President’s Message

A new year is upon us and time for resolutions. Oscar Wilde once said, “You can never be overdressed or overeducated.” We may not be able to help you with your dress, but we can definitely help if you resolve to be more educated.

We all know public entities are financially challenged and many public employees find themselves wearing many hats (risk manager, clerk, purchasing, city manager, etc.), we often find ourselves learning new roles “on the job”, or should I say “on the run!”

MIPRIMA has a sole purpose and that is to provide our membership with education; Education in the many facets of Public Risk Management. In the past few years, I have had the opportunity to speak with many public entities regarding PRIMA. One thing is clear, not only are job functions changing, so are the people who serve the public. Public Entities have little time and budget for training, and many of the new faces have little understanding of MIPRIMA. Some of the comments I have heard are, “what are we selling?” and “why do we need you?” Let’s address those questions.

MIPRIMA is not selling anything! We are filling the education void in the area of Public Risk Management. We provide opportunities to learn about best practices, reducing exposures, legislative changes, and judicial review – all things that affect your budgets, your liability, property, work comp and employee benefit exposures.

Why do you need us? To begin with you are us! What do I mean . . . MIPRIMA’s leadership and membership are all practicing members of public entities. Next where can you find practical education to help you and your organization excel at risk management and public services for $50.00 a year? That’s it! For $50.00 a year all employees of your public entity can participate, educate, network and have access to the brightest minds in public risk management. Our Corporate Sponsors and Business Affiliates are GREAT resources.

Please resolve to educate! Join MIPRIMA and let us help! Invite your employees and colleague to be MIPRIMA!

Charlie Stevens
Rick Hensley, MIPRIMA VP has been appointed to the PRIMA National Committee

Chair:
Cindy Kirk
Risk Manager
City of Bryan, TX
ckirk@bryantx.gov

Members:
Donna Dolinger-Capria
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Water Dist #1 of Johnson County
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Bles Dones (Staff Liaison)
Manager, Membership
Public Risk Management Association
bdones@primacentral.org
Scholarships for students from the following schools:
Baker College-Flint, CMU, EMU, Ferris, MSU, Oakland, Olivet, UM, UM-Flint & WMU.

**Internship Available**
Road Commission Oakland County has an Internship available during April through August 2015 - for more information please go to [www.rcoc.org](http://www.rcoc.org) and look under Job Postings.

**Save the Dates!**
Summer Conference are July 16th thru July 17th, 2015 at Crystal Mountain

Fall Conference is November 5th 2015 at St. John’s Inn in Plymouth

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**Save the Date**
MIPRIMA Golf Outing
June 17, 2015
MIPRIMA offers scholarships to promote and support study in fields associated with the practice of Risk Management and related disciplines.

Eligibility Criteria
An applicant must be at least a junior level undergraduate upon enrollment for the fall term of the year the scholarship is awarded.

An applicant must have a minimum of a 2.8 or higher Grade Point Average. Master Level applicants must have at least a 3.2 GPA.

An applicant must demonstrate a financial need. Preference will be given to students who are working part-time during the school year and full-time in the summer (if they are not attending summer classes)

Students enrolled in Risk Management, Insurance, Public Administration, Occupational and Public Safety, and Community Health are eligible to apply for scholarships and as determined by the Scholarship Committee.

Applicants must register for the Fall Term as soon as the College or University opens registration. If the applicant does not register or withdraws, the College or University must return the scholarship to MIPRIMA.

Previous recipients may also re-apply.

Procedures
Applicants must submit the following items to the financial aid office or departmental advisor at the respective institutions:

• Copy of their latest transcript
• Brief resume
• Statement of career goals
• Explanatory statement of their reasons for requesting the scholarship

The financial aid officer or departmental Advisor will forward all submissions to the chairperson of MIPRIMA's Scholarship Committee, including:

• Summary of the applicant's courses related to the practice of Risk Management or a related field, and any comments deemed appropriate;
• Comments regarding eligibility and recommendations, including reasons for recommendations.

Application Deadline & Selection
All procedures must be completed and application materials submitted to the chair of the Scholarship Committee. The deadline date is determined by the Scholarship Committee.

The Scholarship Committee of MIPRIMA will review the applications, make selections, and submit recommendations to the MIPRIMA Board of Directors for approval. The chairperson of the Scholarship Committee will announce decisions immediately thereafter. Scholarship recipient(s) and their respective institution will be notified upon MIPRIMA Board of Directors approval of the scholarship(s).

Checks will be mailed to the respective institution or the scholarship recipient in the month of July preceding start of the Fall Term.

Award
MIPRIMA awards two categories of scholarships:

• MIPRIMA 9-11 Memorial Scholarship in remembrance of the large loss of life of Public Risk Management professionals at the World Trade Center. This scholarship includes a monetary award, prepaid registration to three (3) MIPRIMA educational seminars, and attendance at the annual summer educational seminar.

• The Donald Althoff Memorial Scholarship, offered in recognition of his significant contributions to MIPRIMA and Public Risk Management. Recipients of this scholarship are also invited to attend the annual Donald Althoff Memorial Golf Outing.

The amount of the scholarship award is a minimum of $750 and a maximum of $2,000. The number of qualified applicants and the funds available determine the amount of the scholarship(s). The monetary award will be made payable to the scholarship recipient and to the College or University for the recipient’s Fall Term tuition costs.

Questions concerning the scholarship, and the scholarship applications, may be directed to the chair of the Scholarship Committee:

Rick Hensley  City of Battle Creek  Battle Creek, MI 49016-1717  (269) 966-3407  (269) 966-3644  RLHensley@ci.battle-creek.mi.us
Drew Dunsky, Risk Manager Road Commission Oakland County
MIPRIMA Board Member

MIPRIMA President 2015 Charlie Stevens

Donna Clanciolo & Bill Brown

Jeffrey Welsh Sr. Vice President, Central Region Manager, Munich Reinsurance America, Inc. Presented “Understanding the Risk of Public/Private Partnerships”

Tommie Jo Marsilio, Director of Contracts & Compliance, Ohio Turnpike & Infrastructure Commission Presented “Securing the Cooperation of Elected Officials”

Paul VanDamme & Rick Hensley

Charlie Stevens
Legislative Committee Update

The views set forth below are those of the Committee Chairman, Michael Ellis, and do not necessarily reflect the view of his employer MMRMA, MiPRIMA, or other Legislative Committee members.

Michigan Supreme Court
The election last fall had considerable fanfare, but little consequence. The two incumbent Republicans, Justices Zahra and Viviano, were re-elected and the age limited Democrat, Justice Cavanaugh, was replaced by a younger Democrat, Richard Bernstein. The court balance remains the same, five Republicans and two Democrats. The main difference appears to be that the court has become much more collegial over the past few years and partisan sniping seems to be a thing of the past.

FOIA
A whole new FOIA scheme (PA 563 of 2014) takes effect July 1, 2015. The focus is on prices and penalties. The entities and documents impacted are not significantly changed, but a lot of work will be needed to develop the mandatory pricing sheets and the justification and documentation to support these prices.

Hannay v. Department of Transportation
We have been watching this case, which involves the governmental immunity statute’s definition of “bodily” injury and whether this includes damages for wage loss and for pain and suffering. The City of Flint had a companion case, Hunter v. Sisco. Several groups filed Amicus Curiae Briefs in this matter, as the outcome could have reduced the cost of settling auto accident claims for all public entities.

Unfortunately, the defendant public entities did not convince the Michigan Supreme Court to rule in their favor. The court ruled that the interplay between the No Fault statute and the Governmental Tort Liability Act allowed the party injured in the auto accident to recover all the types of damages allowed under the No Fault Act. While we made a valiant attempt, we were not successful this time.

Cyber Terrorists and Cellphones
When we think of cyber breaches, we generally think of attacks on industry giants like Sony, JPMorgan Chase, Home Depot, Target and, most recently, Advocate Health Care. But consider this: per Pew Research, 90 percent of American adults now have a cell phone, and 58 percent of those are smartphones.

In a recent article in Claims Magazine entitled “Cyberterrorists are targeting your phone right now,” a mobile security firm, Lookout, used information from more than 60 million global users and found three categories of cell phone threats: malware, chargeware, and adware. These types of threats reportedly have grown exponentially (by 75 percent). Some programs slow down the phone and its functions, while others result in a complete loss of functionality. But why are cyberterrorists attacking your phone? It’s about the MONEY! In a lot of cases, it is to collect a ransom to restore your functionality. Some of the ransomware threats you should be aware of include: NotCompatible, ScarePackage, ScareMeNot, Coldbrother, and Koler. These threats are often introduced into your phone via apps. Hence, be careful when downloading apps and purchase them only from legitimate app stores.

Emerging Technology – DRONES
Drones, aka Unmanned Air Vehicles (UAVs), seem to be lifting off in all directions. They are no longer a kid’s toy or a hobbyist activity. Commercially, businesses like Amazon and Domino’s Pizza are experimenting with using drones to deliver products. Landscapers are using them to create landscape designs. Real estate agents are using them to photograph properties for listings. Insurance companies are using drones for risk assessments and claims investigations. There seems to be endless applications for which they can be used.

In the public sector, police agencies are exploring the use of UAVs for serious accident investigations, searching for missing persons, and surveillance. Fire departments are using them to assess how best to attack a large warehouse or tall building fire. Some schools have been looking at UAVs to provide security and manage truancy.

Whatever the application, it appears, drones are here to stay. That said, drones come with challenges as well. How should they be regulated? Who should regulate?

continued...
And is there insurance coverage?

The Federal Aviation Administration (FAA) has been trying to play catch-up with regulations and some of their initial attempts have been met with challenges in the courts, especially when it comes to commercial use. The public sector, too, is challenged by regulations. Local municipalities are dealing with how they regulate.

Currently, most insurance coverage excludes drones as aircraft. Drones can cost $1,000 or $100,000; thus there is a real potential for a property damage claim. Likewise, a bird can bring down a jet, so what about the liability exposure for bodily injury or damage to others’ property? MMRMA has formed a committee to research the coverage needs of our members and to determine how we might provide coverage for this exposure. International Standards Organization (ISO) also reportedly is in the process of developing coverage forms. This emerging technology is in take-off mode!

**DNR Offers Tips for Residents Encountering Snakes**
*The views set forth below are those of the author, and do not necessarily reflect the view of the MIPRIMA Organization.*

This time of year, as snakes are out and about in the great outdoors, the Department of Natural Resources gets many questions about Michigan's snakes. Michigan is home to 17 different species of snakes, 16 of which are completely harmless to humans.

There are two that are very similar and often cause a stir when people encounter them. **Eastern hog-nosed snakes**, pictured right, when threatened, puff up with air, flatten their necks and bodies and hiss loudly. (This has led to local names like "puff adder" or "hissing viper.") If this act is unsuccessful, the snakes will writhe about, excrete a foul-smelling musk and then turn over with mouth agape and lie still, as though dead. Despite this intimidating behavior, hog-nosed snakes are harmless to humans.

The **eastern massasauga rattlesnake**, pictured below, the only venomous species found in Michigan, is quite rare and protected as a species of special concern due to declining populations from habitat loss. As the name implies, the massasauga rattlesnake does have a segmented rattle on its tail. It should not be confused with the other harmless species of snake in Michigan that do not have segmented rattles but will also buzz their tails if approached or handled.

Eastern massasauga rattlesnakes are shy creatures that avoid humans whenever possible. Also known as “swamp rattlers,” they spend the vast majority of their time in year-round wetlands hunting their primary prey, mice. When encountered, if the snake doesn't feel threatened, it will let people pass without revealing its location. If humans do get too close, a rattlesnake will generally warn of its presence by rattling its tail while people are still several feet away. If given room, the snake will slither away into nearby brush. Rattlesnake bites, while extremely rare in Michigan (fewer than one per year), can and do occur. Anyone who is bitten should seek medical attention immediately. To learn more about the massasauga and for more snake safety tips, click **HERE**.

Those who encounter a snake of any kind should leave it alone and should not try to handle or harass the snake – this is primarily how snake bites happen. A snake can only strike roughly one-third of its body length, so it is physically impossible for people to get bitten if they do not get within 24 inches of the snake’s head. Michigan snakes do not attack, chase or lunge at people or seek out human contact. Simply put, if left alone, Michigan snakes will leave people alone.

The DNR asks Michigan residents to consider reporting any reptile or amphibian sightings to the Michigan Herp Atlas research project to help monitor amphibian and reptile populations in Michigan and protect these valuable resources for future generations. Visit [www.miherpatlas.org](http://www.miherpatlas.org) for more information.

*AJ Hale Jr  Safety & Loss Prevention Manager    Okemos Michigan 48805  Office: 269.789.9166  ajhale@compone.net*
2015 Corporate Sponsors

Insurance Companies or Agencies
- Gallagher Benefit Services, provides benefit planning services. Mary Beth Bullen (248) 430-2778.
- IBEX Insurance Agency is an all lines independent insurance agency. Keith Potter (248) 538-0470.
- Marsh USA, is the world’s leading risk and insurance service firm. Charles Briggs (313) 393-6800.

Law Firms
- Cummings, McClure, Davis & Acho, P.C. mission is simple - we must help our clients be successful and improve their bottom line to assist our clients to achieve their business objectives with the least amount of legal risk. Joseph T. Seward, (734) 261-2400.
- Johnson, Rosati, Schultz & Joppich, P.C. is a full service law firm. Chris Johnson (248) 489-4100.
- Lacey & Jones, LLP. The firm’s practice is divided into three practice groups: 1) Workers’ Compensation Litigation, Appeals and Legal Research; 2) Civil Litigation; and 3) Employment Law, Commercial, Litigation and Labor Law. Dawn Drobnich (248) 283-0740.
- LeVasseur & Levasseur. Our mission is to lead our clients through the shark-infested waters of worker’s compensation litigation by defending their asset to the very letter of the law, Denice LeVasseur (248) 356-8600.
- Pedersen, Keenan, King, Washberg & Andrzejak, P.C. is a full service law firm. Diverse defense of personal injury, property, and contract cases. Paul Pedersen (248) 363-6400.
- Plunkett & Cooney, P.C. is Michigan’s leading litigation defense and trial practice law firm. William Reising (810) 342-7001.

Claims, Investigative and Financial Service Companies
- Advantage Consulting, Inc. Michigan's leading occupational therapy centers. Contact: Kathleen Dunning (248) 689-0468
- ASU Group service line includes adjusting, case management, third party administration and medical bill review. Chad Johnson (517) 381-7923
- Citizen’s Management Inc., Third Party Administrator for Workers Compensation claims. Contact Robert Dewey at 517-546-2160
- CompOne Administrators Inc. an FDI Group Company, Third Party Administrator for Workers Compensation, Long-Term Disability and Short-Term Disability claims adjudication and management. Bruce Stubbs (248) 344-2267
- CorVel, providing network solutions, case management and bill review. Lisa Deegan (517) 381-1531.
- Plante & Moran, PLLC, public accounting and business advisory firm. Terry Olejnik (248) 223-3388.
- ServPro professional emergency restoration, whether its water, fire or mold. Available 24 hours / 7 days a week. Contact: Mike Snyder (989) 239-9170 Email: msnyder@RDMCHC.com