



One Nashville Place, Suite 2200 • 150 Fourth Avenue North • Nashville, Tennessee 37219
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TERRY HILL
EXECUTIVE DIRECTOR
Manier & Herod

BOARD OF MANAGERS

General Motors Corporation
Susan Azar
Chairperson

Ingram Industries Inc.
Don Rickenbaugh
Treasurer

Ajax Turner Company
Todd Williams

Averitt Express, Inc.
David McDowell

City of Knoxville
Gary Eastes

Cracker Barrel Old Country Store, Inc.
Rob Behnke

Goodyear Tire and Rubber Company
Randy Triplett

Johnson Controls, Inc.
Ronald Jones

McKee Foods Corporation
Micheline W. Parkey

Nissan North America, Inc.
Mike Berger

Parker Hannifin Corporation
Curtis Gross

Tyson Foods, Inc.
Allyn C. (Lynn) Tatum

United Road
Kristin Burman

Wasco, Inc.
Paul Kneedler

MINUTES OF BOARD OF MANAGERS' MEETING
December 11, 2008

Present:

General Motors Corporation	Susan Azar
Manier & Herod	Terry L. Hill
Ajax Turner	Todd Williams
Averitt Express, Inc.	David McDowell
City of Knoxville	Gary Eastes
Cracker Barrel Old Country Store	Rob Behnke
Ingram Industries, Inc.	Don Rickenbaugh
McKee Foods Corporation	Micheline Parkey
Parker Hannifin Corporation	Curtis Gross
Tyson Foods, Inc.	Lynn Tatum
United Road	Kristin Burman
Wasco, Inc.	Paul Kneedler
Tenn. Chamber	Bradley Jackson

Absent:

Goodyear	Randy Triplett
Johnson Controls, Inc.	Ronald Jones
Nissan	Mike Berger

The Board of Managers of the Tennessee Self-Insurers' Association met via teleconference on Thursday, December 11, 2008. The meeting was called to order by Susan Azar at approximately 10:05 a.m. CT.

DISCUSSION:

1. **Minutes** of the November 13, 2008 meeting were approved.
2. **Treasurer's Report** was submitted by Don Rickenbaugh and was approved, showing a balance of \$54,899.29. Some membership fees have been received. The

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Expenses include a travel expense for Terry's Arkansas trip to research the Guaranty Fund, as well as a CPA charge for \$125. We're still waiting on several membership fees since 30 members not responded. Second requests were sent. Susan mentioned that some associations do offer a one year "financial hardship membership" for existing members suffering financial distress. We agreed that in these difficult times, this should be considered should the situation arise.

3. **Membership/Nomination.** Micheline Parkey received a new membership application from Leitner, Williams, which is a law firm. Terry noted a couple of website inquiries may result in new members. Mike White resigned as a Board member, but Thompson Machinery will remain a member.
4. **Amicus.** Terry said our amicus case regarding the MIR registry issue is scheduled for hearing before the Court of Appeals on February 23rd. No new issues have been presented which would warrant an amicus brief.
5. **Technology.** The web page is up to date with the exception of Kristin Burman's bio.
6. **Conference Committee.**
There will be a conference committee meeting in January, as speakers are already approaching us about planning for the 2009 Conference.
7. **Legislative.**
Terry sent the bill on recreational injuries to Bradley who has received positive feedback. Additionally, Terry talked to Pete Halverstadt about the bill, who has some bills similar to ours and is willing to go with our bill if it is better.

Terry is still working on 3 issues:

- 1) *Overstreet* bill –we prefer to keep it broad and believe that Tony Farmer has narrowed it down too much, so this continues to need addition work.
- 2) Closing medicals bill is also an issue which should be addressed.
- 3) Recreational injuries – all stakeholders are in agreement on this issue so it should be ready to move forward.

The Plaintiff's bar introduced two bills. The first changes calculation of the compensation rate, while the second expands the definition of maximum total benefit.

a. Guaranty Fund. Discussed what we need to do at this point. It seems premature to make a decision on the issue of the Alternative Funding (Marsh Model) or the traditional Letter of Credit/Surety Bond. It was agreed we need to be supportive of legislation to create a Self-Insured Guaranty Fund Board. The Board would then look at the two approaches. Bradley suggested at this point we need to wait for Commerce & Insurance.

Terry will work on drafting a proposed plan (adapted from the Arkansas Plan) to show our support and assurance that we are willing to step up to the plate on this issue.

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8. **Old Business.**

- a. Insurance Quote – David McDowell obtained quotes from an agent which was discussed at length. General Liability insurance was agreed to as follows:
 - \$1,000,000 per occurrence / \$2,000,000 general aggregate
 - \$1,000,000 hired and non-owned auto liability
 - Premium: \$710 annual premium (including the Annual Conference)
 - Note: separate event policy premium in 2008 was \$430.50

It was agreed to consider Director's & Officers Liability but need additional information on premium without fiduciary coverage and adding crime coverage.

9. **New Business.**

- a. 2009 Dues for TN Chamber of Commerce & Industry \$450 –Bradley agreed to accept \$350 for dues (same amount as last year). Motion made and approved to pay 2009 dues of \$350.
- b. TN Chamber Annual Meeting February 24th – Bradley encouraged self-insured employers to attend.
- c. WC Advisory Council Mtg. Dec. 11th @ 1:00 – Bradley will be attending.

10. **Other:**

- a. Silent PPO Articles –Bradley will watch the Legislature to make sure doctors are not trying to push something through that would not be in the best interest of our membership.
- b. Board Meeting Start Time – There was discussion about changing the start time to 10:00 ET/9:00 CT. Both Don and Rob have meeting conflicts with 9:00 CT, so the meeting time will remain 11:00 ET/10:00 CT.
- c. There was no time for a Board Member profile this month.

11. **Open Discussion.**

There being no further business, the meeting was adjourned at approximately 11:10 a.m.

The next Board of Managers meeting will be held via teleconference on **Thursday, January 15th at 10:00 a.m.**

Respectfully submitted,

Susan R. Azar, Chairperson
Terry Hill, Executive Director