

Shon Small, Chairman
Benton County Representative

Scott Hamilton
Member at Large Representative

Don Smith
Second Law Enforcement Representative

BENTON COUNTY
Law Enforcement Officers'
and Firefighters'
Disability Board

Bob Elder
Mayors' Representative

David Donovan, Pro Tem
Law Enforcement Representative

Lisa Small
Secretary

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MEETING MINUTES FOR NOVEMBER 20, 2012 SPECIAL LEOFF I BOARD MEETING

The LEOFF 1 Disability Board met for a special Board meeting on Tuesday, November 20, 2012 at the Benton County Courthouse, Prosser, Washington. Present was Chairman Shon Small, Benton County Representative; Pro-Tem Dave Donovan, Law Enforcement Representative; Scott Hamilton, Member at Large Representative; Bob Elder, Mayors' Representative; Don Smith, Second Law Enforcement Representative, and Lisa Small, Board Secretary.

Chairman Shon Small called the meeting to order at 2:02 PM.

Discussion and Possible Approval of 2013/2014 Biennial LEOFF I Budget

Shon Small opened up the meeting by updating the LEOFF I Board with the status of the overall County budget deficit for the 2013/2014 biennial budget; indicating we started out with a 2.7 million dollar shortfall and currently still approximately \$320,000 out of round.

The LEOFF I Board Members had previously requested, and it was arranged, for Attorney Joe Fischnaller to be teleconferenced into the special board meeting to get clarification on who has final authority when it comes to making budget decisions.

Shon informed Attorney Joe Fischnaller the areas being looked at were Medicare Part B Premiums, travel, dental, and vision.

Joe Fischaller began with Medicare Part B Premiums. As per RCW 41.26.150(5) states that it is entirely within an employer's discretion as to whether to reimburse members for premiums they pay for Medicare supplements, including Medicare Part B premiums.

Scott Hamilton asked Joe Fischnaller if the County or City had passed a Resolution to reimburse such premiums such as Medicare Part B over 20 years ago, and is currently still reimbursing said premiums, would the County or City have the authority to change the decision at this point and discontinue paying said premiums. Attorney Fischnaller indicated that the County or Cities may at their discretion change their decision to reimburse said insurance premiums or Medicare Part B premiums no matter how long they had been reimbursing these cost.

Lisa clarified that RCW 41.26.150(5) states that it is totally up to the employer as to whether they choose to reimburse supplemental insurance premiums as well as Medicare Part B. Attorney Fischnaller confirmed that the statute clearly states it is the discretion of the County's or Cities to reimburse other insurance premiums as well as Medicare Part B.

Shon asked Attorney Fischnaller if there was a statute that outlines what the County and Cities obligations are for travel expense. Fischnaller indicated that per RCW 41.26.110(2) the members of both the county and city disability boards shall not receive compensation for their service upon the boards, but the members shall be reimbursed by their respective county or city for all expenses incidental to such service as to the amount authorized by law. Attorney Fischnaller indicated it is the Board's responsibility to vote on who and how many board members should attend the annual conferences; however, he indicated that it is the Board's responsibility to stay within the travel budget. It was suggested two members go one year and two different members attend the following year. It was also confirmed that the County is responsible for the reimbursement of travel for the Member at Large Representative.

The Board asked the question regarding reimbursements for both vision and dental. Attorney Fischnaller stated that RCW 41.26.030(19) outlines the "medical services" as a minimum service to be provided within reasonable charges with these services being paid in accordance with RCW 41.26.150. The disability board may authorize an amount above and beyond what is required by law.

Don Smith asked the Attorney if the disability board wished to increase or decrease the reimbursable for dental, vision, or hearing aids, would the County or Cities have any authority to change the decision the disability board makes? Attorney Fischnaller stated that it is solely up to the disability board as to what amount is voted in by the majority of the disability board within reason.

The question was asked to Attorney Fischnaller if the Member at Large Representative could reside anywhere within the county, to include cities where other LEOFF I Boards are established. Attorney Fischnaller indicated that he believed they could live anywhere within the county, but did not have the RCW in front of him. *For the record: RCW 41.26.110(b) ...one member from the public at large who resides within the county but does not reside within a city in which a city disability board is established, to be appointed by the other four members designated in this subsection.*

The board finished the call with Attorney Fischnaller and went into discussion on the possible areas to look at to reduce the expenditures for the LEOFF I Budget. The Board all agreed to keep the dental, vision, and hearing aids benefit the same limit amount. It was suggested to hold the Medicare Part B premiums that are scheduled to be paid in February 2014 until the end of 2014 to ensure the budget balance will support the reimbursement. It will be solely the County and Cities decision on whether the Medicare Part B premiums will be reimbursed; a portion of the premium be paid in 2014; or interrupted completely.

MOTION

Dave Donovan moved to approve the LEOFF I Budget as presented in the amount of \$471,000.00. Bob Elder second and upon vote, the motion carried unanimously.

With no further business to discuss, the Board adjourned at 3:17 PM.

Chairman

Clerk to the Board