the reports to make the information more meaningful and easier for the board to review. The board members reviewed and discussed with Mr. Pumford each Monitoring Report. Following a review of each report, the following actions were taken:

Mr. James, seconded by Mr. Bubb, moved that the CEO has achieved Substantial Compliance regarding EL-4 on Staff Treatment. The motion carried.

Ms. Abersman, seconded by Mr. Woods, moved that the CEO has achieved Substantial Compliance regarding EL-5 on Staff Compensation. The motion carried.

Mr. James, seconded by Mr. Brooks, moved that the CEO has achieved Substantial Compliance regarding EL-6 on Staff Evaluation. The motion carried.

It was the consensus of the Board to continue Board/Staff Relations Policy 4 on *Monitoring CEO Performance* in its current format.

Ms. Abersman, seconded by Mr. Bubb, moved that as to the 2009-10 CEO Summative Evaluation that the CEO has achieved Exemplary Performance regarding progress towards achievement of the Mission; and Substantial Compliance for operating within the boundaries established by the Executive Limitations policies. The motion carried.

Mr. Woods, with concurring statements from Directors Bubb and Mangels, said he believes the Summative Evaluation Report should include commendation for the CEO's efforts which have lead to the recognition and stature of AGRIP among state, national and international media, regulatory and legislative bodies and academia.

Mr. James, seconded by Mr. Bubb moved to amend the statements on options for evaluating performance for the Annual Summative Evaluation, B/SR Policy – 5 Monitoring Report, as follows –

“1. . . . By achieving exemplary progress, the CEO earns a merit increase of ???% and/or a one time performance bonus of \$ ???. (and)

“2. . . . By achieving substantial performance, the CEO earns a cost of living adjustment of \_\_\_% or a merit increase ~~of up to~~ \_\_\_%.

The motion carried.

The Board reviewed the monitoring frequency and provisions of each policy as the reports were considered, with no changes to be made.

### **Consideration of written nominations for Honorary Lifetime Associate Membership**

Mr. Pumford advised that there were no written nominations.

### **Membership Criteria and Eligibility Committee**

Chairman Woods advised that the committee had nothing to report at this time; but does anticipate presenting recommendations at the October meeting.

### **Participation in the PRIMA Conference Planning Committee**

Ms. Mangels and Mr. Bubb reviewed their experiences over the past three years while participating on the conference planning committee for the Public Risk Management Association, especially since Mr. Bubb is unable to attend the 2010 conference planning committee due to schedule conflicts. They explained that the process is primarily to rank proposed sessions within given “core competencies” to determine those to be included in the conference. Each questioned the value to AGRIP given the financial and time commitments required to attend such meetings. It was the consensus that AGRIP will continue to agree to have a board member serve on the committee; but that such participation be through correspondence rather than in-person.

### **Board Member Questions and Discussion**

Ms. Abersman introduced Paula Tanguay, CEO of ASCIP, who arrived earlier in the meeting. Ms. Tanguay explained some of the adverse judgments against ASCIP members and other school districts as a result of cases brought to enforce student rights under the national Individuals with Educational Disabilities Act (IDEA) regarding entitlement to receive a free appropriate public education (FAPE). She noted especially the amounts being awarded in such cases for attorney fees. She advised that in meetings with public interest groups in California that there was agreement that legal expenses attendant to FAPE litigation constituted a major expense and a problem which deserved the focus of a broad group of professional stakeholders in order to form a coalition to seek legislative relief. She said ASCIP is seeking the support of a national coalition of stakeholders, including AGRIP, to secure legislative relief to cap the cost of special education legal fees.

Others noted similar cost containment challenges for pools and public entities in litigation over employment, jail, law enforcement, transit and housing claims, etc., that likewise have attendant high legal costs. Mr. Pumford noted that historically AGRIP has not been involved in public policy issues that do not directly affect the operations of public entity risk or benefits pools, relying instead on those public interest organizations representing members of pools to be the vehicles to address such public policy issues with legislators and regulators.

It was the consensus of the Board to ask Ms. Tanguay to propose for the October meeting wording for a statement of support and endorsement she would like to receive from the AGRIP Board.

### **Board Monitoring of Performance**

The board next monitored its process and performance for the meeting under standards reflected in the GP and B/SR Policies, especially as to comparison of actual board activity and discipline. (GP-2. 8. and GP-8. 4. a.). While the general consensus was that the board process and performance was good, no formal motion was offered.

**Review Required Actions to Prepare for the Next Meeting**

In reviewing actions required to prepare for the October meeting at the downtown doubletree Hotel in Nashville, TN, it was determined:

1. The meeting will begin at 3 pm.
2. Model CEO Succession Plan committee - continue its work.
3. Board - Linkage discussions will be held with pool governing body members and with QEI Patrons.
4. Membership Criteria and Eligibility Committee to report (Woods, Abersman and Rhyner).
5. Office Location Criteria Committee to report (Norwood, Abersman and Brooks).
6. Pumford - prepare CEO Monitoring Reports scheduled for the meeting.
7. Board – determine compensation adjustment, if any, for the CEO.
8. Paula Tanguay, prepare proposed statement of support and endorsement.

President Mangels adjourned the meeting at 6:13 p.m.

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Harold Pumford, CEO

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Date