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LGIT News is a quarterly publication providing news and information for its member local governments.



7225 Parkway Drive
Hanover, Maryland 21076
800-673-8231
www.lgit.org

LGIT NEWS

SERVING MARYLAND LOCAL GOVERNMENTS SINCE 1987

Celebrating
20
Years of Trust

LGIT
1987-2007

Fall 2007

The Local Government Insurance Trust will provide coverage and risk management services at stable and competitive rates through an organization that is owned and managed by its local government members.

New Trust Headquarters in Anne Arundel County



On July 27, 2007, the Trust moved its headquarters to a new building that it purchased, located in Anne Arundel County, bringing to a successful conclusion a search that began in 2000. The new offices are at the intersection of Parkway and Standard Drives, at 7225 Parkway Drive, Hanover, MD 21076. The new phone and fax numbers are: (ph) 443-561-1700 and (fax) 443-561-1701. The toll free number in Maryland remains the same: 800-673-8231. The Trust's commitment to energy conservation and holding down operational costs is evident in the building's new offices

featuring, among other things, motion sensitive lighting, high SEER HVAC systems and energy efficient glass.

Financing for the structure was accomplished via a tax exempt instrument that will save the Trust approximately \$500,000 over the life of the financing.

LGIT will host an open house in the new headquarters facility at a time and date to be announced.

- Arlene Courtney
Manager, Support Services

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KEYNOTE SPEAKER -

J. Joseph Curran, Jr.
Maryland Attorney General

1987 - 2007

MODULE PRESENTERS

Kevin Karpinski -
Partner, Karpinski, Colaresi &
Karp, P.A.

Ernest A. Crofoot -
Funk & Bolton, P.A.

LGIT Staff Wellness Program Offers Health Fair to LGIT Employees

LGIT kicked off the second year of its Staff Wellness Program with a Health Fair offered to all LGIT employees. Twenty-five employees participated, taking advantage of blood pressure screenings, cholesterol checks, flexibility tests, recovery heart rate measurements, BMIs, and computerized wellness profiles. Each staff person was given the opportunity to receive a ten-minute massage for attending the event.



Many of the staff are working out with light weights during a lunchtime exercise program and will soon be learning about maintaining a healthy back with the use of balance balls. All LGIT wellness programs are taught by certified instructors.

For information on starting a wellness program for your employees, please give us a call — we'd love to share our exciting program with our members.

- Marsha Carpenter, H.R. Specialist
- Sandy Tedrow, Executive Secretary

LGIT's Moving Day

Destination ...

7225 Parkway Drive

Hanover, Maryland 21076



Avoiding Deer Collisions

Avoiding deer collisions is an art that simply has not yet been mastered and may never. It is difficult for a driver to predict an animal's behavior, especially one like the deer that is skittish and can travel great distances in one day. The ever-increasing deer population makes it even more likely today that a deer collision will occur. The problem is that there are simply no longer any natural predators to help keep the deer population in check. Timber wolves, mountain lions, and other natural predators have disappeared because of urban sprawl, leaving only hunters' rifles and, unfortunately, our vehicles to do the job. The Insurance Institute for Highway Safety estimates that last year there were over 1.5 million deer-to-vehicle collisions which registered an estimated total of \$1.1 billion in physical damages and 180 deaths.



Deer vs. Truck

Many state and local governments have tried an array of things to combat the ever-flourishing deer population, from increasing the number of kills allowed during hunting season to actually allowing some natural resource officers and sharp shooting civilians to kill deer in the off season to thin the herds; yet the deer population continues to grow. Fortunately, there are some things that all of us can do while we are in our vehicles to try to avoid or prevent a deer collision.

The best technique to avoid deer collisions at anytime of the year is to simply travel the speed limit and stay alert. Any areas that are marked with deer crossings signs should always be traversed at a slower pace with a more vigilant eye. When traveling these

posted areas or areas where roads divide agricultural fields from forestland, try using a scanning technique. Start at the right side of the vehicle or left, which ever is more comfortable, and as you travel the road simply scan with your eyes both sides of the road. Be especially on alert from sunset to sunrise, or the hours shortly before and after sunrise, as these are the times when deer are most likely to be struck by a vehicle.

The heaviest time of the year for striking deer with your vehicle is during the hunting or mating season, usually between the months of October and December. During this rutting season, deer are known to travel great distances to find the most suitable mate. The best way to spot a deer is to look for movement on the side of the road and, at night, when acceptable, travel with the high beams on to look for the shine in their eyes. It is a lot like shining a light into the eyes of a cat at night. When the light hits the eyes, they reflect back a yellow greenish reflection. Remember, deer usually travel in herds so just because you missed one doesn't mean that there is not another one waiting for you up the road.

If faced with a deer collision that cannot be avoided. . .

1 The first and most important thing is to turn the vehicle to the right and not to the left. If the vehicle must pull out of the lane to avoid a collision, then turn it to the right or off the road. Never pull into the opposite lane as this could lead to a head-on collision, which is likely to be worse than hitting the deer itself.

2 Remember to drive at a speed that is appropriate to the area and the conditions. The slower the driving speed, the more time the driver has to react to a deer encounter and decide on the best driving option to take.

3 If the driver must turn the vehicle off the road to avoid a deer collision, simply guide the car off the road, avoid sudden and forceful motions and, if possible, try to gently guide the car back onto the road. Slamming on the gas or

slamming the brakes when turning off or back onto the road can be more dangerous than simply keeping calm and guiding the car where it should go.

4 Always watch where the vehicle is going, not the animal, as this may cause the vehicle to steer towards the animal. When turning the vehicle off the road, if hitting something is unavoidable, try to hit it off center with a glancing blow. Hitting anything a foot off center will greatly decrease the amount of damage and potential injury for driver and passenger.

If a collision with a deer occurs. . .

1 Immediately inspect the damage and, if possible, move the vehicle off the road. Make sure the vehicle's hazard lights are on.

2 If a deer is struck with a large or commercial vehicle, and the vehicle is immobile, make sure to set up the correct traffic devices such as fluorescent triangles or flares.

3 Never attempt to touch or move the deer as this could result in injury. Remember deer are wild animals that carry disease and when injured are likely to try to defend themselves.

4 Following a vehicle collision with a deer, make sure to note all pertinent information for your insurer and report the occurrence as soon as possible.

If you must travel through areas known to have a large deer population, slow down, stay vigilant and . . .

Please Drive Safely!



Jeff Perkins
Loss Control Associate

On-Demand Training

The Local Government Insurance Trust is pleased to offer web-based, on-demand training courses. Designed to complement our instructor-led training, we have developed a web-based route to risk management training. By combining the benefits of classroom seminar training and the convenience of computer-based learning, our easy-to-use courses cover a wide variety of loss control and risk management subjects.

These courses are self-directed and self-paced and give the learner a realistic learning opportunity in an easy-to-use format. On-demand classes can be accessed from the LGIT web site home page. Simply click the link to On-demand Training on the home page or under the Training menu and select the class you wish to take. It's that simple.

AVAILABLE COURSES

- 📖 Limiting Small Town Liability
- 📖 Events Liabilities Loss Prevention & Control Strategies
- 📖 COPE Property Profile Report Seminar

Our web-based training eliminates the need to take important staff and employees away from their day-to-day tasks. The courses enable staff to learn at a time and place convenient to them, reducing the cost in both time and money to the member for travel expenses and for employees and staff taking valuable time from their jobs.

COURSE ADVANTAGES

- 📖 Pick your own schedule.
- 📖 Learn from anywhere you can connect to the internet.
- 📖 Reinforce learning with interactive quizzes that verify comprehension.
- 📖 Users can e-mail class completion results for a certificate to be issued.
- 📖 Receive clarification and advice by e-mail.
- 📖 Courses require no special software, and there are no plug-ins to install.

Additional on-demand classes are being developed and will be offered on a wide variety of subjects that will have appeal to local governments such as: Do's and Don'ts for Elected Officials, Computer Security for Local Governments, Property Self Inspections and others. So check the LGIT web site for new classes as they become available.

For more information contact Larry J. Bohlen, Loss Control Training Coordinator at 800-673-8231 or by e-mail at lbohlen@lgit.org.



Congrats on LGIT's 20 Years

"The City of Bowie has been a member of the Local Government Insurance Trust since its inception in 1987. Over the years the City has benefited from the Trust's competitive insurance programs and rates, loss control prevention measures, and training opportunities. The City views LGIT as a partner in protecting not only its vehicles and properties, but also in getting the best value for taxpayer dollars. The City of Bowie is proud of its strong working relationship with LGIT and looks forward to the next 20 years."

- Chuck Hessling

LGIT Congratulates

Congratulations go to the following LGIT members for their loss control and safety efforts:

St. Mary's County Sheriff's Department

For receiving the award of CALEA Recognition. The CALEA Recognition Program identifies 97 standards from the 4th Edition of the Standards for Law Enforcement Agencies manual. The standards address: (1) life, health and safety issues; (2) legal and other critical requirements; and (3) conditions that reduce major risk and high liability exposures.

Kent County

For completing COPE property forms on all Kent County properties. A great effort by Lee Myers and staff.

Town of Colmar Manor

For hosting LGIT's Employment Harassment training. 45 people attended the 2 sessions on September 13, representing 13 LGIT member local governments. A special thanks to Dan Baden for his help with these classes.

Thank You!

Pandemic Flu – Prepare and Plan Now

Each winter, the flu kills approximately 36,000 Americans. Health experts are now warning of a far more lethal kind of flu – a pandemic flu that could kill over half a million in the U.S. and hospitalize more than 2 million. A pandemic flu could spread rapidly from person to person, affecting all age groups. Health officials are particularly concerned about the H5N1 avian “bird flu” virus that could mutate to a new strain of the flu against which humans would have no immunity. The World Health Organization has said that a bird flu pandemic could infect 25-30 percent of the world’s population.

What would happen if 25-30 percent of your local government workforce were too sick to come to work over a

period of three to four months? What if businesses that you rely on for services were also facing the same issue – pandemic influenza? Are you prepared for a major flu pandemic? Local governments, including first responder agencies (fire, EMS, police and public health), must plan for pandemic flu in order to have a chance to limit the effects of a pandemic on local government continuity. Therefore, local governments need to begin planning to assure that essential services can continue.

CONTINUITY PLANNING

Local governments must address the following issues as part of continuity planning for pandemic influenza:

- ☑ Identify critical functions and processes.
- ☑ Identify staff needed to maintain critical infrastructure services with the possibility that 30 percent of staff may be absent.
- ☑ Identify staff that can be cross-trained to backfill critical functions.
- ☑ Identify functions that can be performed via telecommuting.
- ☑ Identify each department’s technology needs related to large scale telecommuting and conference calling.
- ☑ Determine whether critical functions can be performed through work time “flexing”.
- ☑ Develop internal communication mechanisms.
- ☑ Plan appropriately for service continuation such as water, sewer, power, health care, fire department, police department, emergency response and food/shelter.
- ☑ Maintain a healthy work environment by ensuring adequate operations and posting tips on how to stop the spread of germs at work; promote hand and respiratory hygiene; ensure wide and easy access to alcohol-based hand sanitizer products.

- ☑ Update sick/family/medical leave policies and communicate with employees about the importance of staying away from the workplace if they become ill (Concern about lost wages is the largest deterrent to self-quarantine).

Keep in mind that it may take time to implement these strategies. Remember that pandemic flu is not a disaster that primarily affects just a local government’s physical infrastructure. It affects its human infrastructure, its employees and volunteers.

IS MARYLAND PREPARED?

Is Maryland prepared for a pandemic? Yes. Maryland has been working to prepare for a pandemic flu outbreak since 1999. It is one of the first states to develop a pandemic flu plan and it continues to improve preparations through better education of citizens, training of health care professionals, and medical innovation. Preparing for a pandemic is a big task that requires everyone’s participation. Education is a simple but a very important preventive measure.

TO LEARN MORE

Keep up-to-date on possible pandemic flu by listening to radio and television and reading news stories about pandemic flu.

Go to www.flu.maryland.gov for Maryland Flu Preparedness.

Go to www.cdc.gov for general information about pandemic flu and other health related information.

Go to www.redcross.org for all the information you need to make your own emergency preparation plan.

Go to www.pandemicflu.gov for updates on national and international pandemic flu.

Go to www.who.int for health related travel information and international disease outbreak information.

Ellen Nudd, Underwriter



Employment Law Hotline Q & A

The Hotline is a phone service available to LGIT’s liability program members that provides up to 30 minutes of free legal advice on employment matters. The Hotline is provided by LGIT, with the assistance of Daniel Karp, Esq. and Kevin Karpinski, Esq. of Karpinski, Colaresi & Karp, P.A. Call the Hotline at 800-845-8055 or 410-625-5981.

Question

Can public safety employees be assigned extra duty during the cycle in which they work 147 hours, without being paid overtime?

Answer

Yes, as long as statutory maximums are not exceeded. The employer can modify the work cycles without becoming liable for overtime. Similarly, training that was scheduled during a cycle in which overtime is owed can be rescheduled for the alternate cycle, when fewer hours are worked, to avoid the necessity of having to pay overtime.

Maryland's Dam Safety Program

Maryland's Dam Safety Program ensures that all dams are designed, constructed, operated and maintained safely to prevent dam failures and the resulting consequences. The Maryland Department of the Environment (MDE) is responsible for conducting inspections of dams based on "Hazard Class," conducts construction inspections and issues permits for construction, repairs, or modification of dam structures, and works with dam owners and emergency management professionals to develop and exercise emergency action plans in the event of dam failure.

Dams provide many benefits for Maryland's citizens including water supply, flood control, hydroelectric power, fishing and recreation. However, dams can also be a great threat to the safety and well being of downstream property and people if they are not properly constructed or maintained. The State of Maryland has been assuring the safety of dams since 1934 through its permit and inspection program. The laws governing dam safety are administered by MDE's Dam Safety Division.

TYPES OF DAMS IN MARYLAND

A dam is defined as any obstruction, wall, or embankment, together with its abutments and appurtenant works, constructed for the purpose of storing water. Dams may be constructed of earth, concrete, wood or rock.

There are over 400 dams in Maryland, ranging in height from 6 to 296 feet. Most dams in Maryland consist of an earthen embankment to store water and a combination of spillways designed to pass water safely around or through the facility, such as the Little Seneca Dam which also provides recreation and supplemental releases to the Potomac River during low flow conditions. There are also several large concrete gravity dams such as Liberty and Prettyboy Dams, and a few slab and buttress dams like Brighton Dam that provide storage for drinking water.

MARYLAND'S DAM CLASSIFICATIONS

66 High Hazard Dams - Probable loss of life; major increased flood risks to houses,

buildings, major interstates and state roads with more than 6 lives in jeopardy.

78 Significant Hazard Dams - Possible loss of life; significant increased flood risks to roads and buildings with no more than 2 houses or 6 lives in jeopardy.

214 Low Hazard Dams - Unlikely loss of life; minor increased flood risks to roads and buildings.



Prettyboy Dam in Baltimore County
photo courtesy of webshots.com

DAM OWNER'S LIABILITY

Strict liability and negligence are the two basic theories used to assess dam owners' legal liability for damages resulting from a dam's mis-operation or failure that causes a sudden release of water downstream. In addition to the common law strict liability and negligence doctrines, the Maryland General Assembly has imposed statutory construction, maintenance and public safety requirements for dam owners. Construction and repairs of dams require state permits that contain specific conditions for maintenance such as size, location, design, and public safety, with which the dam owner must comply. The MDE may order structures which were built without permission to be drained or removed. Also, State law requires dam owners to act in a reasonable manner when executing plans for the inspection and maintenance of dams and its appurtenances, which can be costly. One Maryland local government estimates yearly maintenance costs at 5% of their dam's original construction cost.

In addition to State laws and regulations governing dam owners' legal liability,

MDE's Dam Safety Division is required by the State to inspect Maryland's high hazard dams every year, significant hazard dams every three years, and low hazard dams every five to seven years. After each inspection, the dam owner is presented with a summary of findings and maintenance recommendations. If a dam is considered "unsafe" and is in danger of failure, immediate measures and precautions may be requested of the dam owner. The MDE may require that the facility be drained, breached or modified to minimize the danger to the public.

PUBLIC SAFETY

Dam owners should be aware of their responsibility for public safety. This includes the safety of people not authorized to use their facilities. "No Trespassing" signs should be posted, and fences and warning signs should be erected around dangerous areas. It is recommended that dam owners purchase liability insurance to reduce their risk in the event of an unforeseen accident.

PROFESSIONAL ASSISTANCE

A dam with its associated works is a complex structure. Dam owners should consult professionals, such as civil, geotechnical, or hydrologic engineers, who are experienced in the design, construction, and inspection of dams, for many of the operational guidelines and maintenance techniques identified in the Maryland Dam Safety Manual. Because each dam is unique in its construction and operation, when contacting a professional for assistance, dam owners should have available the historical records and documentation on the operation of their facility.

For more information about MDE's Dam Safety Program or publications, please contact the Water Management Administration's Sediment, Stormwater, and Dam Safety Program at (410) 537-3538 or see MDE's

Web Page at
http://www.mde.state.md.us/Programs/WaterPrograms/Dam_Safety/index.asp.



Vance Petrella, Manager
Loss Control Services



7225 Parkway Drive
Hanover, Maryland 21076

Training & Seminar Schedule

October

Regional DDC

October 4, 2007 - Garrett County
October 11, 2007 - Hagerstown
October 18, 2007 - Hagerstown

Accident Investigations

October 30, 2007 - Cecil County

November

Harassment in the Workplace

November 8, 2007 - Hyattsville
9 a.m. - 11 a.m. & 2 p.m. - 4 p.m.



Ethics (Academy Core)

November 14, 2007
- City of Annapolis
LGIT Annual Meeting
Doubletree Hotel
1:30 p.m. - 3 p.m.

November



Employment Issues (Academy Core)

November 14, 2007
- City of Annapolis
LGIT Annual Meeting
Doubletree Hotel
1:30 p.m. - 3 p.m.

Regional DDC

November 15, 2007
- St. Mary's County

December

Property Loss Prevention

TBA

Regional DDC

TBA - District Heights

For seminar
descriptions,
directions and
registration forms,
visit www.lgit.org.



For more information, contact
Larry Bohlen, Training Coordinator,
at 1.800.673.8231 or by e-mail at lbohlen@lgit.org.