



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
January 15, 2009

Present:

General Motors Corporation	Susan Azar
Manier & Herod	Terry L. Hill
City of Knoxville	Gary Eastes
Cracker Barrel Old Country Store	Rob Behnke
Goodyear	Randy Triplett
Ingram Industries, Inc.	Don Rickenbaugh
McKee Foods Corporation	Micheline Parkey
Nissan	Mike Berger
Parker Hannifin Corporation	Curtis Gross
United Road	Kristin Burman
Wasco, Inc.	Paul Kneedler

Absent:

Ajax Turner	Todd Williams
Averitt Express, Inc.	David McDowell
Johnson Controls, Inc.	Ronald Jones
Tyson Foods, Inc.	Lynn Tatum
Tenn. Chamber	Bradley Jackson

The Board of Managers of the Tennessee Self-Insurers' Association met via teleconference on Thursday, January 15, 2009. The meeting was called to order by Susan Azar at approximately 10:05 a.m. CT.

DISCUSSION:

1. **Minutes** of the December 11, 2008 meeting were approved, after noting the meeting date should be corrected. Annette will send the corrected version to Susan.

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2. **Treasurer's Report** was submitted by Don Rickenbaugh and was approved, showing a balance of \$59,447.20. Some additional membership fees have been received. The insurance premium has been paid. Terry drafted a Resolution changing the signatories on the bank account and will sign and send it to Don.
3. **Membership/Nomination.** Three new members have joined. Terry talked to Vanderbilt today and they thought they were a member, but Don indicated they have not paid their dues. Most who did not renew are associate members. Self-insureds not paid yet are Nissan, Fisher and Peterbilt. Fisher and Peterbilt will not be renewing as they are both shut down. Ronnie Jones at Johnson Controls requested a financial distress membership for the year, as discussed at the December meeting. Motion approved for financial distress membership for Johnson Controls for 2009. Don will update members for the website.
4. **Amicus.** Terry said our amicus case regarding the MIR registry issue is scheduled for hearing before the Court of Appeals on February 23rd. There is nothing else out there of interest at this time.
5. **Technology.** Nothing to report.
6. **Conference Committee.**
Conference Committee meeting was cancelled by Susan. We will plan to meet at 9:00 a.m. prior to the February 5th meeting.
7. **Legislative.**
Terry gave a summary of the change in the Legislature, giving Democrats majority which will result in the Democrats appointing committee members, rather than Republicans. In terms of our legislative package, we have tentatively reached agreement on 3 bills: (1) Closing medicals, (2) overturning the *Overstreet* decision, and (3) recreational injuries. We feel we have a good shot on those three with labor and business on board. The Administration still has a problem with the closing medicals bill, specifically, Commissioner Neeley who does not want to change it. Bradley will try to meet with Neeley to discuss his concerns.

Trade-offs with the other side include: (1) Seasonal employee issue, based only on weeks they worked and (2) Bill subtracting TTD paid from PPD award. They want to say you cannot get credit for TTD when employee awarded 400 weeks of benefits. Dynamics have changed, so he is not sure how things will play out. Our negotiating position has changed significantly after the Speaker of the House change.

a. Guaranty Fund. Terry says the State is going ahead with the bill that allows them to set up a guaranty fund. Dakasha is no longer at C&I, but has not yet been replaced. Their proposal states they have the right to work on setting up a guaranty fund. It is up to the TNSIA to come in with a game plan on how to go about setting up the Fund, and we need to move forward. Don discussed concerns he has about a guaranty fund. Terry stated it was his take that the State will do it regardless, and we are just trying to exercise control. Susan suggested we may need to set up a subcommittee on the guaranty fund to push this issue. Terry said the bill is so broad

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that it will allow the State to go with whatever they want to go with. Multiple companies have contacted Susan and Terry asking about the guaranty fund issue. The consensus is that we need people other than Board members on the subcommittee. Rob, Don, Lynn and Terry will be on the subcommittee. Terry will talk to John McCauley at Vanderbilt to see if he would agree to be on the subcommittee. Susan will check with Caterpillar and see if they are interested in being on the subcommittee. The subcommittee will need to schedule a meeting and discuss this before our February Board meeting.

8. **Old Business.**

a. Insurance Quote – Premium of \$1,503 has been paid to BB&T. Thanks to David McDowell for his work on getting this done.

9. **New Business.**

a. 2008 TNSIA Accomplishments. Susan pulled it together with help from Don and Terry. It will be placed on the web page.

10. **Other:**

a. Board Member Profile. No volunteers for this month.

11. **Open Discussion.**

There being no further business, the meeting was adjourned at approximately 11:00 a.m.

The next Board of Managers meeting will be held via teleconference on **Thursday, February 5th at 10:00 a.m.**

Respectfully submitted,

Susan R. Azar, Chairperson
Terry Hill, Executive Director