

LGIT's 23rd Annual Meeting Recap



LGIT Board of Trustees left to right: front row - Chairman David J. Deutsch, second row - Susanne Hayman, LGIT Executive Director Tim Ailsworth, John "Sonny" Bloxom, Angel Jones, Sharon Greisz, Wilson H. Parran, back row - F. Gary Mullich, Stewart B. Cumbo, Secretary David E. Carey, Vice Chairman Roger L. Fink, Ex-Officio Michael Sanderson, Ex-Officio Scott Hancock

The 23rd Annual Meeting of the LGIT membership held Thursday, October 7, 2010, at the Sheraton Annapolis, was a big success. Both registrations and attendance were up 30% from last year. The biggest reasons for the "jump" in attendance were the excellent speakers and greater promotion of the event. Since LGIT belongs to its membership, staff felt it imperative to draw as many people as possible to this event. This year, two separate mailings advertised the two highly regarded speakers and the LGIT website homepage featured the Annual Meeting for two months.

Before the speakers were introduced by Board Chairman, Bowie City Manager David Deutsch, Annapolis Mayor Josh Cohen gave us a warm welcome to his City. After Mayor Cohen's welcoming remarks, David Deutsch introduced Baltimore based economist Anirban Basu of the Sage Policy Group and Charlotte, North Carolina, City Attorney DeWitt ("Mac") McCarley. Since the meeting's theme was "Leading in Challenging Times," Mr. Basu's humorous talk provided the audience with a recap of where Maryland has been and what its local elected officials can expect

in the upcoming year. Mr. Basu did a wonderful job of delivering some very difficult news in an informative, yet witty manner. It is no wonder he is one of the most sought after speakers in the Mid-Atlantic region.

Mac McCarley gave a funny, interactive presentation that demonstrated to attendees how they could save public money through more informed negotiations. Mr. McCarley discussed how he was able to save the City of Charlotte money during contract negotiations with various professional sports franchises as well as other City vendors. He stressed to our members that they find out as much about vendors as they can before entering negotiations.

After the featured speakers, the committee chairmen provided their respective reports and several membership awards were presented at the end of the business meeting. These awards are highlighted in this publication. The meeting concluded with a special Maryland gift basket being presented to the drawing winner, Calvert County Finance Director Terry Shannon.

Tim Ailsworth
Executive Director, LGIT

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From the Boardroom

The Board of Trustees met on October 7, 2010 and took the following actions:

- The Board approved the following nomination of officers for re-election to the Board:
 - » David Deutsch, Manager, City of Bowie, to be the Chairman of the Board of Trustees
 - » Roger Fink, Charles County Attorney, to be the Vice-Chairman of the Board of Trustees
 - » David Carey, Commissioner, Town of Bel Air, to be the Secretary of the Board of Trustees
- The Board of Trustees approved the Local Government Insurance Trust's Comprehensive Annual Financial Report (CAFR) for June 30, 2010 and 2009.



Introducing LGIT's Member Services Associate

Michele Keplinger is our new, and first, Member Services Associate. Michele has over 15 years of sales and marketing experience, including over 9 years experience with associations. For 7 years, Michele was the Member Services Director for Associated Builders & Contractors Chesapeake. She will be the liaison between LGIT, members and potential members. Michele is responsible for planning, organizing, and marketing LGIT services and programs to Maryland local governments.

She will also be involved in our Website development. Her first day on the job was November 22. Michele will be making personal visits to all of our members. Feel free to contact her with any needs or concerns – MicheleK@lgit.org.

STAFF WELLNESS PROGRAM

Our annual Health Fair was well attended in October, where employees took advantage of blood pressure screenings, cholesterol and glucose checks, flexibility measurement, recovery heart rate, BMI, and bone density testing. Employees were able to compare this year's results with last year's and track their progress with a trend analysis.

As a reward for attending the Health Fair, employees were treated to a 15 minute seated massage and an "Eat This, Not That" reference book.

If you'd like more information about how to start a Wellness Program in your workplace, please give us a call — we'd love to share our growing program with you!

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Consumer Product Safety Commission Safety Alert! Portable Generator Hazards

Portable generators are useful when temporary or remote electric power is needed, but they also can be hazardous. The primary hazards to avoid when using a generator are carbon monoxide (CO) poisoning from the toxic engine exhaust, electric shock or electrocution, fire and burns.

Every year, people die in incidents related to portable generator use. Most of the incidents associated with portable generators reported to the Consumer Product Safety Commission (CPSC) involve CO poisoning from generators used indoors or in partially-enclosed spaces.

Danger labels are required on all portable generators manufactured or imported on or after May 14, 2007.

Carbon Monoxide Hazards

When used in a confined space, generators can produce high levels of CO within minutes. When you use a portable generator, remember that you cannot see or smell CO. Even if you do not smell exhaust fumes, you may still be exposed to CO.

If you start to feel sick, dizzy, or weak while using a generator, get to fresh air RIGHT AWAY. DO NOT DELAY. The CO from generators can rapidly kill you.

Follow these safety tips to protect against CO poisoning:

- NEVER use a generator inside homes, garages, crawlspaces, sheds, or similar areas, even when using fans or opening doors and windows for ventilation. Deadly levels of carbon monoxide can quickly build up in these areas and can linger for hours, even after the generator has shut off.
- Follow the instructions that come with your generator. Locate the unit outdoors and far from doors, windows, and vents that could allow CO to come indoors.
- Install battery-operated CO alarms or plug-in CO alarms with battery back-up in your home, according to the manufacturer's instructions. CO alarms should be certified to the requirements of the latest safety standards (UL 2034, IAS 6-96, or CSA 6.19.01). Test batteries monthly.

To avoid CO poisoning when using generators:

- Never run generators indoors, including garages, basements, crawlspaces and sheds.
- Get to fresh air right away if you start to feel dizzy or weak.

Electrical Hazards

Generators pose a risk of shock and electrocution, especially if they are operated in wet conditions. If you must use a generator when it is wet outside:

- Protect the generator from moisture to help avoid the shock/electrocution hazard, but do so without operating the generator indoors or near openings to any building that can be occupied in order to help avoid the CO hazard. Operate

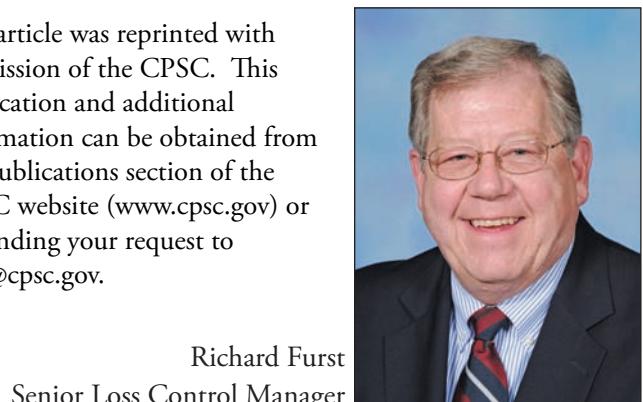
the generator under an open, canopy-like structure on a dry surface where water cannot reach it or puddle or drain under it. Dry your hands, if wet, before touching the generator.

- Connect appliances to the generator using heavy-duty extension cords that are specifically designed for outdoor use. Make sure the wattage rating for each cord exceeds the total wattage of all appliances connected to it. Use extension cords that are long enough to allow the generator to be placed outdoors and far away from windows, doors and vents to the home or to other structures that could be occupied. Check that the entire length of each cord is free of cuts or tears and that the plug has all three prongs. Protect the cord from getting pinched or crushed if it passes through a window or doorway.
- NEVER try to power the house wiring by plugging the generator into a wall outlet, a practice known as "backfeeding." This is extremely dangerous and presents an electrocution risk to utility workers and neighbors served by the same utility transformer. It also bypasses some of the built-in household circuit protection devices.

Fire Hazards

- Never store fuel for your generator in the home. Gasoline, propane, kerosene, and other flammable liquids should be stored outside of living areas in properly-labeled, non-glass safety containers. Do not store them near a fuel-burning appliance, such as a natural gas water heater in a garage.
- Before refueling the generator, turn it off and let it cool down. Gasoline spilled on hot engine parts could ignite.

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Richard Furst
Senior Loss Control Manager

Loss Control Efforts Commended

Town of Deer Park – for the detailed responses to LGIT's Loss Control Survey for the Town.

Charles County – for the great job on its response to LGIT's hazard evaluation survey; fast response and very thorough and detailed work.

LGIT's 23rd Annual Meeting Honors



Membership...

Members Receive Awards for Excellence/Longevity

At the 23rd Annual Meeting in Annapolis, the following awards were presented to the membership by the Trust:

The Claims Practices Award was presented to the City of Gaithersburg. This award is given to the member that exhibits exemplary efforts to effectively process claims.



Right to left: Claims Committee Chairman, Susanne Hayman presents the Claims Practices Award to Angel L. Jones, City Manager, City of Gaithersburg and LGIT Board Member.

The Risk Management Award was presented to the Town of Laytonsville. This award is given to a member that consistently demonstrates excellence in loss reduction, ongoing training and utilization of LGIT's loss control resources, and adherence to LGIT's Risk Management Guidelines.



Right to left: LGIT Board of Trustees Member, Stewart B. Cumbo presents the Risk Management Award to Charles W. Oland, Mayor, Town of Laytonsville.

The Training Award was presented to Queen Anne's County. This award is given to a member that recognizes the value of and strives to participate in LGIT seminars and training classes.



Right to left: LGIT Board of Trustees Member, Stewart B. Cumbo presents the Training Award to Beverly Churchill, Director of Human Resources, Queen Anne's County.

Membership Longevity Awards were also presented to those members who celebrated 20-year, 15-year, and 10-year membership anniversaries with LGIT:

20-year Membership Anniversaries

Town of Barclay
Town of Fairmount Heights
Town of Highland Beach
Town of Marydel

15-year Membership Anniversaries

Section 3 of the Village of Chevy Chase

10-year Membership Anniversaries

Town of Brookview
Caroline County Humane Society
Town of Eldorado
Town of Galestown
Northeast Maryland Waste Disposal Authority
Friends of St. Clements Island
and Piney Point Museums
Washington County
Town of Westernport

LGIT Volunteers Recognized

At LGIT's 23rd Annual Meeting, Board Chairman David Deutsch gave special thanks to the many local government volunteers whose efforts are critical to the operations of the Trust. Recognized at the Awards Program for service to LGIT committees during fiscal year 2010:

Board of Trustees

David J. Deutsch, Chair
Roger L. Fink, Vice Chair
David E. Carey, Secretary
Scott Hancock, Ex-Officio
Michael J. Sanderson, Ex-Officio
John E. Bloxom
Stewart B. Cumbo
Susanne Hayman
Susan M. Keller
John D. Miller
F. Gary Mullich
Wilson H. Parran, Jr.

City of Bowie
Charles County
Town of Bel Air
Maryland Municipal League
Maryland Association of Counties
Worcester County
Town of Chesapeake Beach
Kent County
City of Frostburg
Town of Middletown
Garrett County
Calvert County

Claims Committee

Susanne Hayman, Chair
David W. Warrington, Vice Chair
Scott Hancock, Ex-Officio
Michael J. Sanderson, Ex-Officio
John Buchanan
David E. Carey
Lee Collins
Stewart B. Cumbo
Bryan C. Ebling
Kimberly A. Millender
John D. Miller
Odie Wheeler

Kent County
Town of Cheverly
Maryland Municipal League
Maryland Association of Counties
Charles County
Town of Bel Air
City of District Heights
Town of Chesapeake Beach
Caroline County
Carroll County
Town of Middletown
City of Cambridge

Finance Committee

Wilson H. Parran, Chair
Tim Elliott, Vice Chair
Scott Hancock, Ex-Officio
Michael J. Sanderson, Ex-Officio

Calvert County
Garrett County
Maryland Municipal League
Maryland Association of Counties

Finance Committee (cont.)

David J. Deutsch
Stephen J. Gindes
Sharon Greisz
Opiribo Jack
John W. Lehner
Alfred E. Martin
Terry L. Shannon

City of Bowie
Maryland Municipal League
Howard County
City of Aberdeen
Talbot County
City of Hagerstown
Calvert County

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Stewart B. Cumbo, Chair
Juan L. Torres, Vice Chair
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George P. Bradley
David Chaires
David J. Deutsch
Deborah Hudson
Eric T. Lagstrom
F. Gary Mullich
Christopher G. Schlehr

Town of Chesapeake Beach
Town of Cheverly
Maryland Municipal League
Maryland Association of Counties
Worcester County
Queen Anne's County
City of Bowie
Charles County
Town of Ocean City
Garrett County
Town of Bel Air

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Lynne Levin
Becky Maginnis
Laurell E. Taylor
Robert Williams

Worcester County
Town of Bel Air
Maryland Municipal League
Maryland Association of Counties
City of Bowie
Howard County
Washington County
City of Westminster
Carroll County

And the Winner of the Maryland Theme Door Prize is... .

Terry Shannon



Right to left: LGIT Board Chairman, David J. Deutsch, presents the Maryland theme door prize to Calvert County Finance Director, Terry Shannon.

Thanks to our Sponsors

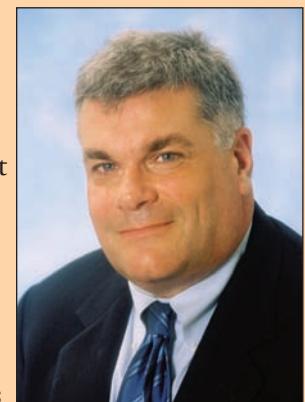
We acknowledge and thank the following sponsors of the Trust's 23rd Annual Meeting. Their support and participation in our annual program helped LGIT to enhance the quality of the meeting:

Alliant Insurance
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Legal Resources
M & T Bank
Niles, Barton & Wilmer
Tidewater Insurance Associates

Are You An Official Of A “Governmental Entity?”

Maryland has numerous laws pertaining to public official and governmental immunities. Many are codified in Subtitle 5 of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland. There are among others immunity statutes applicable to defamation actions against local government officials, to municipal corporations and officers, to contract actions against chartered and code counties, and to county boards of education. The list is extensive. One immunity statute, § 5-511, however, is quite curious. This statute provides that an official of a governmental entity, while acting in a discretionary capacity, without malice, and within the scope of the official's authority, is immune from civil liability for any act or omission. The statute further provides that an official of a governmental entity is not immune from liability for negligence or any other tort arising from the operation of a motor vehicle except as to any claim for damages in excess of the limits of any applicable policy of motor vehicle liability insurance. All in all, this immunity statute is and should be reassuring to officials of governmental entities faced with the threat of civil liability. As with all laws, however, the devil is in the details. Generally, an “entity” is defined as “[a] organization (such as a business or a governmental unit) that has a legal identity apart from its members.” *Black's Law Dictionary* (Seventh Edition). A public or governmental entity is generally defined as “a state government or one of its political subdivisions.” *Id.* So, at least according to standard usage, county and

municipal officials should be shielded by § 5-511. The statute, however, states that “governmental entity” and “official of a governmental entity” have the meanings stated in another section of the Code, Article 26, § 1. In this statute, governmental entity is defined as and limited to a special taxing district which is a unit of government responsible for a specific area and which meets several other criteria. A special taxing district is an area designated by a municipality in which a special tax is levied, through a grant of authority from the General Assembly, in order to fund specific public works and construction projects. *See Md. Code (2005 Repl. Vol.), Article 23A, § 44(a).* An official of a governmental entity is defined as and limited to a member of the governing body of the special taxing district. So, by its plain language, the statute provides no protection for county or municipal officials. What this means is that, when faced with the specter of civil liability, local government officials must rely on trusted legal counsel to determine which, if any, of Maryland's immunity laws are available to protect them. What at first blush seems helpful may be of no help at all.



John F. Breads, Jr.
Director of Legal Services

Employment Law Hotline

The Hotline is a component of the HR Compliance Portal and a phone service available to Liability Program members. It provides up to 30 minutes of free legal advice on employment matters. We have selected one inquiry of interest that was posed through the Hotline to print. This member service is provided by LGIT, with the professional assistance of Karpinski, Colaresi and Karp, P.A.

**Call Before
You Act!**

800.845.8055

Question: Does a local government have to respond to a Freedom of Information Act request regarding employees' salaries?

Answer: Yes, employee salaries are discoverable under the Freedom of Information Act. In the case reviewed, the request was fairly broad and the local government was able to limit the scope of the request. However, if a citizen is unwilling to limit the scope of his or her request, the information must generally be disclosed.

Honorable Mention



Darlene has been with the City of Westminster for 19 years. She began in the City's Finance Department handling benefits, workers' compensation and tax collections. Human Resources became a department in January 2007, and Darlene has been the manager of HR since that time. In September 2009, she was given risk management responsibilities under the umbrella

of human resources. Darlene also serves on the City's Safety Committee. The City took advantage of the LGIT Training Grant Program to help her with her risk management duties.

"As a result of recent budget constraints and a hiring freeze, I have been given the responsibility of risk management for the City. I applied to the LGIT Training Grant Program to attend a PRIMA Institute Foundations of Risk Management four-day program. I found the grant application process to be very easy and uncomplicated. The training grant afforded me the opportunity to learn the fundamentals and core competencies of risk management."

**- Darlene Childs, Human Resource Manager
City of Westminster**

LGIT's Training Grant Program

The LGIT Training Grant Program provides assistance to Members of the Trust who wish to assist their employees with obtaining education to advance their skills to reduce liability claims and property damage. Eligible avenues of education to qualify for receiving grants are attending seminars, workshops, conferences, technical classes or other related training programs.

LGIT only awards grants that are intended to reduce the risk of losses it covers. The lines of insurance coverage provided by LGIT are general liability, auto liability, auto physical damage, public official liability, law enforcement liability and property damage. LGIT does not offer workers' compensation coverage.

Grants are only awarded if they will have a bearing on the member's insurance coverage held with LGIT. For example, a

member that only has auto liability coverage with LGIT can only apply for training grants that are intended to reduce the risk of auto liability losses. LGIT will limit one training grant award per local government per fiscal year.

A one-page summary, completed by the grant applicant and member, must be submitted with the grant application describing how the training will assist the applicant in performing his or her job duties and contribute to the reduction of claims with LGIT.

For more information about LGIT's Training Grant Program, contact Larry Bohlen at lbohlen@lgit.org.

Larry J. Bohlen
Member Services & Education Manager



Cell Phone Use While Driving Prohibited

According to data from the National Highway Traffic Safety Administration (NHTSA), nearly 6,000 people died in 2008 in distracted driving crashes nationwide. "Electronic devices are potentially lethal in the hands of any driver," said Secretary of Transportation Ray LaHood.

Many States, including Maryland, have taken legislative action in order to reduce the incidence of such crashes. Effective October 1, 2010, Senate Bill 321 went into effect. A synopsis of this bill is included below as is a link to its full text and a link to the LGIT "Cell Phone Policies" bulletin.

SENATE BILL 321
CHAPTER NUMBER: 538
File Code: Vehicle Laws - Rules of the Road
Prior Year Introduction As: SB 103/09 - JPR
Sponsored By:

Senators Stone, Lenett, and Forehand

Entitled:

The Delegate John Arnick Electronic Communications Traffic Safety Act of 2010

Synopsis:

Prohibiting a driver of a motor vehicle that is in motion from using a handheld telephone except to initiate or terminate a wireless call or to turn the handheld phone on or off; providing that a violation of the Act may be enforced only as a secondary violation; establishing penalties of \$40 for a first offense and \$100 for a second offense; prohibiting a driver of a school vehicle or a holder of an instructional permit or provisional driver's license from using a handheld phone while driving.

For the full text of this new law, click on the link below or copy and paste it in your browser: http://mlis.state.md.us/2010rs/chapters_noln/Ch_538_sb0321T.pdf

Recommendations regarding cell phone use in automobiles can be downloaded from LGIT's website at <http://www.lgit.org/docs/misc/RMB87.pdf>

Vance Petrella
Manager, Loss Control Services



Training & Seminar Class Schedule

Winter 2011

January

Academy for Excellence in Local Governance

Maryland Association of Counties

Annual Winter Conference

January 5-7, 2011

Hyatt Regency Chesapeake Bay Hotel,
Dorchester County

Ethics (Core)

Wednesday, January 5, 1:15 p.m. to 2:45 p.m.

Open Meetings (Core)

Wednesday, January 5, 3:00 p.m. to 4:30 p.m.

Training & Seminar Class Registration

General Information — 800-673-8231 or 443-561-1700

Schedule of Classes and Online Registration —

<http://www.lgit.org/schedule.htm>

FAX registration forms to Attn: Michelle Yannone — 443-561-1701

Accolades To Carroll County

For conducting their County driver training day at the county's maintenance facility. Approximately 100 Carroll County employees tested their skill levels with all types of driving and equipment related activities, including: back hoe operations, truck awareness, snow chain applications and snow plow driving skills.

ASSE Local Safety Events Winter 2010

Date	Event	Location and Contact
January 5, 2011	Delmarva ASSE Chapter Meeting Sustainability and the Role of the SH&E Professional John Chlade of Environmental Management Solutions LLC	The Georgia House 300 Delaware Ave, Laurel, DE 19956 Contact Brian at brian.hughes@perdue.com for more information
January 19, 2011	Chesapeake ASSE Chapter Lunch Meeting & Program Constellation Energy Brandon Shores Air Pollution Control Project	Brandon Shores Generating Station Fort Smallwood Road Office Complex Anne Arundel County, MD RSVP to Sue at smcca@menv.com
January 25, 2011	Tri-State Safety Council Chapter Dinner Meeting Drug and Alcohol Issues Reggie Fallin Wash County Health System	Western Sizzlin' Restaurant Hagerstown, MD Contact Amy at alumaxindy@aol.com for info
January 27, 2011	Chesapeake AIHA Section Legislative Update Aaron Triplett of AIHA	Location TBD Contact Michele at mtwilley@ariaenviro.com for more information
February 2, 2011	Delmarva ASSE Chapter Meeting Global Harmonization	The Georgia House 300 Delaware Ave, Laurel, DE 19956 Contact Brian at brian.hughes@perdue.com for more information
February 16, 2011	Chesapeake ASSE Chapter Breakfast Meeting & Program The National Aquarium: A Safety Success Story	National Aquarium in Baltimore 501 East Pratt Street Baltimore, MD 21202
February 22, 2011	Partnership for a Safer Maryland Winter Quarterly Meeting Distracted Driving	Hanover, MD Information will be updated at http://www.safermaryland.org/
February 22, 2011	Tri-State Safety Council Chapter Dinner Meeting NFPA 70E Overview Virgil Williams Turner Construction	Western Sizzlin' Restaurant Hagerstown, MD Contact Amy at alumaxindy@aol.com for info
March 3, 2011	Chesapeake AIHA and Chesapeake ASSE Professional Development Conference "Current Topics in Safety, Health, and Environmental Issues"	Johns Hopkins University Applied Physics Lab Kossiakoff Center Laurel, MD Contact Wendy at wrwhitcomb@msn.com for Sponsor, Exhibitor, or Volunteer Opportunities
March 2011	National Capital ASSE OSHA Update	Department of Labor Frances Perkins Building Contact Tom at thomas.trauger@whihomes.com for more information