



MICHIGAN SELF-INSURERS' ASSOCIATION

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Gerald M. Marcinkoski
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1st Vice Chair

General Motors Corporation
Susan R. Azar
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Sheila Mahan
Treasurer

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Libby Child

Wayne State University
Pamela Galloway

Ford Motor Company
Jonathan R. Parker

Little Caesar Enterprises, Inc.
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AT&T Michigan
Albert Calille

Consumers Energy Company
Doug Wright

Chrysler LLC
Neil D. Levins

DTE Energy
Douglas A. Green

FinCor Solutions
Janet Kransz

Marathon Oil Company
Barbara Parker

The Pepsi Bottling Group
David Sedlock

Sherriff-Goslin Company
William Ticknor

TENTATIVE MINUTES OF BOARD OF MANAGERS' MEETING

November 30, 2007

Holiday Inn North Campus
Ann Arbor, Michigan

Reminder: Beginning with these Minutes, Minutes will only be available via e-mail or on the website. If you wish to receive the Minutes, please provide your name, company name, and e-mail address to Donna Rinke at drinke@laceyjones.com.

Present:

AZAR, S., General Motors Corporation
CALILLE, A., AT&T Michigan
CHILD, L., Varnum Consulting
GALLOWAY, P., Wayne State University
GREEN, D., DTE Energy
HEALY, M. Little Caesar Enterprises, Inc.
KRANSZ, J., FinCor Solutions
OHMAN, S., Alticor, Inc.
PARKER, B., Marathon Oil Company
PARKER, J., (by proxy) Ford Motor Company
TICKNOR, B., (by proxy) Sherriff-Goslin Company
WRIGHT, D., Consumers Energy Company

Chairperson's Council:

SUSSER, D., Smith Haughey Rice & Roegge

Not Present:

CYRULNIK, S., Trinity Health
LEVINS, N., DaimlerChrysler Corporation
MAHAN, S., City of Grand Rapids

The MSIA Board meeting was called to order at 11:40 a.m., by First Vice Chair Steve Ohman, substituting for Chairperson Susan Cyrulnik, to address the following Agenda.

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AGENDA

1. Minutes of Board of Managers' Prior Meeting
2. Treasurer's Report
3. Nominating Committee Report
4. Technology Committee Report
5. Membership Report
6. *Amicus Curiae* Committee Report
7. Funds Trustees Report
8. Health Care Committee Report
9. Legislative Committee Report
10. Old Business
 - a. Location of 2008 Fall Conference
 - b. Funds Trustee Position
 - c. Vocational Rehabilitation Task Force Developments
 - d. Qualifications Advisory Committee Developments
 - e. Other Old Business
11. New Business
 - a. Final 2007 Fall Conference Report
 - b. Minutes to Annual Meeting
 - c. New Members
 - d. Off-Site Storage
 - e. Rock Financial Showplace's Cancellation Clause
 - f. Other New Business

Mr. Ohman began the meeting by having the proxies introduce themselves to the MSIA Board.

The **Minutes** of the Board's previous meeting were then approved with a minor correction upon motion of Ms. Child, seconded by Ms. Parker.

The **Treasurer's Report** consisted of a handout provided by the Treasurer which was distributed to the MSIA Board members.

The **Nominating Committee Report** discussed again the continuance of Chrysler LLC on the Board with Mr. Calille, Chair of the Nominating Committee, to contact Mr. Neil Levins of Chrysler LLC to determine Chrysler's intentions. Mr. Calille and the Committee will also identify other potential companies to replace Tecumseh Products who has withdrawn from the MSIA Board of Managers.

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The **Technology Committee Report** was submitted by Ms. Child who reported that the website continues to be a success and continues to be developed by Mr. Tom Dana, the webmaster.

The **Membership Committee Report** was deferred due to the absence of Ms. Mahan.

The **Amicus Curiae Report** was submitted by Mr. Calille and the Executive Secretary. They reported that we continue to await the Supreme Court's resolution of *Stokes v Chrysler LLC*. The MSIA has also received and approved a request to file an *amicus curiae* brief in *Robertson v Chrysler LLC*, the mental disability case which pends before the Michigan Supreme Court on Chrysler's Application for Leave to Appeal. The Supreme Court has issued a favorable order in *Simpson v Borbolla Construction/Fluor Constructors International, Inc.*, which relates to the *Rakestraw* issue. In *Simpson*, the Supreme Court vacated the Court of Appeals' decision. The Court of Appeals' decision had said that the *Rakestraw* rule does not apply to cases where the employee's preexisting condition is work related. Put differently, the Court of Appeals' decision had limited *Rakestraw* to preexisting, non-work-related conditions. The Supreme Court's vacation of that order means the Court of Appeals' rule no longer is the law in Michigan.

The **Funds Trustee's Report** was submitted by Ms. Child. She indicated that she had advised the Governor that she did not intend to seek another term as the Funds Trustee. Since the MSIA has traditionally had one of its own Board members serve as one of the three Funds Trustees, the MSIA is pursuing the appointment of one of its Board members to the Funds Trustee position to be vacated.

The **Health Care Advisory Committee Report** was submitted by Ms. Azar. She reported that there had not been a Health Care Advisory Committee Meeting since the MSIA Board's last Board of Managers' Meeting.

The **Legislative Committee Report** was tabled.

Under **Old Business**, the Board decided to continue the location of the 2008 Fall Conference at Rock Financial. The Board deferred further discussion of the Funds Trustee position as it had been discussed under the Funds Trustee's Report. The Board learned that the impetus for changes in vocational rehabilitation administrative rules has apparently run out of steam and the Board discussed the necessity for reappointment of a person on the Qualifications Advisory Committee.

Under **New Business**, the Board reviewed the final 2007 Fall Conference report and the minutes to the annual meeting submitted at the conference. The annual minutes were approved. New members were admitted upon condition of payment of dues. The new members include: Universal Imaging.

The Board then discussed the possibility of off-site storage of MSIA materials, particularly as it relates to conference materials and historical data. Ms. Azar will explore different possibilities for off-site storage.

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The Board's discussion of Rock Financial's cancellation clause had been subsumed in the discussion of the location for the 2008 Fall Conference.

The meeting adjourned at 4:07 p.m.

Respectfully submitted,

Gerald M. Marcinkoski

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Executive Secretary