

RESOLUTION 2020 - 288

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ADOPTING REVISED BYLAWS FOR THE INSURANCE COMMITTEE.

WHEREAS, the Insurance Committee provides recommendations to the Board of County Commissioners of St. Johns County with respect to the County's benefit plans and services; and

WHEREAS, the Board of County Commissioners, at its discretion and as it deems appropriate or desirable, is authorized to adopt, amend, abolish, or otherwise change the rules and directives under which the Insurance Committee operates; and


WHEREAS, at this time, the Board of County Commissioners wishes to adopt the attached bylaws in order to further the efficient and organized governance of the Insurance Committee.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County:

1. The above recitals are hereby adopted as legislative findings of fact.
2. The Board of County Commissioners approves the revised Insurance Committee bylaws, which are attached hereto, and incorporated herein as an Exhibit to this Resolution.
3. The attached bylaws supersede any previous bylaws adopted by the Board of County Commissioners for the Insurance Committee.
4. To the extent that there are typographical and/or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval of the Board of County Commissioners.
5. This resolution shall be effective upon its adoption by the Board of County Commissioners.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 4th day of August, 2020.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA



Jeb S. Smith, Chair

ATTEST: Brandon Patty, Clerk

By: 

Deputy Clerk

RENDITION DATE 8/6/20



BYLAWS
St. Johns County Insurance Committee

I. Name

The name of the committee shall be the St. Johns County Insurance Committee (the Committee).

II. Definitions

- A. Benefits Plan (the Plan) includes but is not limited to:
 - 1. Self-Funded Medical, Prescription, Dental and Visions
 - 2. Fully-Insured Group Life and AD&D
 - 3. Fully-Insured Group Long Term Disability
 - 4. Voluntary Group Life
 - 5. Miscellaneous Voluntary Products such as short-term disability, cancer, accident, long-term care, etc. if offered by all participating members of the Committee
 - 6. Section 125 Medical and Dependent DayCare Flexible Spending Accounts and Health Reimbursement Account.
- B. Participating Constitutional Officers (Constitutional Officers) are those County Officers identified in Article VIII, Section 1(d) of the Florida Constitution. For the purposes of these Bylaws, the Constitutional Officers are:
 - 1. Clerk of Courts
 - 2. Property Appraiser
 - 3. Sheriff's Office
 - 4. Supervisor of Elections
 - 5. Tax Collector
- C. Owner of the Plan is the Board of County Commissioners (the Board)
- D. Members that can participate in the Plan are:
 - 1. Bona fide active employees, including employees on an approved leave of absence.
 - 2. Eligible Retirees
 - 3. Eligible Spouses and Dependents
 - 4. COBRA Participants

III. Purpose

The purpose of the Committee is to provide access to high-quality benefit plans and services for employees and their dependents while maintaining costs to St. Johns County and the employees participating in the plans and services. The Committee shall:

- A. Represent the St. Johns County Board of County Commissioners and Constitutional Officers on matters of health, dental, life, and all insurance-related benefits for the employees of the above agencies for plans open to all employees of the above agencies.

- B. Participate in the planning process for the provision of benefits for the employees of the Board of County Commissioners and any participating Constitutional Officers by serving as advisors to the Board of County Commissioners, County Administration and Constitutional Officers.
- C. Monitor and track the ongoing costs, progress, and success of the Plan and make recommendations accordingly.
- D. Perform its functions and duties without regard or condition as to the race, religion, gender, marital status, disability, genetics, or national origin of any affected person.

The Committee's function shall be strictly advisory in nature.

IV. Duties and Responsibilities

The St. Johns County Insurance Committee is an advisory body for the St. Johns County Board of County Commissioners, County Administration and participating Constitutional Officers. The Committee shall be subject to the Rules and Policies of the Board of County Commissioners in the performance of its duties and responsibilities.

The Committee's duties and responsibilities are as follows:

- A. Provide advice to the Board as part of the planning process for employee benefit provisions.
- B. Review and evaluate the benefit needs, programs, services, and special issues for employees.
- C. Communicate and make recommendations with respect to the Plan to the Constitutional Officers and to the Board of County Commissioners. In accordance with Policies and Procedures, ultimate decision making authority for contracts and budget related business falls with the Board of County Commissioners after review of the Committee's recommendations. Ultimate signing authority falls to the County Administrator or its designated representative.
- D. Make reports and recommendations to participating Constitutional Officers, the Board of County Commissioners, and such other bodies as are appropriate.
- E. Promote a comprehensive and integrated approach to providing and monitoring benefits provided by the County to employees of the Board of County Commissioners and participating Constitutional Officers.
- F. Assess and make recommendations for benefit-related programs, services, and issues as needed.
- G. Adhere to the requirements of Florida Statutes, including Florida's Government in the Sunshine law.
- H. Provide recommendations with respect to benefit change suggestions from employees during the Public Comment portion of a meeting.

V. Meetings

- A. The Committee shall hold meetings every month, unless a scheduled meeting falls on a holiday or is canceled for a particular reason. Special meetings may be held from time to time, with members notified in a proper manner. Notice of meetings will be

publicly posted. Meetings shall be held at an accessible location and may rotate between participating members' offices. Meetings shall be open to the public.

- B.** Membership shall consist of up to six voting members, appointed by the Board of County Commissioners and participating Constitutional Officers or their designees with voting powers. Members should represent by experience, interest and knowledge, the areas that are the concern of the Committee. The number of voting members may fluctuate based on the number of Constitutional Officers. Composition of the Committee shall be:

1. One voting member from the Board of County Commissioners.
 - a. In the absence of the representative County Commissioner, voting responsibility will lie with the County Administrator or designee.
2. One voting member from each of the participating Constitutional Officers as follows:
 - a. Clerk of Courts
 - b. Property Appraiser
 - c. Sheriff's Office
 - d. Supervisor of Elections
 - e. Tax Collector

C. The County Administrator and the County Personnel Services Director, or their designees, shall attend Committee meetings and may participate in discussions but shall not be considered Committee members.

D. Additional non-voting staff members of the Constitutional Officers listed above may be assigned to attend at any time.

E. A quorum shall consist of a majority of 4 current voting members and shall be required to pass any business that requires a vote.

F. Term of appointment of Committee Chair shall be effective at the January Insurance Committee Meeting and shall be for two (2) years.

G. Any voting member vacancy on the Committee shall be filled for the unexpired term in the same manner as provided for in the initial appointment to the Committee. A member may serve consecutive years with no limit if approved by the Director of the participating office listed above.

H. Attendance at meetings is required. Absent members are encouraged to send an alternate office representative so that all Constitutional Officers are represented in a voting capacity. A record of absences shall be maintained as part of the meeting minutes.

I. The participating Constitutional Officers are encouraged to attend a minimum of 4 meetings per year to promote communication and ensure awareness of the Plan.

J. Resignations are to be submitted in writing and addressed to the Chair of the Board of County Commissioners and sent to the Committee Chair, with copies to the Personnel Services Director for appropriate routing and filing.

K. The agenda for Committee meetings shall be established in conjunction with the third party administrator with input from all Committee members and constitutional officers.

L. The Committee meets the third Thursday of the month. Agenda items should be submitted to the designated Board of County Commissioners' staff representative and shall be included in the agenda. The agenda, draft minutes and any pertinent summaries or documents will be provided to members seven (7) days prior to the next meeting.

- M. The name, address and daytime telephone number of the custodian of written Committee records shall be filed with the County Administrator's office. Should the place of records change, the County Administrator's office is to be notified immediately. Minutes shall be prepared by a County Personnel staff member unless otherwise determined by the Committee and shall include date, time, location, present and absent members, visitors, staff and participating agency directors and reflect the substance of issues discussed, proposed, moved and voted upon. Once approved, minutes will be furnished to all members of the Board of County Commissioners, the County Administrator, the Constitutional Officers, and all committee members and serve as the official report of the meeting. Minutes and other public records of the Committee shall be made available to the public upon request except for material exempt and/or confidential under state law.
- N. Should a Constitutional Officer choose to withdraw from the benefits Plan at any time, notice should be submitted 3 months prior to the termination in writing and addressed to the Chair of the Board of County Commissioners and sent to the Committee Chair, with copies to the Personnel Services Director for appropriate routing and filing. See Article VII: Plan Administration.
- O. If it is determined by the Office of Management and Budget that a change is needed to the Board or Employee contributions that have been approved by the Committee, a representative from the Office of Management and Budget shall be required to attend the next meeting and submit the change(s) to the Committee for approval.

VI. Officers

- A. Elections shall be held biennially, during the first meeting of the year every other year, through open nominations and vote. The Chair shall be elected by a majority and shall rotate between representatives of Constitutional Officers.
- B. Duties of the Chair shall be to convene Committee meetings, assign tasks to members, co-prepare the agenda, supervise correspondence and reports, and attend meetings with the Board of County Commissioners, County Administrator, and Constitutional Officers as designated spokesperson.
- C. Officers serve for two (2) years, commencing from the election, and may serve consecutive terms with a unanimous vote.

VII. Plan Administration

- A. The Plan allows for significant savings through consolidating employees from multiple constitutional officers resulting in group discounts and other cost reduction benefits.
- B. In the event the County issues a Request for Proposals (RFP) in connection with the Plan, the selection committee for the RFP shall include a representative from each participating Constitutional Officer.
- C. Should a Constitutional Officer choose to withdraw from the Plan at any time, the following apply:
 - 1. The Constitutional Officer shall notify to the Committee Chair 3 months prior to termination;

2. The Constitutional Officer shall be responsible for paying on-going run-out costs for their participating office's employees as of the date of withdrawal from the Plan. On-going costs include but are not limited to:
 - a. Medical, Prescription and Vision Plan Fees – % of run-out claims paid as stated in most current vendor contract.
 - b. Dental Plan Fees – % of run-out claims paid as stated in most current vendor contract.
 - c. Medical, Prescription, Vision and Dental Claims
 3. Run-out period can last as long as 2 years but is not limited to this timeframe.
- D. Should a Constitutional Officer choose to offer any employee benefit that is not offered to all participating plan members (i.e., a Voluntary Product), the Constitutional Officer will be solely responsible for governing the Product including any associated fiduciary responsibility and general liability.

VIII. Staff and Legal Assistance

A County Staff member will be assigned by the County Administrator to work with the Committee and to serve as liaison and promote communication. Use of County equipment and services (i.e., postage, copies, research, minutes) by Committee members is allowed as needed and approved by County staff. Legal advice will be provided by the County Attorney's Office as approved by the Board of County Commissioners. If outside insurance legal counsel is required, any fees attributable to the outside legal counsel are to be paid by the Plan. Fees must be presented and approved by the Board of County Commissioners prior to engagement.

IX. Privacy

St. Johns County Self-Funded Medical, Prescription, Vision and Dental Plans are required by the HIPAA Privacy laws to protect the privacy of members' Personal Health Information (PHI). Representatives of the Committee (voting and nonvoting) must undergo HIPAA training. Accordingly Committee representatives must agree not to disclose any member's personal health information in any manner other than as stated on the Plan's privacy notice.

X. Amendment of Bylaws

Amendments to the bylaws may be recommended to the Board of County Commissioners by a majority vote of the Committee, provided notice of intent to revise or amend be given to Committee at a preceding meeting and by mail 30 days before the meeting at which the revision or amendment is to be considered. No amendment to the bylaws shall take effect until it is approved by the Board of County Commissioners. Bylaws and any amendments thereto shall be sent to the County Administrator, Board of County Commissioners, and Constitutional Officers via the Personnel Services Director, to be filed with the Committee's files.

XI. Liabilities

No member or officer shall be liable for the actions or failures to act of any other member or officer of the Committee.

XII. Conflict of Interest

If any member suspects a possible conflict of interest regarding any matter before the Committee, it should be brought to the attention of County Administrator, along with corroborating evidence, if any. The County Administrator may rule on the conflict, elect to have the matter presented to the Committee for a vote, or determine that legal advice shall be obtained and then presented to the Committee.

Committee members with fiduciary interests in issues coming before the Committee shall not vote, discuss, or otherwise influence the vote or discussion of such issues. Fiduciary interest is defined herein to include a financial interest held by the member, member's spouse, or dependent children, which is:

- A. an ownership interest in a business, or in real or personal property;
- B. a creditor interest in an insolvent business;
- C. employment, or prospective employment/negotiations have begun;
- D. a loan or other debtor interest;
- E. a directorship or officership in a business.

Conflicts of interest shall be governed by Section 112.3143, Florida Statutes.