

## **LGIT Board of Trustees**

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**Hillary B. Spence**  
Council Member  
Talbot County

## **Appointment of Resident Agent Required**

**H**ave you designated your resident Agent? Effective October 1, 2001, the General Assembly enacted Chapter Law 506 that requires the governing body of each political subdivision to file with the State Department of Assessments and Taxation ("SDAT") a certification naming a resident agent who is designated to accept service of process for the local entity. The law exempts local governments from a SDAT fee for filing this designation. The law also requires a local government to file any future change in the designated resident agent or change in address for its resident agent.

**Y**ou may go to the SDAT website at [www.dat.state.md.us/sdatweb/locals.html](http://www.dat.state.md.us/sdatweb/locals.html) and download the form to designate the resident agent. Each political subdivision should attach to the SDAT filing form a copy of either the local government charter or a certified copy of a resolution enacted by the governing body that authorizes and designates an individual to accept service on behalf of the political subdivision.

*(Continued on Page 4, Column 1)*



## **Innovative Member Ideas**

**T**he information presented in this publication shares ideas/projects that have been developed and implemented by other members to improve safety, and reduce liability and property loss potential. It also provides the Trust an opportunity to recognize members who implement new programs such as these.

**I**n this article LGIT features two Ideas recently carried out by the City of Greenbelt (in the words of **Lt. Daniel P. O'Neil** of the Greenbelt Police Department).

*(Continued on Page 4, Column 1)*

### **On the Inside:**

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## From the Board Room

*The Board of Trustees met on January 30, 2003, at the Maryland Municipal League and took the following actions:*



- Approved the Nominations Committee's recommendation to appoint to the Board of Trustees: John "Sonny" Bloxom, Worcester County, Stewart Cumbo, Town of Chesapeake Beach, and Hillary Spence, Talbot County.
- Approved the Underwriting Committee's recommendation that contingent on Trust Counsel's approval, the Trust will offer terrorism reinsurance to all its members, and that LGIT will bear the cost of this coverage through June 30, 2003.
- Approved the Underwriting Committee's recommendation to adopt a "Sponsored Entity Endorsement" which ensures that the sponsored entity continues to meet the provisions of Trust membership as set forth in the Local Government Tort Claims Act.
- Approved the ad hoc Building Committee's recommendation that the committee look into purchasing a trust headquarters property.

*The Board of Trustees met on February 24, 2003, in a special meeting at the Maryland Municipal League to receive an appeal on a claim denial from a Trust member, and took the following action:*

- Rescinded denial of coverage and voted to try to settle the member's claim.

## Committee Appointments

The Chairman of the Trust made the following committee appointments:

### ■ **Claims Committee**

**John "Sonny" Bloxom**, Commissioner, Worcester County, and **David E. Carey**, Commissioner, Town of Bel Air, were appointed as members.

### ■ **Risk Management Committee**

**Hillary B. Spence**, Councilwoman, Talbot County Council, and **John C. Walter**, Risk Manager, Harford County, were appointed as members.

### ■ **Underwriting Committee**

**Stewart B. Cumbo**, Councilman, Town of Chesapeake Beach, was appointed as a member.

### ■ **Ad hoc Building Committee**

**Scott A. Hancock**, Executive Director, Maryland Municipal League, was appointed as a member.

*Nancy Sulborski  
Executive Secretary*



## Restructuring at LGIT

### **Legal Services Organized Into Separate Department**

At the end of February, the Legal Services branch of the Claims and Legal Department became a department of its own.

The change comes in anticipation of the Legal Services Staff providing support to Underwriting projects, as well as continuing its support of the Claims staff. More importantly, it is anticipated that the change will allow Legal Services to devote more time to respond directly to member concerns and requests regarding liability issues.

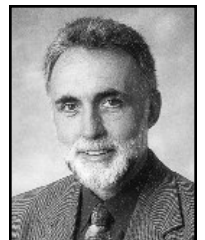
The new Legal Department will be directed by John Breads, the Trust's Senior Attorney. It is currently staffed by

Attorney Christine T. Altemus, and Senior Paralegal Katie Adams.

Legal Services continues to defend members in a great number of cases, but in the near future its staff expects to offer members expanded services, training seminars conducted jointly with the Claims Department, as well as authoring jointly-written publications, such as the *Law Enforcement Bulletin*.

The Claims Department will be led by Sherri Butler, whose value to the Trust has long been established.

*Jon C. Burrell  
Executive Director*





## ***Spotlight on New Trustees***



***Hillary B. Spence  
Talbot County***

***Stewart B. Cumbo  
Town of Chesapeake***

***Johnny E. Bloxom  
Worcester County***



***Hillary B. Spence*** is serving her second term on the Talbot County Council. She holds a Bachelor's degree in Health Services Administration from the State University of New York and a Master's degree in Educational Management and Supervision from Loyola

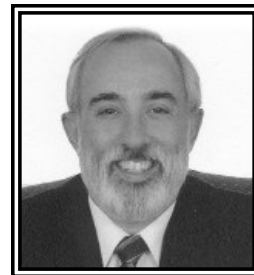
College in Baltimore. During her professional career she has held administrative positions in health care and higher education. She currently works part-time for Talbot County Public Schools as a Grants Management Specialist. Councilwoman Spence is active in numerous local organizations, including the Talbot Partnership, the Talbot County Democratic Forum, the League of Women Voters and the American Association of University Women Easton Branch. She presently serves as County Council liaison for the Talbot Library Board, the Resources Conservation and Development Committee, the Talbot County Arts Council, the Talbot Family Network, and the Maryland Association of Counties Legislative Committee.



***Stewart B. Cumbo***, is a man who wears many hats: Town Councilman, Town of Chesapeake; founder of the Prince Georges County Hot Line and former member of the Board of Directors Prince George's County Mental Health

Association; member of the Board of Directors of the Maryland Municipal League and Vice-Chair of their Convention Planning Committee; Vice Chairman of the Calvert County State Democratic Central Committee; and member of the Diversity in Traffic Safety Task Force and Safe Kids Coalition of the Maryland State

Highway Administration, Maryland Highway Safety Office. He is a graduate and Fellow of the Academy for Excellence in Local Governance, University of Maryland. He has a BA from the University of Maryland, Division of Behavioral and Social Sciences, Criminology, and other various training certificates and certifications. He is a Sergeant with the Department of Maryland State Police, Special Operations Division, Special Events and Tactical Response Coordinator. He is a crisis negotiator on their Hostage Recovery Team. He was Shift Commander and Commander of the Criminal Investigation Section. He is a former Police Officer of the Metropolitan Police Department of Washington, D.C. and former Deputy United States Marshall. He was the original owner of the Chesapeake Beach Ice Cream Parlor, Chesapeake Beach, Maryland.



***John E. (Sonny) Bloxom*** was first elected as a County Commissioner in 1990 and is now in his third term. He currently serves as the Board's President. Councilman Bloxom graduated from the U.S.

Merchant Marine Academy in 1968 and served as a Deck Officer in the Merchant Marines for nine years. He was a Commissioned Officer in the U. S. Naval Reserves from 1968 until he retired as a Commander in 1996. He obtained his law degree from the University of Maryland School of Law in 1976. Councilman Bloxom has worked in private law practice since 1977. He was an Assistant States' Attorney from 1978 through 1980; served as the City Attorney for Pocomoke City from 1979 to 1990; and served as the Attorney for the Board of Education in 1990. Currently he serves on the Board of Directors for MACo. His hobbies include sailing, softball, volleyball, reading and traveling.

We note that many of our members have not chosen a resident agent and attorneys bringing a lawsuit against a county or municipality arbitrarily determine which official or agent to serve. Once a resident agent has been appointed, all lawsuits brought against a local government must be served on the designated resident agent. However, public officials and employees who are named as defendants in the lawsuit must still be served personally. Please remember, to immediately forward the original lawsuit (Complaint and Summons) to the Claims Services Department.



Sherri N. Butler  
Director, Claims Services

(Innovative Member Ideas - Continued)

■ **Installation of Fuel Tank Upgrade Kits on All Patrol Vehicles**

“As recommended by the Ford Motor Company, we plan to purchase the optional trunk kits, which are designed to prevent items contained in the trunks from puncturing the fuel tanks and/or back seats should the vehicle become involved in a high speed rear-end collision.”

■ **Installation of Front Push Bumpers on All Patrol Vehicles, as well as Some Unmarked Cars**

“Although designed for pushing vehicles, we installed them in an effort to decrease collision severity. We saw too many collisions that could have been lessened if there was something else there to absorb the energy. Since we installed these push bumpers, I can think of three or four accidents that could have been more severe had they not been installed. In the past several months, we have struck at least three or four deer. In two collisions, the damage was not severe enough to warrant a claim. In one accident, the push bumper forced the deer up over and away from the vehicle. In the collision we previously discussed, much of the energy was focused in the area of the push bumper, and the damage was limited to about \$4,000 to the police vehicle. Just this morning, an officer struck another deer in the area of the push bumper of his car.

“There is another favorable advantage to having these push bumpers added to the cars: we can install strobe lights outside of the grill, making the cars more visible when expediting through traffic. We can also install the siren speakers on the push bumpers. This prevents hearing loss as was being experienced when the speakers were on the roofs of the cars. It also allows the speakers to project sound without interference that was caused by being installed within the engine compartment.”

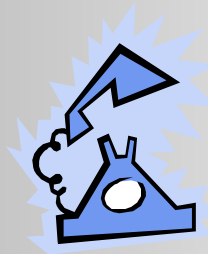
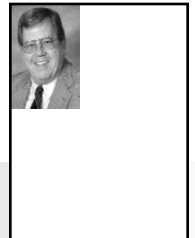
This article highlights just two of many safety-related projects we hear about. LGIT appreciates the City of Greenbelt sharing their ideas with us and would like to feature more projects like these in future newsletters.

***If you have an idea(s) you implemented and are proud of, LGIT would like to share your idea with other members in our next newsletter.***

Let us hear from you. If a photo better illustrates the fruition of your idea(s), please include it.

On behalf of LGIT, a big "Thank You" goes to Lt. Daniel P. O'Neil of the Greenbelt Police Department and the City for all the hard work and effort each put forth while working on the projects described in this article.

Richard A. Furst  
Sr. Loss Control Manager  
Loss Control and Underwriting Services



## **Employment Law Hotline**

### **Question No. 1**

***Does an employer's failure to notify an employee that leave will be designated as leave under the Family and Medical Leave Act (FMLA) prevent the employer from counting the leave against the Employee's twelve-week entitlement under the FMLA?***



## Quick Loss Control Steps

### Flood Perils of "Noahic" Proportions

While I am not suggesting building an ark in anticipation of another global flood, local floods are still considered the most devastating insurable peril in the United States and are caused by melting snow which overflows rivers, tributaries and coastal areas.

Below are listed some quick steps to control flood losses:

#### ■ Pre-Event Actions

1. Building sites should be carefully evaluated for flood potential.
2. Existing structures in flood zones should be analyzed for their ability to withstand normally expected events.
3. Flood shields or barriers, use of temporary diking (or landscaping that incorporates diking features), shutters for building openings, and sandbagging (plan sandbagging layout before flood situation) should be provided.
4. Emergency supplies should be kept on hand: portable power equipment to maintain vital utility services should be available; and



main electrical service equipment should be placed on upper floors of the building away from historical flood stage heights.

Many floods indirectly cause fires that originate in electrical shorts, flammable liquids floating on top of water, and flammable gas escaping from broken piping. Therefore, other pre-event actions to be considered are:

5. No open flames or lights should be allowed near or in a flood exposed structure.
6. Whether utility or process services, all flammable gas piping where exposed to mechanical damage should be protected, and shutoffs or disconnects should be accessibly installed above normally expected flood stage heights.
7. Flood water should be prevented from entering buildings either by having no openings at lower levels or by covering those openings against water entry.

#### ■ Post-Event Actions

1. Personnel should be assigned to implement emergency action plans, such as installing barriers and operating pumps, repairing damage, and disconnecting utility services.

(Continued on Page 8, Column 1)

#### **Answer No. 1**

In most cases, an employer can count leave against the employee's twelve-week entitlement under the FMLA even if the employer fails to advise the employee that the time off will be designated as leave under FMLA. However, if the employee can prove that he would not have used leave had he known that it would be counted against this twelve-week entitlement, the employer may not designate the time off as FMLA leave.

#### **Question No. 2**

**Does the Fair Labor Standards Act (FLSA) require an employer to allow an employee to work a minimum number of hours per work week?**

#### **Answer No. 2**

No. The FLSA establishes a (1) minimum wage and (2) at what point must an employer pay an employee overtime or give compensatory time when an employee has worked a specific number of hours. However, the FLSA does not require an employer to allow an employee to work a minimum number of hours.

*The Hotline is a phone service available to Liability Program members that provides up to 30 minutes of free legal advice on employment matters. The above examples are responses to inquiries that have been made through the Hotline. This member service is provided by LGIT, with the assistance of Daniel Karp, Esquire.*

**Team  
Player  
of the  
Year**



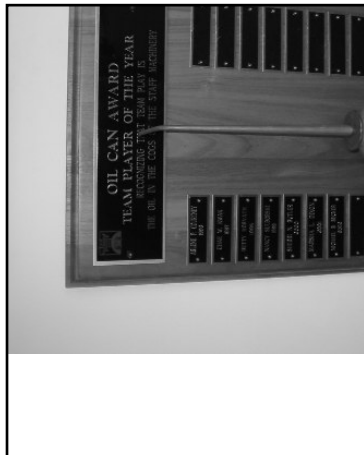
*(Mike trying out his new shades  
before going on vacation!)*

**Oil  
Can  
Award  
Winner**

**T**he Oil Can Award recognizes that: **"Team play is the oil that lubricates the cogs of staff machinery."** It is bestowed on the person who received the most votes by coworkers in a secret balloting process. The recipient of the Oil Can Award is honored at the first staff meeting of the year by having (1) his/her name inscribed on a trophy that is prominently displayed in the reception area of LGIT's offices (see insert below), (2) a separate plaque for his/her office wall, (3) a \$100 gift certificate, and (4) one week of additional vacation.

**T**he prestigious Oil Can Award - 2002 went to none other than **Michael Becker** of the Finance Department, **LGIT's Systems Engineer**. Mike is better known as LGIT's "Computer Guru;" he works magic on our computers every day of the week. Mike also has the distinction of being the second male recipient of this award (Chae Quak in 1997 was the first). Chae and Michael have set the precedent for other male employees to walk in their footsteps and garner future titles. C'mon guys, the gals are ahead of you 5 to 2 (but who's counting)!!!

**C**ongratulations, Mike! We know you really can use the added week's vacation, since there are six kids in your family. Maybe you and Tammy can go somewhere without the little ones this time to celebrate your recent award!



*(Team Player Award Plaque  
that is displayed in the lobby  
of LGIT's offices.)*

**[www.myfuturehealth.net](http://www.myfuturehealth.net)**

**Are your employees taking full  
advantage of all that it offers?**

On a daily basis, I find myself encouraging your employees and their families to take full advantage of the FutureHealth programs.

Before you are entrenched in budget numbers and insurance rate increases, (hmm, hmm!) I thought it would be a good idea for you to familiarize yourself with the offerings as well. You may even find yourself attempting to contact the NurseAdvice line for assistance with your budget numbers! Sorry...nice try though!

As a member of LGIT's medical plans, you and your employees are automatically enrolled in the FutureHealth Programs. The services offered can enhance and enrich their health knowledge and health status. I encourage you to take a minute and log on to **[www.myfuturehealth.net](http://www.myfuturehealth.net)** and you will be amazed at the amount of information that is right at your fingertips! Especially for those of you with established wellness programs, you should find the "Monthly Education Topics" particularly exciting. For expectant mothers, the FutureFootsteps program is paramount. The HealthModels Online will provide you with information on living with a chronic health condition. And if you find yourself with another extra minute, I would encourage you to take the YOU First Health Risk Assessment. You may be motivated to make some changes once you get the results. Remember, you have to make time for you, too!

So pour yourself a tall glass of..... **WATER**, and take a few minutes to peruse this website. I'm sure it will be time well spent!

Stay well!



*Mary E. Balducci  
Director  
Health Benefits Services*

## Health Benefits Wellness Tips

### Making Car Travel More Enjoyable

Springbreak! Summer vacation! Traveling by car with your family can be like a slice of Americana or like a toothache depending on how you plan for it.

Getting to your destination can be half the fun if everyone starts off well rested, well organized, and prepared for the days to come. Here are some travel tips that can help:

#### ■ **Plan Ahead and Encourage Input**

Planning ahead is not only important, but it can build excitement long before the trip begins when everyone is included in the initial planning. Make a checklist so family members don't forget the things they need for the trip.

#### ■ **Consider Joining an Automobile Club**

Many of the major auto clubs are reasonably priced, plus offer the benefits of maps, information on tourist attractions and peace of mind in case of emergency.

#### ■ **Safety First**

Keep a working flashlight, fire extinguisher, blanket, and first-aid kit in your car. Cellular phones are an important option. Remember family members' prescription medications and your health insurance information card.

#### ■ **Bring Things to Do While Enroute**

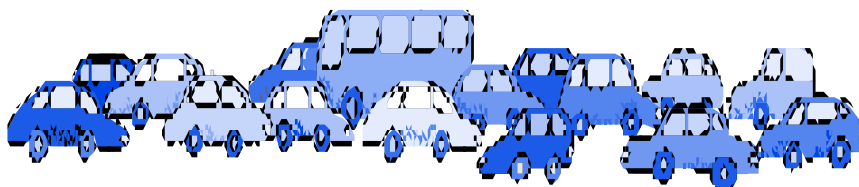
Each child should bring a backpack filled with some favorite toys, reading, listening and activity materials. Soothing music and books on tape are great for adults and kids alike.

#### ■ **Bring Along a Well-Stocked Cooler**

Fill it with favorite healthy snacks, fruits and beverages. Take extra beverages if you're in hot climates. You'll save money and be able to stop, stretch your legs and relax, instead of searching for a roadside restaurant.

#### ■ **Take Frequent Breaks**

Cramming a day and a half of driving into one day is a guaranteed stress-builder. Be realistic about your miles per day. Stop and take in the scenery. After all, isn't that why you're on vacation?



#### ■ **Share the Driving**

If other family members drive, take turns at the wheel. This can add to the safety and enjoyment of everyone.

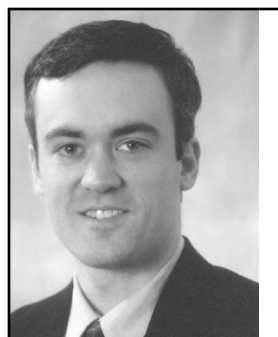
#### ■ **Keep a Daily Travel Log**

Write down the day's events and capture moments on film for a great post-trip scrapbook that will keep the vacation memories alive for years to come. Let everyone add his or her unique perspective.

Magellan Health Services, LGIT's Employee Assistance Program (EAP) administrator, provided the above information. If you have questions about the LGIT Employee Assistance Plan, please contact a member of our Health Benefits Services staff and we will be happy to provide you with information.



*Sylvia Newsome  
Account Representative  
Health Benefits Services*



### Latest New Hire

**Patrick A. Hancock, ARM**  
Loss Control Training  
Coordinator

Patrick comes to LGIT after serving three years as Project Associate of the Public Risk Database Project (PRDP) in Columbia. His duties at PRDP included public relations, marketing, and training. Training projects included on-line demonstrations of PRDP's national claim database, as well as training claim staff on the use of PRDP's unique cause of loss codes. Patrick holds a B.A. in Government and Politics from the University of Maryland and recently earned the Associate in Risk Management (ARM) certification. He also served the Peace Corps for two years in Honduras as a children's health and nutrition specialist. He plans to use his training experience, knowledge of risk management, performance measurement and benchmarking to target and implement trainings based on LGIT members' loss experience.

## Another MSAE Award

The Maryland Society of Association Executives' 2002 Circle of Excellence Award for Excellence in Program Innovation was presented to LGIT in recognition of the Trust's *Qualifying Contractors* seminar that assists LGIT Members in minimizing potential exposure to financial loss.



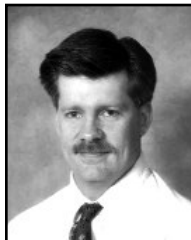
(Tom Quattlebaum, MSAE President, far right, presents award. Accepting award are: Ellen Nudd, Underwriter; Dick Furst, Sr. Loss Control Manager; and Jennifer Bates, former Loss Control Training Coordinator, all of whom developed/presented the winning seminar.)

(Quick Loss Control Steps - Continued)

2. Salvage should begin as soon as possible and facility protection systems (i.e. sprinkler, fire alarm/detection systems and burglar alarms) and building systems should be restored.

If you would like more information on other perils, please contact LGIT.

Scott Soderstrom, CPCU, ARM-P  
Underwriting Manager  
Loss Control & Underwriting



(LGIT Claims Examiners Right to left: Dorie Shwartz, Anna Cade and Can That Be Sally Wallace?)

The Claims Services Department helped its members "dig out" from the Blizzard of 2003. We received 243 snow related claims:

- 98 snow plows hitting parked or standing cars;
- 41 snow plows hitting property
- 5 salt from snow plows hitting vehicles
- 2 snow plows hitting pedestrians
- 12 slip and falls on ice
- 27 pothole causing vehicle damage
- 33 sewer back-up caused by melting snow and rainfall
- 25 member property damage - including 5 roof collapses

## Upcoming Training Seminars

### April

#### **National Safety Council Regional Defensive Driving Course**

Takoma Park / 4-8-03

#### **Renewal Workshops**

Cambridge / 4-9-03

Columbia / 4-11-03

Hancock / 4-25-03

#### **Principles of Incident Management**

Denton / 4-30-03

### May

#### **Renewal Workshop**

Harford / 5-2-03

#### **National Safety Council Regional Defensive Driving Course**

Takoma Park / 5-6-03 and 5-22-03

#### **Emergency Vehicle Operation (EVO) for Sports Utility Vehicles**

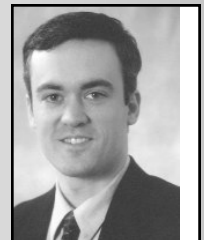
Sykesville / 5-28-03

### June

#### **Emergency Vehicle Operation (EVO)**

Sykesville / 6-2-03, 6-3-03 and 6-4-03

For more information, call Patrick Hancock at 1-800-673-8231 or 410-312-0880. If you prefer to use e-mail, you may contact him at PHancock@LGIT.org.

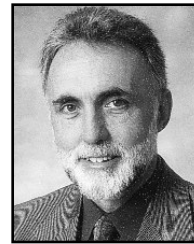


Patrick A. Hancock, ARM  
Loss Control Training Coordinator  
Loss Control and Underwriting

## The LGIT News

A quarterly newsletter free to all members and affiliates of the Local Government Insurance Trust, Columbia, MD.  
1-410-312-0880 / 1-800-673-8231 / www.lgit.org





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